

PLANNING REGULATORY BOARD

**Date:- Thursday 19 May 2022 Venue:- Town Hall, The Crofts,
Moorgate Street, Rotherham.
S60 2TH**

Time:- 9.00 a.m.

Meetings of the Planning Board can all be viewed by live webcast by following this link:-
<https://rotherham.public-i.tv/core/portal/home>

AGENDA

1. To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.
2. To determine any items which the Chairman is of the opinion should be considered as a matter of urgency.
3. Apologies for absence (substitution)
4. Declarations of Interest (Page 5)
(A form is attached and spares will be available at the meeting)
5. Minutes of the previous meeting held on 7th April, 2022 (Pages 6 - 7)
6. Deferments/Site Visits (information attached) (Pages 8 - 9)
7. Development Proposals (Pages 10 - 116)
8. Updates
9. Date of next meeting - Thursday, 9th June, 2022

Membership of the Planning Board 2021/22

Chair – Councillor Atkin
Vice-Chair – Councillor Bird
Councillors Bacon, Burnett, Cowan, Elliott, Fisher, Havard, Keenan, Lelliott, McNeely,
Sansome, Tarmey, Tinsley and Wooding.

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

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 online at least 5 days prior to the meeting, and a few copies will be made available at the meeting, so you can read the report 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.

Take time to familiarise yourself with the layout of the Chamber and the procedure of the meeting, before 'your' application is reached.

Please note that applications can sometimes be withdrawn or deferred at short notice. **The Council will do its best to notify the public in advance**, but on occasions this may not be possible.

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.

YOUR RIGHT TO SPEAK

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

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

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 meeting.

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

PLANNING BOARD

MEMBERS' DECLARATION OF INTEREST

Your Name (Please PRINT):-

Meeting at which declaration made:-

Item/Application in which you have an interest:-

Date of Meeting:-

Time Meeting Started:-

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

1. Disclosable Pecuniary

☐

2. Personal

☐

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

(Please continue overleaf if necessary)

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

Signed:-

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

PLANNING BOARD
7th April, 2022

Present:- Councillor Atkin (in the Chair); Councillors Bacon, Bird, Burnett, Cowen, Elliott, Fisher, Havard, Keenan, Sansome, Sheppard and Tinsley.

Apologies for absence were received from Councillors Lelliott, McNeely and Tarmey.

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

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

81. EXCLUSION OF THE PRESS AND PUBLIC

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

82. MATTERS OF URGENCY

There were no matters of urgency for consideration.

83. DECLARATIONS OF INTEREST

Councillor Sheppard (Substituting for Councillor Lelliott) declared a personal interest in application RB2021/2041 (use of land to extend garden areas including boundary wall/fence and gate at land to rear of 40-46 Roundwood Grove, Rawmarsh for Mr. Ding) on the grounds of objecting to the proposal as a Ward Member. He spoke on the application, left the room and did not observe the debate or vote.

84. MINUTES OF THE PREVIOUS MEETING HELD ON 24TH FEBRUARY, 2022

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 24th February, 2022, be approved as a correct record of the meeting.

85. DEFERMENTS/SITE VISITS

There were no site visits or deferments recommended.

86. 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:-

- Use of land to extend garden areas including boundary wall/fence and gate at land to rear of 40-46 Roundwood Grove, Rawmarsh for Mr. Ding (RB2021/2041)

Mr. D. Thorpe (on behalf of the Applicant)
Mr. P. Seekings (Supporter)
Councillor D. Sheppard (Objector)
Mrs. S. Metcalfe (Objector)

(2) That the Planning Board declare that it was not favourably disposed towards application RB2021/2041 and that it be refused on the grounds of loss of urban green space.

(3) That, application RB2021/2127 be granted for the reasons adopted by Members at the meeting, subject to the relevant conditions listed in the submitted report, and subject to an amendment to Condition 8 to now read:-

08 - The development hereby granted, including all related works necessary to drain the site, shall be carried out in accordance with the details submitted to and approved by the Local Planning Authority in respect of the pumping stations and discharge approval. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to first occupation of the dwellings, and shall thereafter be retained and maintained.

(4) That, application RB2022/0115 be granted for the reasons adopted by Members at the meeting, subject to the relevant conditions listed in the submitted report, and subject to an amendment to Condition 7 to now read:-

07 – The development hereby granted, including all related works necessary to drain the site, shall be carried out in accordance with the details submitted to and approved by the Local Planning Authority in respect of the pumping stations and discharge approval. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to first occupation of the dwellings, and shall thereafter be retained and maintained.

87. UPDATES

There were no updates to report.

88. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 28th April, 2022 at 9.00 a.m. at Rotherham Town Hall.

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 19 May 2022**

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

INDEX PAGE

RB2021/1326 Construction of new 3G all-weather football pitch associated hardstandings, floodlighting and fencing at Wales High School Storth Lane Kiveton Park for Wales High School	Pages 9-21
RB2021/1532 Reserved matters application (details of appearance, landscaping, layout & scale) for the erection of 320 No. dwellinghouses (reserved by outline RB2019/0894) at land East of Moor Lane South Ravenfield for Redrow Homes Limited	Pages 22-114

**REPORT TO THE PLANNING BOARD
TO BE HELD ON THE 19 May 2022**

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	RB2021/1326 https://rotherham.planportal.co.uk/?id=RB2021/1326
Proposal and Location	Construction of new 3G all-weather football pitch associated hardstandings, floodlighting and fencing, Wales High School, Storth Lane, Kiveton Park
Recommendation	Grant Conditionally

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



Site Description & Location

The site of application is a sports field linked to Wales High School on the edge of Wales Village. The field is currently used for football and athletics during the summer months. The sports field falls within the Green Belt outside of the Community Facilities allocation of the school.

To the south of the site is Kiveton Park Meadows Junior School whilst to the west of this school, beyond a wooded area, are residential properties on Horseshoe Close. To the south east of the site are two residential properties on Storth Lane, used as caretaker's accommodation for the Schools, with Wales High School beyond across the road.

The Sheffield to Worksop rail line runs adjacent to the north western boundary of the overall site.

Background

RB1979/1747 - 7 temporary classroom units – GRANTED

RB2017/1142 - Placement of 3 no temporary modular units - GRANTED
CONDITIONALLY

RB2017/1558 - Placement of 2No. temporary modular units, Wales High School,
Storth Lane, Kiveton Park – GRANTED CONDITIONALLY

The Council is also currently considering the following application:

RB2022/0254 - Proposed New Changing rooms & existing club room facility upgrading – GRANTED CONDITIONALLY

Proposal

The applicant seeks permission for the installation of a new 3G Astro turf pitch with associated fencing and floodlighting. The fence will be in a green mesh measuring a maximum of 4.5m high to retain footballs.

There would be 6 x 15m high floodlight columns with LED lights.

The football pitch will be used by both Kiveton Park Football Club and Wales High School. No additional parking is proposed within the site which is served by an existing car park providing 35 spaces, as well as additional parking bays provided on Storth Lane.

The proposed pitch was originally proposed in the south western corner of the overall playing field site, approximately 60m from the nearest residential property on Horseshoe Close. Following Officer advice the pitch has been moved to the south eastern portion of the sports field so as to reduce noise and light pollution to local residents on Horseshoe Close.

The applicant's Amended Noise assessment states that:

- Measurements of the prevailing background noise climate were undertaken at site from Monday 25th – Tuesday 26th October 2021 at a location representative of the identified Noise Sensitive Receptors (NSRs). Representative data of previously obtained MUGA noise activity has been utilised within the assessment.
- The nearest or most-affected Noise Sensitive Receptors (NSRs) were identified as residential dwellings to the south and southwest on Storth Lane and Horseshoe Close. Kiveton Park Meadows Junior School has been considered as a third receptor as requested from the local authority.
- Acoustic modelling software, SoundPLAN, was utilised to calculate external sound propagation toward the NSR locations using 'ISO-9613-2 - Attenuation of sound during propagation outdoors' and measured data of a football session within a previously measured MUGA site.
- Calculated noise levels at the identified receptors were assessed against the criteria provided by Sports England on the design and construction of sports areas given in the 'Artificial Grass Pitch (AGP) Acoustics'. These criteria include comparisons to the existing noise climate (LAeq & LAFmax) and to WHO guideline values.
- Noise levels at receivers were predicted to fall below the adopted criteria during the proposed use periods.
- Context discussions included the existing use of land, the length and days of the proposed extended use, context of the surrounding area and the location and number of affected receptors; all found to be below the existing noise climate. In conclusion, the potential impact from the proposed use of the MUGA is considered acceptable.

The applicant has submitted a light impact assessment indicating that light spillage will be minimal and not harm neighbouring amenity.

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 that was adopted in June 2018.

The site is allocated Green Belt, in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

CS4 'Green Belt'
CS20 'Biodiversity & Geodiversity'
CS27 'Community Health and Safety'
CS28 'Sustainable Design'

SP 10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt'
SP33 'Conserving & enhancing the natural environment'
SP34 'Sites protected for nature conservation'

SP35 'Protected and priority species'
SP52 'Pollution Control'

Other Material Considerations

Supplementary Planning Development - 'Development in the Green Belt.'

Bat Conservation Trust's guidance note 08/18 "Bats and artificial lighting in the UK".

The NPPF (as revised) states that: "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise."

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 site notice along with individual neighbour notification letters to adjacent properties. Following the initial publicity when the pitch was proposed in the south western corner of the site, 9 letters of objection were received from residents on Horseshoe Close (6) and Manor Road (3). One letter was received from the local MP, merely passing on comments they have received from one of the above objectors.

The letters of objection state that:

- The proposed pitch is too close to Horseshoe Close
- The intended hours of use are unacceptable
- Noise and bad language from the existing pitch is detrimental to neighbour's enjoyment of their gardens.
- The proposed all weather pitch will be used intensively creating harm to neighbouring residents.
- The noise and floodlighting will be detrimental to local wildlife.
- Significant light pollution late into the evenings.
- Better location within the school grounds
- There is already a new build 3G pitch within the village at the former Kiveton Colliery site.

Further consultation took place following the repositioning of the football pitch and a further 3 letters of objection were received, two of which were from residents who had previously objected reiterating their concerns. In addition, 26 letters in support were submitted (primarily from residents in the area, though not the immediate area).

The letters in support state that:

- Good Facility for local children in the area
- Supports the growing football club and improves school facilities
- Improves physical activity and mental health
- The club doesn't promote swearing or aggressive behaviour, but these issues can arise at a football club.
- The current field drains poorly making football during winter months difficult.
- The existing 3G pitch at the former Kiveton Colliery site is not suitable for over 12s due to its size.

The applicant has requested the right to speak at Planning Board.

Consultations

RMBC Transportation Unit: No objections

RMBC Environmental Health: No objections to the amended location subject to appropriate conditions restricting the hours of operation and the lighting use.

RMBC Ecologist: No objections to the scheme and does not consider a bat survey is required due to the position of the proposed sports pitch within an existing longstanding playing field.

The Coal Authority: No objections

Network Rail: No objections

Appraisal

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

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

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

The main considerations in the determination of the application are:

- Whether the proposal would be inappropriate development within the Green Belt, including its impact on the openness and purposes of the Green Belt.

- Impact on the character and appearance of the Green Belt.
- Whether the proposal would be of detriment to highway safety.
- Impact upon ecology
- The impact upon neighbouring amenity
- Planning balance and very special circumstances

Whether the proposal would be inappropriate development within the Green Belt, including its impact on the openness and purposes of the Green Belt.

The application site is located within the Green Belt where there is a presumption against inappropriate development, which is, by definition harmful to the Green Belt and its openness.

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

Policy SP 10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt' states:

"Provision of appropriate facilities for outdoor sport, outdoor recreation and cemeteries, will be acceptable as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it providing that:

- a. proposals will not give rise to undue disturbance caused by an increase in noise, the attraction of significant numbers of additional people into the area, or an increase beyond current levels of traffic at any one time;
- b. they are sited and designed so as to avoid any adverse impact on identified landscape character, heritage, nature conservation or agricultural interests;
- c. the proposals would not pollute surface and groundwater; and
- d. they can satisfy other relevant policies of the Plan and National Guidance;
- e. the applicant will need to demonstrate that the impact of the proposals will not be detrimental to the preservation of the openness of the Green Belt or to its character."

Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, exceptions to this include the "...provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it..."

Issues in respect of impact on local residents, the local highways, and other general issues are discussed further below. The proposed 3G pitch and associated fencing and lighting represent appropriate facilities for outdoor

recreation within this Green Belt setting. The new pitch will be for both the use of the football club and the school, to the benefit of the Local Community.

In terms of the effect of the development on the openness and purposes of the Green Belt, the NPPF states that the most important attribute of Green Belts is their openness. In this instance the site is largely screened by existing vegetation, and whilst the proposed pitch itself would have minimal impact on openness, there will be some reduction in the openness of the Green Belt by way of the tall fencing surrounding the site, and the 6 No. 15m high lighting columns, the light from which making them conspicuous within the setting and easily visible. The fencing and lighting columns will also introduce elements of urbanisation in this open area, and one of the purposes of the Green Belt is to assist in safeguarding the countryside from encroachment.

In view of the above the proposals are not in accordance with Local Plan Policy SP10 as well as the NPPF and as such very special circumstances have to be demonstrated to overcome the harm caused by the floodlighting, which are discussed in more detail below.

Impact on the character and appearance of the Green Belt.

In terms of the impact of the character and appearance of the Green Belt the new facility does have an urbanising impact upon the character of the existing sports field which is otherwise open. However, the visual appearance has been minimised through the use of green mesh fencing and green Astro turf which blends into the existing playing field. Overall, the sports pitch will have a good quality appearance suitable for its setting close to a school with other existing sports pitches. As such the sports pitch will have an acceptable impact upon the character and appearance of the Green Belt.

Whether the proposal would be of detriment to highway safety.

The NPPF paragraph 111 states that: "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".

The site includes on site parking for 35 cars and parking is also available along Storth Lane, no additional parking is proposed. The football club will use the pitch outside of school hours preventing any clash with parking demand along Storth Lane. Furthermore, the position of the facility on the edge of the village is within easy walking distance of a large number of members, reducing the need to travel by car.

As such there are no highway or parking concerns.

Impact upon ecology

Policy CS20 'Biodiversity & Geodiversity' states that priority will be given to; "supporting the positive management and protection of nationally, regionally and locally designated sites for nature conservation". CS20 gives priority to; "conserving and enhancing sites and features which have demonstrable biodiversity and geodiversity value, including woodland, important trees, hedgerows, watercourse,...but which are not included in designated sites".

SP33 'Conserving & enhancing the natural environment' states that: "Development should conserve and enhance existing and create new features of biodiversity ..value". It also states that: "Planning permission will not be granted for development that is likely to, directly or indirectly, result in the loss or deterioration of sites, habitat or features that are considered to be irreplaceable due to their age, status, connectivity, rarity or continued presence unless the need for, and benefits of, the development in that location clearly outweigh the loss".

NPPF paragraph 174 states that: "Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefit"

Firstly in terms of light pollution the LED lights are designed to reduced light overspill to surrounding areas. In addition the pitch has now been positioned closer to the school away from nearby small woodland to the rear of Horseshoe Close.

The Council's Ecologist has assessed the proposal and notes that the pitch has been moved further away from the nearby wooded area and that light spillage is minimal and will not harm the woodland. The scheme therefore accords with the Bat Conservation Trust's guidance note 08/18 "Bats and artificial lighting in the UK".

In terms of the 3G pitch itself there is potential for the small plastic pellets to be blown off or transfer onto the adjoining land. As such a specific condition has been attached requiring details of measures to prevent infill granulate from escaping the pitch or entering the drains.

Impact upon neighbour amenity

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.”

The main objections to the scheme relate to the noise and disturbance the football pitch will create as well as the light pollution generated by the floodlighting. The sports field has been in use since the 1960s when Wales High School was first constructed and as such has a long history of sport taking place on site. This use has intensified in recent years with Kiveton Park football club utilising the pitches outside of school hours.

Clearly the new 3G pitch with floodlighting will allow for a more intensive use of the pitch in the evenings, up until 10pm at night. In order to mitigate the potential noise the applicant has agreed to move the pitch further away from the objectors and closer to the school itself and the caretaker dwellings.

The applicant has provided an updated noise and lighting assessment which demonstrates that the noise and light pollution will not be excessive. The Council Environmental Health Team agree with their conclusion. Whilst some noise will be heard this is not considered to be excessive and is not unusual from a longstanding sporting location.

Whilst clearly such a 3G pitch will generate more use with the associated noise from players and spectators, which may be heard by some neighbouring residents, this has to be weighed against the significant benefits of the scheme by providing important all weather recreation facilities. The Council Policies, and in particularly Supplementary Planning Document No. 5 Equal and Healthy Communities, seeks to promote physical activity and the provision of sports facilities close to residents.

Planning Balance and Very Special Circumstances

NPPF paragraph 148 states: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."

What constitutes very special circumstances (VSCs) depend on the weight of each of the factors put forward. In determining the weight, the first stage is to determine whether any individual factor taken by itself outweighs the harm and the second is to determine whether some or all of the factors in combination outweigh the harm. The weight to be given to any particular factor will be very much a matter of degree.

The new lit pitch allows for training and matches during the winter months during all weathers, whereas the existing turf pitches are restricted to daytime hours and are prone to waterlogging or freezing. This is especially important for football which is generally played more during the winter months and the facilities allow for more flexibility and a more enjoyable/safer experience for users.

Whilst the scheme has a somewhat urbanising impact upon the site, especially when the lighting is in use, such a facility is not unusual for a school sports field and is set against the backdrop of the Secondary and Primary school buildings and other similar sports facilities associated with the school.

The sporting facilities have considerable support within the local community and the Council Policies, and in particular Supplementary Planning Document No. 5 Equal and Healthy Communities, which seeks to promote physical activity and the provision of sports facilities close to residents.

As such it is considered that very special circumstances have been demonstrated to overcome any harm in this instance.

Conclusion

The development as constructed represents inappropriate development in the Green Belt. However very special circumstances have been demonstrated to overcome any harm caused by inappropriateness. The proposals are considered acceptable in terms of the impact on local residents, highway safety and ecology, as well as all other material planning considerations. As such, it is recommended that planning permission be granted.

Conditions

01

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

Reason

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

02

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

(Amended Site Plan 2393/Site/01 P6) (Received 16 February 2022)

(Amended Pitch Details 2393/GA/01 Rev B) (Received 16 February 2022)

(1.2M HIGH SPECTATOR RAIL 1200-02-B) (Received 14 September 2021)

(4.5m Fence Detail 4470-01) (Received 14 September 2021)

Reason

To define the permission and for the avoidance of doubt.

03

The use hereby permitted, including use of floodlights, shall only be used between the hours of 9:00am – 22.00pm Monday to Friday, and 9:00am – 18:00pm Saturday, Sundays & Bank Holidays.

Reason

In the interests of residential amenity.

04

Lighting shall be of the specification detailed, and be installed, operated and maintained in accordance with, the plans provided in the Lighting Impact Assessment, dated 20/04/2022 (Ref: A22-1037250/bjl), and the Lighting Design, dated 19/04/2022, undertaken by Christy Lighting Masts Ltd. Lamps shall be suitably angled and if necessary shielded (as determined by the Local Planning Authority) so as to prevent glare and light trespass beyond the site boundary as per the guidance provided by the Institute of Lighting Engineers in their document 'Guidance Notes for the Reduction of Light Pollution'.

Reason

To safeguard the amenities of the occupiers of nearby properties

05

Details of measures to prevent the pollution of adjoining grass playing fields and drains of artificial/synthetic grass and infill granulate (plastic particulates), shall be submitted to and approved in writing by the Local Planning Authority prior to the pitch being brought into use. The measures shall be maintained for the lifetime of the development.

Reason

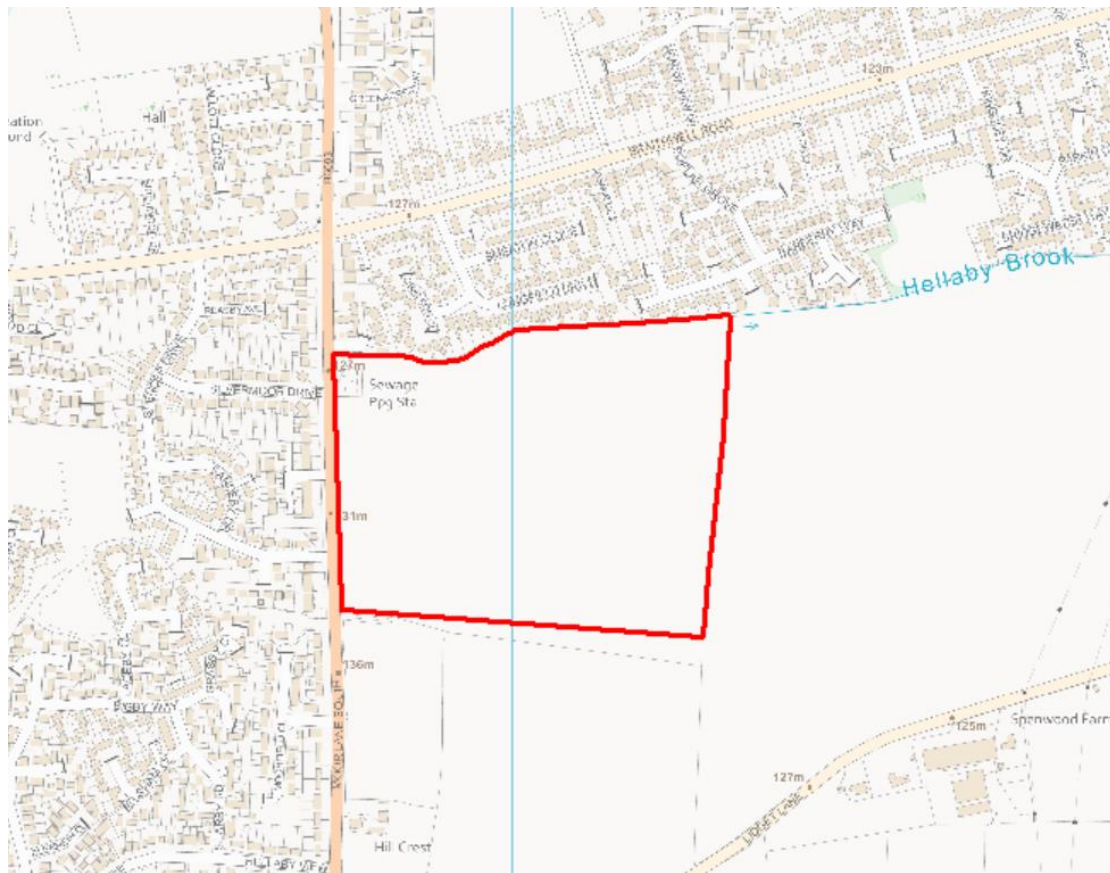
In the interest of the protection of the natural environment.

POSITIVE AND PROACTIVE STATEMENT

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

Application Number	RB2021/1532 https://rotherham.planportal.co.uk/?id=RB2021/1532
Proposal and Location	Reserved Matters application (details of appearance, landscaping, layout & scale) for the erection of 320 no. dwellinghouses (reserved by outline RB2019/0894) at land east of Moor Lane South, Ravenfield
Recommendation	<p>A. That the Council enter into a Deed of Variation Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following which were agreed as part of the signed Section 106 agreement attached to the outline permission:</p> <ul style="list-style-type: none"> • 25% on site affordable housing provision in accordance with the Council's adopted Policy (80 dwellings) • Commuted sum of £500 per dwelling towards sustainable transport measures (£25,600) • Financial contribution towards the enhancement of local bus services - £100,000 per annum for a period of 3 years • Improvement of 4 bus shelters on Moor Lane South and Braithwell Road amounting to £63,389.10 • Education Contribution in line with the Council's adopted formulae towards Maltby Academy (£670,728) • Formation of a Local Area of Play prior to occupation of the 100th dwelling • Formation of a Local Equipped Area of Play prior to the occupation of the 200th dwelling • Financial contribution towards the improvement of football pitches at Ravenfield Recreation Ground or Bill Hawes to provide playing surfaces - £15,000 prior to the occupation of the 250th dwelling. • Establishment of a Management Company to manage and maintain the areas of Greenspace, including the proposed LAP and LEAP. <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 as it is a 'Major' application and due to the number of objections received.



Site Description & Location

The site lies to the east of Moor Lane South and extends to approximately 14.5 hectares. It currently comprises of agricultural land that is delineated by existing hedgerows. To the south and east of the site lies further farmland, whilst existing residential development adjoins the site to the west, where the dwellings off Moor Lane South look onto the site. To the North runs Hellaby Brook with houses beyond on Common Farm Close, Grayson Close, Longfield Drive and Barberry Way, backing on to the site. Beyond these roads are further houses leading to Braithwell Road which forms a crossroads with Moor Lane South.

The site itself does not contain any landscape features such as trees or other vegetation, nor does it contain any structures. Its topography slopes from the south-western corner to the far eastern edge.

Background

There has been one previous application submitted in relation to this site:

RB2019/0894 – Outline application for the erection of up to 320 No. dwellinghouses including details of access – Granted Conditionally – 11 February 2021

RB2021/1422 – Discharge of conditions 4 and 6 imposed by RB2019/0894 – Granted – 22 April 2022

RB2022/0488 – Non-material amendment to Application RB2019/0894 to include amendment to the wordings of conditions 37, 38, 39, & 41 – Granted – 24 March 2022

RB2022/0641 – Discharge of conditions 05, 11, 14, 16, 20, 28, 29, 30, 34 & 36 imposed by planning application RB2019/0894 – Currently Undetermined

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 current application is seeking approval of reserved matters for the appearance, landscaping, layout and scale of the construction of 320 dwellings following outline approval in 2021 (ref: RB2019/094).

The outline application established the principle of residential development on this site and also established the number of dwellings (320 maximum) as well as the access / egress to the proposed estate.

The outline application also included the following requirements secured by a s106 legal agreement and which cannot be revisited as part of this reserved matters application:

- 25% on site affordable housing provision in accordance with the Council's adopted Policy (76 no. of dwellings).
- Commuted sum of £500 per dwelling towards sustainable transport measures.
- Financial contribution towards the enhancement of local bus services - £100,000 per annum for a period of 3 years
- Improvement of 4 bus shelters on Moor Lane South and Braithwell Road amounting to £63,389.10
- Education Contribution in line with the Council's adopted formulae towards Maltby Academy (£697,056.50)
- Formation of a Local Area of Play prior to occupation of the 100th dwelling
- Formation of a Local Equipped Area of Play prior to the occupation of the 200th dwelling
- Financial contribution towards the improvement of football pitches at Ravenfield Recreation Ground or Bill Hawes to provide playing surfaces - £15,000 prior to the occupation of the 250th dwelling.
- Establishment of a Management Company to manage and maintain the areas of Greenspace, including the proposed LAP and LEAP.

The outline application also considered matters such as the impact of 320 dwellings on this site on the local and strategic highway network, local education facilities and other local amenities such as doctor's surgeries. Accordingly, these considerations cannot be revisited under this reserved matters application.

The only matters for consideration are the appearance, landscaping, layout and scale of the development.

In terms of the layout it is dictated by the two previously approved access junctions from Moor Lane South, one is located towards the northern end of the site and the other more centrally, there is a further pedestrian access point at the southern end of the site from Moor Lane South into the site along its southern boundary. The layout also shows potential future highway links to the south and west should those sites come forward in the next plan period. Internally road layout provides a circular route with cul-de-sacs and private drives forming off it.

The layout provides a buffer planting zone along the whole of the sites northern and southern boundaries which access for maintenance and management of those areas. There is a further buffer along part of the eastern boundary with the adjacent field with a larger area of open space in the north-east corner of the site where an attenuation basin is proposed to be located.

Adjacent to the basin and within the area of open space to the north-east corner of the site a pumping station is positioned. This is the lowest point of the site and is to be set away from existing and proposed dwellings to ensure that the required wet well offset is within the applicant's ownership. The main

apparatus of the pumping station is below ground and the only visible element is hardstanding with a kiosk approximately 1.2m high. The area will be enclosed by a perimeter made up of a 0.6m high wall with a 0.6m high railing on top.

Along the site frontage with Moor Lane South a further tree lined buffer is proposed with an internal road beyond before the dwellings fronting Moor Lane South start. The internal roads are proposed to have landscaped areas as well as being tree lined.

The properties to the north and east of the site face inwards, whereas those to the west and south face outwards over Moor Lane South and the adjacent field respectively.

The main area of public open space located in the centre of the development with properties on all sides facing inwards towards it. The area will have a footpath running through it with a Local Area Play (LAP) enclosed within a fenced area, comprising of play equipment for toddlers; and other play equipment spread throughout the space for older children as a Local Equipped Play Area (LEAP). The area will be landscaped with a community orchard area proposed.

The development provides a mix of 2, 3, 4 and 5 bed properties in a mixture of detached, semi-detached and terraced forms. The dwellings would be a either two-storey or two-storey with rooms in the roofspace. The proposal will also provide 25% affordable homes (80 in total). The accommodation split is as follows:

Open Market

24 x 2 bed

56 x 3 bed

125 x 4 bed

35 x 5 bed

38 of the 2 and 3 bed properties are either end or mid properties and the remaining 202 are detached.

Affordable

46 x 2 bed

26 x 3 bed

8 x 4 bed

All of the affordable units are either end or mid properties.

The majority of properties will have a garage and / or in-curtilage surface parking. Some properties to the east will have their parking on the opposite side of the road within some of the greenspace. All properties are to be provided with EV charging points either internally within garages where applicable or externally on the property. The parking spaces within the green space will also have EV charging points.

There will be a mixture of boundary treatments around the site these will include 1.8m high close boarded timber fence; 1.8m brick wall with screen timber panels; 0.75m post and rail fence; 0.9m high estate railings; 0.6m high dry stone wall and 0.6m high brick wall with 0.6m railings above.

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

Waste Management Plan

The document provides details on what waste will be created, how it will be disposed and where it will be disposed.

Arboricultural Impact Assessment

The Arboricultural Impact Assessment provides information and advice on potential conflicts between the existing trees on site and the proposed development.

As part of this survey the relevant qualitative tree data was recorded in order to assess the condition of the existing trees, their constraints upon the prospective development and the necessary protection and construction specifications required to allow their retention as a sustainable and integral part of the completed development. Information is given on condition, age, size and indicative positioning of all the trees, both on and affecting the site. This is in accordance with the British Standard 5837:2012.

Possible mitigation measures are outlined where the proposed development comes into conflict with retained trees and vice versa.

The trees included within this survey comprise of 60 individual trees and 5 tree groups:

- 9 individual trees were classified as Category B.
- 2 tree groups were classified as Category B.
- 14 individual trees were classified as Category C.
- 4 tree groups were classified as Category C.
- 6 hedge groups were classified as Category C.
- 3 individual trees were classified as Category U.

To facilitate the development two trees will be required to be removed to facilitate the construction of the shared driveways through the RPAs of both. There is a requirement for these driveways to be constructed to adoptable standards, which will not allow for no dig construction methods. The existing condition of the trees will not likely tolerate such invasive construction methods within the RPA and therefore their removal will be necessary.

In addition, two small sections of hedge within H6 will require removal to create formal entryways into the site, the hedge is designated as Category C2 and of a low value to the site, the hedge overall will be retained with the

proposed removal being <10% of the overall hedge. Furthermore, the proposed footpath along Moor Land South will directly conflict with the small trees in G1. Removal of these trees will therefore be required.

It summarises that the proposed planting across the site will provide suitable mitigation for the required tree removal.

Construction Management Plan

The plan of the site indicates where construction vehicles will enter and exit the site and the areas where the site sales building will be, and where site materials and construction traffic will be parked during the construction works.

Preliminary Ecological Appraisal

The PEA was carried out in July 2021 and expands on the PEA submitted with the outline application. It provides details of the site, its surroundings, the surveyed species and habitats and provides recommendations and conclusions.

Ecological Mitigation Scheme

The purpose of this document is to set out the ecological protection, mitigation and enhancement measures that will be undertaken with regards conditions 21 & 22 imposed on the outline application. It provides details of how species and habitats will be protected before, during and after construction and provides a schedule of works in respect to ecological matters.

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 is allocated for residential purposes in the Local Plan and forms the whole of housing allocation H65. For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan 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
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

National Planning Practice Guidance (NPPG)

National Planning Policy Framework: The NPPF as revised 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.

The specific Site Development Guidelines for this allocated site (H65).

South Yorkshire Residential Design Guide

National Internal Space Standards

Manual for Streets

Supplementary Planning Document

- Air Quality and Emissions
- Equal and Healthy Communities
- Affordable Housing
- Natural Environment
- Transport Assessments, Travel Plans and Parking Standards

Publicity

The application has been advertised by way of press, and site notice along with individual neighbour notification letters to adjacent properties. 15 letters of representation have been received from local residents, Braithwell with Mickelbring Parish Council, Ravenfield Parish Council and the local MP.

The issues raised by local residents are summarised below:

- Moor Lane South is already a busy road and this proposal will increase traffic.
- The proposal will cause prolonged noise pollution.
- There is no information regarding hedgehog highways through the estate.
- The loss of green space to paving / decking and closed gardens will contribute to the decline of hedgehogs.
- The proposal will result in increased flood risk.
- The properties to the north of the site will impact on the amenity of existing residents by way of overlooking.
- The proposal will impact negatively on local amenities such as shops, schools and health care facilities.
- The proposal will have a negative impact on wildlife.
- The proposal will result in properties to the north being overshadowed in winter months.
- The proposal will have an impact on views from our property.
- The proposal will result in the loss of Green Belt land.
- The tree planting to the north of the site will result in existing rear gardens being overshadowed.
-

The issues raised by Braithwell with Mickelbring Parish Council are summarised below:

- The development will have a significant impact on the villages of Braithwell and Micklebring as the road network through both villages will be used as a bypass.
- The Parish of Braithwell with Micklebring's road networks are already not fit for purpose and will struggle to cope with the increase of traffic from the already approved planning application on Grange Lane, Maltby.

- It seems that new developments are being passed on Rotherham Borough boundaries without any serious consultation with the other Boroughs. Will part of the 106 monies from this proposed development go towards improvement on road networks throughout Ravenfield, Braithwell and Micklebring?

The issues raised by Ravenfield Parish Council are summarised below:

- The location of properties on the northern boundary will result in the overlooking of existing properties.
- The location of the affordable homes could impact on the house prices of existing properties.
- The proposal will have an adverse impact on highway safety and increase in traffic in the area.
- What are the plans for deliveries etc. when the scheme is being built out?
- The proposal will have an adverse impact on wildlife and ecology.
- The proposal could result in increased flood risk in the area.
- The developer appears to be profiteering from the “Ravenfield label” by using Ravenfield as the location in their documents, when the site sits within the boundaries of Bramley.
- The proposal will impact negatively on local amenities i.e. schools and health care facilities.

The issues raised by the MP are summarised below:

- There are concerns regarding the height of dwellings to the north of the site close to existing bungalows, which could impact on amenity such as overlooking and overshadowing.
- Residents have suggested a wider landscape buffer to the north.
- Concerns regarding road safety and volume of traffic on local roads and the knock-on effect on Bramley one-way system.

On receipt of amended plans showing an increase in the number of dwellings from 303 to 320 a further round of public consultation was carried out with letters going to local residents and those who had previously commented on the application giving a further 21 days to comment. 6 letters of representation were received, 3 from residents who had previously commented and 3 comments from new residents.

The new comments are summarised below:

- The proposal is now for even more houses that will become a blot on the landscape.
- The farmland was taken out of the green belt deliberately, destroying this pleasant village.
- The Government says we will need all the productive land we have, but this application is turning productive land into more houses.

- Where Moor Lane South meets Flanderwell Lane there is a bottle-neck, which can only get worse when the vehicles of 320 extra houses try to exit via a single track road, creating more traffic load on the existing network.
- The development will totally destroy an already pleasant landscape to residents of Moor Lane South.
- The report says wildlife habitats will be lost. Wildlife is on a knife edge and any loss of habitat is a blow to the local wildlife, they need help, more habitat, not less.
- To the local residents there will be a significant environmental effect.
- The application will cover the space with houses and disregard the countryside and the environment.
- Although the scheme is termed 'Bramley' in reality it would be Ravenfield that be more adversely affected by this proposed development. Ravenfield has already seen significant housing development over recent years & we don't believe it has the infrastructure in place to cope with another 320 houses.
- We live in one of the houses that flooded in the heavy rain on Silvermoor Drive in 2019. We have major concerns about the drainage issues this housing development could cause. The field adjacent to our home which is where the proposed Redrow development would take place is a vital soak away when it rains. We feel losing this field could cause further flood risk to our home, this is a huge worry to all residents who flooded in 2019. We are still striving for improvements to the drainage capacity around our homes, and we fear this would actually make the situation worse than it already is.
- We have concerns with how the nearby roads would cope with extra traffic from 320 new houses. Moor Lane South is already a busy main road, this development would only add to this & would likely cause significant traffic issues heading to the mini roundabout at Bramley & also the other way towards Ravenfield crossroads.
- With the ongoing situation in Ukraine, greenbelt land in this country is of great importance to the economy and food-producing industry and should be utilised, not obliterated and replaced by unsightly housing developments when there are plenty of other available sites in the area.
- The size of the houses in the development suggest that each property will have at least 2 cars putting an extra 640 cars on the roads, which are already struggling to cope at Ravenfield crossroads and the junction at Bramley Brook. The queues from Bramley frequently stretch halfway up the hill to Ravenfield now, what is it going to be like if this development goes ahead?
- The existing properties on Longfield Drive and Grayson Close are all bungalows, mostly occupied by retired residents who moved into them expecting to have a quiet retirement with pleasant countryside views. This development is going to obliterate the view completely together with much of the light, as all the properties are at least two storeys high. They are planned to be much too close to the existing properties,

removing the privacy completely as they will be overlooking our gardens and rear windows.

- There will be six blocks of social housing built alongside our boundaries. As I have previously pointed out, Longfield Drive and Grayson Close are mainly retirement communities. The last thing the residents need are noisy families with all the problems that brings. Why not put the social housing at the other end of the development and at least afford us some consideration?
- The noise and dust produced during construction of this development is going to be unbearable, as well as the disruption to traffic. Whinney Hill in Thrybergh has become almost a no-go area during construction of that development and this will be just the same.
- Hellaby Brook behind Longfield Drive is not big enough to cope with all the additional water running off the roads and driveways. We do not want our gardens and properties flooding every time it rains.
- Totally disagree with the comments regarding transport issues being resolved. Whilst a 20mph restriction will help keep roads safer for those nearby I don't feel there was any comment regarding the extra volume of traffic that will imposed upon already congested routes.

Two Right to Speak has been received from a local resident and a local Councillor.

Consultations

RMBC Transportation and Infrastructure Unit: No objections.

RMBC Drainage: No objections subject to conditions.

RMBC Landscape: No objections subject to conditions.

RMBC Tree Service: No objections subject to conditions.

RMBC Ecology: No objections subject to conditions.

RMBC Green Spaces: No objections.

RMBC Education: Education contribution required in line with the s106 attached to the outline application.

RMBC Affordable Housing Officer: The Affordable Housing contribution, along with the housing mix and tenure are acceptable and will be agreed in the Deed of Variation.

RMBC Environmental Health: No objections subject to conditions.

RMBC Air Quality: No comments have been received on the reserved matters application.

RMBC Land Contamination: No objections.

Highways England: No objections subject to conditions.

South Yorkshire Passenger Transport Executive: No comments have been received in relation to the reserved matters application but did raise no objections subject to the enhancement of bus shelters within the immediate vicinity and the enhancement of bus services which serve the site at outline stage and this requirement was secured in the s106 which remains valid.

Environment Agency: No objections.

Yorkshire Water: No objections.

Sheffield Area Geology Trust: No objections.

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

South Yorkshire Fire and Rescue: note that access for fire appliances should be in accordance with Building Regulations Approved Document B volume 2 Part B5 section 16. Water supplies for fire-fighting purposes should be in accordance with Building Regulations Approved Document B volume 2 Part B5 section 15.

Rotherham NHS: acknowledge that the proposed development could theoretically add circa 800 patients into the local community and whilst they note that practices within the area are operating beyond capacity, they are working with them to find a solution and as such raise no objections to the proposed development.

Sport England: No comments have been received to the reserved matters application.

South Yorkshire Archaeology Service: No objections subject to conditions.

Severn Trent: No comments have been received to the reserved matters application.

South Yorkshire Superfast Broadband: No objections subject to standard informatives and condition.

Appraisal

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

- (a) the provisions of the development plan, so far as material to the application,

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

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

This application is a reserved matters application to assess the matters reserved in the determination of the outline application (RB2019/0894). Whilst the outline application only specifically considered access to the site, matters relating to appearance, landscaping, layout and scale were given some consideration and weight in the determination of the outline application, due to nature of the application. In addition, concerns raised at the time of the outline application by local residents in terms of principle of development, impact on local and strategic highway networks, impact on local amenities (including GP surgeries and Schools), ecology, flooding, air quality and general disamenity were given consideration and the board report for the outline application is appended to the agenda for information.

A reserved matters application as stated in the National Planning Practice Guidance 'Making an application' relates to those aspects of a proposed development which an applicant can chose not to submit details of with an outline planning application (i.e. reserved for later determination). These are defined in article 2 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 as:

- Access – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- Appearance – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- Landscaping – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- Layout – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- Scale – the height, width and length of each building proposed within the development in relation to its surroundings.

The outline application (RB2019/0894) provided a detailed consideration and assessment of the principle of developing this site for residential. However, it is worth reiterating that this site, whilst formally Green Belt under the now superseded Unitary Development Plan, was removed from the Green Belt and re-allocated for Residential purposes within the Adopted Local Plan Sites and Policies Document (2018). This followed an extensive public consultation, culminating in an Examination in Public, whereby a Planning Inspector appointed by the Secretary of State found the Sites and Policies document to be acceptable and thus removing this site from the Green Belt and re-allocating it for Residential purposes. The site has since formed Housing Site H66 (total area of 16.49 hectares) and the Sites and Policies Document indicates that the total site has a capacity of approximately 320 dwellings.

From a land use perspective, the development of the site for Residential is acceptable and the principle of developing the site for approximately 320 dwellings has been established in the approval of the outline application. Accordingly, the principle of this development cannot be revisited during the determination of this reserved matters application.

In addition, the access arrangements were considered and deemed to be acceptable in respect of highway safety and the additional traffic movement to and from the site on the strategic and local road networks was considered and deemed acceptable during the determination of the outline application by the Council's Transportation Infrastructure Service and Highways England, subject to conditions. Accordingly, matters relating to the access into and out of the site, the impact on local and strategic road networks, also cannot be revisited during the determination of this reserved matters application.

Given the issues of principle, and access have been fully considered under the outline application, they cannot be considered under this reserved matters application. In addition, matters relating to the impact of the development on local amenities such as Schools and GP Surgeries, flooding of the site, pollution impacts, noise, and ecological impacts were all considered during the outline stage and no concerns were raised.

With regard to the above, the main considerations in assessing the reserved matters application are considered to be:

- 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

- Planning Obligations
- Other Considerations

Design, Layout and Scale

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

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

Paragraph 126 of the NPPF states: *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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 134 states *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*

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

The layout comprises a mix of terraced, semi-detached and detached dwellings. The properties are proposed to be 2 or 2 ½ storeys in height.

The layout follows the general principles set out in the illustrative masterplan submitted with the outline and the approved Design Code for the site in that it incorporates a wide landscape buffer to the northern boundary of the site, further landscape buffers to the other boundaries of the site, potential future access routes to the land to the south and east, as well as a new pedestrian link in the south-west corner of the site onto Moor Lane South. Furthermore, within the site the central public green space is well overlooked by surrounding properties, there is good circulation for residents and the wider general public to walk through the central green space with footpaths, there is also play areas and play equipment within the area as well as space for more informal play. There is a further area of public open space to the north-west corner of the site, although some of this area will be occupied by an attenuation basin and pumping station, as such only part will be available all year round for informal play and recreation. Finally the site will be subject to extensive planting within the landscape buffer areas, the public open space and tree lined avenues and streets.

The accompanying accommodation schedule also indicates that the developable area extends to 14.5ha and will provide a mix of 2, 3, 4 and 5 bed properties in a mixture of detached, semi-detached and terraced forms. The properties will be either two-storey or two-storey with rooms in the roofspace. The mix of accommodation proposed is:

- Open Market
 - 24 x 2 bed
 - 56 x 3 bed
 - 125 x 4 bed
 - 35 x 5 bed

38 of the 2 and 3 bed properties are either end or mid properties and the remaining 202 are detached.

- Affordable
 - 46 x 2 bed
 - 26 x 3 bed
 - 8 x 4 bed

All of the affordable units are either end or mid properties.

The two-storey dwellings with rooms in the roof space will be located away from the northern boundary of the site and concentrated to the areas towards the east, west and south of the site. There will also be some of these house types close to the central public open space and along one of the access roads into the site. The height of the two-storey dwellings with rooms in the roofspace will be approximately 9.5m to the ridge, the two-storey houses will range in height from approximately 7.5m to approximately 9m to the ridge.

With regard to the above, it is considered that the layout is acceptable in this location and accord with the requirements of the Design Code.

Turning to the internal streets, as detailed above these will comprise of 2 and 2½ storeys and will be a mix of detached, semi-detached and terraced properties. The properties are to be constructed in a mix of red brick, buff brick and render, with some properties having red tile hung features on elevations, in addition some properties will have a mock-tudor feature, with boarding over render. The properties will either have red tiled roofs or a grey tiled roof, gutters and down pipes are to be black throughout. Those properties with detached garages will be constructed in similar materials.

It is considered that the individual design of the properties, with their materials and design features / details would represent an acceptable and appropriate form of development on this site and in this location which would give the new estate a distinctive appearance that will enhance the character of the area.

In addition to the above the proposed boundary treatments in and around the application site would be acceptable and would further enhance the appearance of the estate.

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

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 Protecting and enhancing green space that contributes to the amenities of the surrounding area, or could serve areas allocated for future residential development*
- c. *Considering the potential of currently inaccessible green space to meet an identified need.*
- d. *Putting in place provision for long term management of green space provided by development*
- e. *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.*
- f. *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 320 new homes and as such the requirement for on-site open space extends to 17,600 sq metres. The proposed layout provides a large central public open space, along with part of the green space to the north-west corner of the site (minus the attenuation basin) and the landscape buffer to the west of the site which will provide some

amenity function given its width and inclusion of a footpath through from north to south of the site, linking up with the new pedestrian footpath in the south-west corner of the site. These three distinct areas of public open space will provide approximately 22,713 sq. metres, 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) and a Local Equipped Area of Play (LEAP). Policy SP39 'Design and Location of Green Space, Sport and Recreation' outlines the principles to be followed when new play spaces are designed.

The development proposes a LAP within the central green space area which will be an area enclosed by a 1.2m high black bow top fence, with 2 self-closing gates (1 maintenance and 1 partially lockable pedestrian and maintenance gate) in line with British Standards. Within the area will be play equipment for toddlers and include a slide, a rock n bowl and a rock n roll cockerel.

To achieve the LEAP play requirement the developer is proposing a "Play on the Way" feature of natural play equipment that will be located throughout the central public open space area and will be provide equipment such as a 'Jungle Dome' which offers climbing and balancing activities, a raised tunnel, a tyre hopscotch, a bucket swing, slide and boulders. Benches and litter bins will also be provided within this area.

It is considered that 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 and LEAP will be maintained by a management company which was secured as part of the Section 106 legal agreement with the outline application. Furthermore, there is a requirement within the same legal agreement of when the LAP and LEAP need to be provided by the developer.

An objection to the outline application was received by Sport England as a non-statutory consultee. At the time of the outline they calculated that the population of the proposed development in this area will generate a demand for a total of £275,855 in relation to Sports Halls, Swimming Pools, Artificial Grass Pitches and Indoor Bowls. However, during the determination of the Outline application, the Council's Culture, Sports and Tourism Partnership Manager provided comments in relation to the request from Sport England and considered that the demand outlined can be met by existing provision at Maltby Leisure Centre and central venues. Furthermore, it was considered that the contributions mentioned for swimming and indoor bowls were small enough that any demand could be accommodated within the existing local provision. Therefore, it was considered that having regard to the proposed on-site greenspace provision that the contribution requested by Sport England at the time could not be justified as part of the outline application.

Sport England were consulted on this reserved matters application when it was submitted in August 2021 and whilst an e-mail was received from Sport England confirming they had received the consultation request, no further comments have been received, despite several further e-mails to them for comments.

Therefore, it is considered that given the sport provision issue was assessed at the outline stage it cannot be reconsidered at this time and the lack of a response from Sport England adds further weight to this.

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 110: *“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 111 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 113 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 H65 as set out in the adopted Sites and Policies Document states: *“A Transport Assessment will be required which includes consideration of possible traffic issues regarding Bramley village and J1 of the M18.”*

As detailed above matters relating to the impact of the development on national and local road networks, including Bramley village and J1 of the M18 were assessed and considered at the outline stage by both the Council's Transportation Infrastructure Service and Highways England. Both assessed the TA submitted and both found that the development, subject to conditions would not have a detrimental impact on highway safety or a serve impact on the road network, and as it was considered at outline stage it cannot be revisited at the reserved matters application stage.

For reference the conditions included on the outline remain valid and they required the following:

“A detailed scheme to provide the works to Junction 1 of the M 18 Motorway as shown in draft form on Plan Reference, Aone drawing no. HE566833-AONE GEN-M18_J1-DR-C-GA05-P01, or an alternative scheme that takes account of improvements that have either been carried out or agreed since

the approval of this permission shall be submitted to and approved in writing by the Local Planning Authority. No more 80 dwellings (25%) shall be occupied until the approved highway works have been completed.”

“The development shall not be commenced until details of the proposed improvement to the Flanderwell Lane/B6093 junction, indicated in draft form on plan reference AO94759-1 35 18 Drawing No. 006, have been submitted to and approved by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the 50th Dwelling on the site.”

Further to the above the location and design of the two access points onto Moor Lane South from the development were also considered at outline stage and were both deemed to be acceptable from a highway safety perspective as both access / egress points provide sufficient visibility.

The only highway issue for consideration at reserved matters relates to the internal road network and to ensure that each property has sufficient amount of parking available off the highway in line with the Council's adopted SPD 'Transport Assessments, Travel Plans and Parking Standards'.

In respect of the internal road layout, the Council's Transportation Infrastructure Service have stated that the amended site layout has now addressed previous concerns and that the proposed site layout complies with guidance from the South Yorkshire Residential Design Guide and Manual for Streets.

The proposed site accesses and improvements to the site frontage (pedestrian facilities) as required by both the current application and the original Outline planning permission (RB2019/0894P) will require the developer to enter into a S278 legal agreement with the Council for the works.

The scheme has been designed to a 20mph speed limit which will require a Traffic Regulation Order (TRO) to be carried out outside of the planning process.

It is noted that all properties are provided with a sufficient amount of parking, whether that be by way of internal garages, detached garages or surface parking either within the curtilage of each property or in close proximity, away from the carriageway. Accordingly, the level of car parking for each dwelling would satisfy the requirements of the SPD.

In addition to the above it is of note that the during the determination of the outline application, South Yorkshire Passenger Transport Executive requested improvements to 4 bus shelters on Moor Lane South and Braithwell Road, at a cost of £63,389.10 and a financial contribution of £100,000 per annum for a period of 3 years towards improvements to bus services in the immediate area. These requirements were secured as part of the s106 legal agreement attached to the outline application and remain pertinent.

Therefore, with regard to the above the proposed development would not raise any highway safety issues or highway concerns both within the local and strategic networks.

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, 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) inappropriate 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.*”

Issues relating to flood risk and drainage were considered at the outline stage, where it was confirmed that the site falls within Flood Zone 1, meaning that it is unlikely to flood and that the sequential test is satisfied.

The Council's Drainage Engineer in considering the outline application noted that the watercourse along the northern boundary and the associated flood risk was considered. The indicative layout with the outline application avoided siting dwellings in this area, while providing easy access for maintenance of the watercourse. This arrangement has been retained and maintained throughout the development of the site layout plans. Furthermore, the finished ground levels of properties on the southern side of the watercourse are such that they would not force potential flood water towards the existing dwellings on the north side.

The site layout shows a large attenuation basin within the north-east corner of the site, as well as a pumping station close by which would be mainly underground with just a small kiosk style structure above ground that would be enclosed within a brick wall 0.6m high with metal railings 0.6m above.

Whilst there is limited additional information provided with the reserved matters application, the Council's Drainage Engineer has indicated that sufficient information was provided at outline stage to satisfy the Council's Drainage Section that the outstanding details could be conditioned. Accordingly, as no further information has been provided with this application, it is recommended that the same drainage conditions be imposed on the reserved matters application which will require the submission and approval of a drainage strategy, including a foul and surface water scheme; an updated Flood Risk Assessment; a flood route drawing and a foul sewer modelling assessment prior to works commencing. In addition a further condition shall be imposed which ensures no building or similar structure is erected within 5m of the top of the near bank of the watercourse on the northern edge of the site and sufficient access to allow maintenance of this watercourse shall be provided.

Further to the above it is of note that Severn Trent raised no objections to the outline application and have not provided any comments on the reserved matters application, despite several e-mails to them seeking comments.

It is noted that several residents have raised the issue of flooding in the area particularly during 2019 and the impact building on this field would have in the future. These matters were considered during the determination of the outline application and was deemed that the building on this site would not exacerbate flooding either on this site or on neighbouring properties. This remains the case insofar as the Council's Drainage Section have raised no concerns with the proposed development at the reserved matters stage either. As such the development of this site, subject to conditions is not considered to increase the likelihood of neighbouring properties / fields being flooded in the future and the measures put in place on this site will be satisfactory.

Having regard to the above and 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 174 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 outline application was supported by a Preliminary Ecological Appraisal and a Reptile Survey. An updated Preliminary Ecological Appraisal has been submitted as part of the reserved matters application which provides a more up-to-date picture of the situation as the new PEA was carried out in July 2021.

The PEA notes that there are no designated sites in close proximity that would be unduly affected by the development. It further notes that the site largely comprises of arable farmland and is considered to be of limited ecological value. Boundary habitats including hedgerows, trees and Hellaby Brook were considered to offer the greatest ecological value on site. These boundary habitats are also considered to offer suitability to support breeding birds, bats, badger and hedgehog.

In order to protect designated sites and habitats of ecological value present on site, and incorporate habitat enhancements, the following is recommended:

- Appropriate consultation with Natural England;
- Boundary habitats (i.e. hedgerows, trees and Hellaby Brook) are retained, or replaced with similar native species planting;
- Any retained hedgerows and trees should be protected and not subject to direct illumination;
- Enhancement of existing hedgerows;
- Favour native species planting where possible;
- Consider the use of wildflower seed mixes;
- Consider the feasibility of incorporating wildlife ponds within the scheme;

The PEA also assessed the impact of development on various species, including bats, breeding birds, badgers, reptiles, hedgehogs and other mammals. Various recommendations have been provided for amphibians, bats, birds, reptiles and hedgehogs.

The PEA notes that the development is considered feasible with minimal impact on biodiversity provided that mitigation and enhancement measures detailed within this report are incorporated within the site proposals. The residual ecological impacts are not anticipated to be significant.

An Ecological Mitigation Scheme has also been provided with the reserved matters application, this document has been produced to assist with the discharge of conditions 21 & 22 imposed by the outline application and relate to matters of sensitive lighting schemes and the compliance with the mitigation measures outlined in the PEA and Reptile Survey submitted with the outline application. It provides details of how species and habitats will be protected before, during and after construction.

The proposal also allows for the retention of the majority of the existing hedgerows around the site as well as additional planting in any areas which have gaps along the eastern boundary with the Green Belt. The retention and improvement of which will be a biodiversity enhancement.

The Council's Ecologist has confirmed that the PEA submitted with the outline and in particular the Ecological Mitigation Scheme provides extensive details of the type of lighting design, bat and bird boxes to be deployed, protection and enhancement of hedgerows and trees, installation of reptile features such as refuge piles comprising of log / brash piles from felled trees or sections of hedgerows and gaps within sections of boundary treatment to allow passage of hedgehogs. All of which satisfy the conditions imposed on the outline. As such amended conditions shall be imposed to ensure the development is carried out in accordance with the PEA and EMS both dated July 2021.

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 carried out in accordance with the submitted 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 in question is allocated for residential use within the Local plan (H65), and was assessed by the council as part of its local plan evidence base and was considered to be of Medium sensitivity to change and of Medium capacity to accommodate residential development. The site lies within the local character area of 8 Central Rotherham coalfield farmland. This is described as generally being of moderate strength of character but poor condition. The focus of landscape management proposals for this character area, given its character and condition should be to improve and restore features which contribute positively to its overall character.

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 wider open countryside and on natural landscape features such as trees and hedgerows. Existing vegetation including mature trees should be retained and enhanced, unless agreed in writing with the Local Planning Authority.

- Development proposals shall provide a strong structural landscape framework within which this development will sit. 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.

A landscape assessment was submitted with the outline application and was deemed to be acceptable. Further detailed drawings of the landscape proposals have been provided with the reserved matters application for consideration as this matter was reserved at outline.

The landscape details provided with the application provides appropriate landscape buffers to the southern and eastern boundaries and an acceptable standoff to Hellaby Brook and a landscape planting area along Moor Lane South within the site. The plans also provide planting along the main avenue from Moor Lane South as well street planting within the site. There are two distinct areas of green space, a central “Green” which will have footpaths running through along with play equipment and extensive planting (including an orchard) and areas of greenspace for informal play / recreation to occur. A second area to the north-east of the site will have the drainage basin but there will also be areas outside of the basin for informal play / recreation to occur along with additional planting.

In addition to communal areas of greenspace and structure planting around the site, individual plots will also have landscaping, but currently details of this is minimal.

Details in respect of the buffer and spine road landscape was covered by condition attached to the outline application that will require discharging at a later date.

With regard to the information submitted with this application in order to consider the landscape matter, the Council’s Landscape Design Team have indicated that whilst some of the information submitted is acceptable insofar as the Landscape Masterplan, further information is required in respect of additional details in regard to the POS to the north-east of the site around the attenuation basin and additional details on plot landscaping. Therefore, conditions will be imposed on this application requesting the submission of detailed Plot landscaping prior to each geographical phase commencing; detailed Attenuation POS landscaping details and Implementation of the Landscape Masterplan and central POS landscaping based on the current details submitted.

Having taken the above into account, whilst the development will result in some adverse visual amenity for existing residents, but the proposals are not considered to result in any significant adverse effect on the borough’s landscape character. The proposed site layout and landscape masterplan documents include an appropriate level of green infrastructure and green

space that will ultimately have a beneficial effect on the local landscape fabric and features.

Further to the above the Tree Service have confirmed that the comments provided at the outline application stage remain valid and the Tree Service raise no objections to the proposed development as it will lead to an improved level of tree cover and related benefits. Whilst an Arboricultural Impact Assessment has been submitted which is considered acceptable there is a requirement for an Arboricultural Method Statement to be submitted prior to works commencing to provide details on how the existing trees and hedgerows will be protected during the construction phase.

The development of this site is therefore considered to be compliant 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 outline application in relation to land contamination issues.

The Council’s Land Contamination Officer has indicated they have no comment to make on the reserved matters application, as their comments on the outline application and recommendations were conditioned under the decision notice RB2019/0894 (conditions 28-33). No information has been submitted within this application in relation to those comments as such they remain valid and these included the submission of a Phase I Desk Top Study to fully identify the past and present uses at the site which could have led to contamination occurring. The Phase I report will allow for a preliminary risk assessment to be undertaken which will determine whether a further intrusive site investigation is required or not.

In general amenity terms the Environmental Health Section note that the site is adjacent to residential properties and is some distance away from any major noise sources. They note that there is potential for disamenity to occur for existing residents from noise during the construction phase and the working hours of the construction work and machinery used on site and dust and mud from the excavation of the land, construction work and traffic flow of lorries entering and exiting the site.

The site would be accessed off Moor Lane South, which is a residential street and due to the level of development proposed a Construction Management Plan to control such issues, should be provided. A Construction Management Plan has been submitted with this application, but its contents have been deemed unacceptable at this time and as such a condition shall be imposed to ensure a suitable document is submitted and approved before works commence on site to ensure that matters such as noise, dust, mud etc. are suitably controlled during the construction to help minimise the impact of the development on residents.

In relation to Air Quality issues, the outline application was supported by an Air Quality Assessment which concluded 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 and no objections were raised by the Council's Air Quality Officer to the development.

It is of note that in support of this application the developer has provided a site layout which shows each property having an Electric Vehicle Charging Point, this will either be internally within garages or on the exterior of the dwellings and those who parking spaces are outside of their curtilage, the EVCP will be mounted on a pole. Accordingly, with the regard to the above the proposed development would be in compliance with the requirements set out within the Council's adopted SPD 'Air Quality and Emissions'.

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."*

The South Yorkshire Residential Design Guide (SYRDG) notes that: *"For the purposes of privacy and avoiding an 'overbearing' relationship between buildings, the minimum back-to-back dimension (between facing habitable rooms) should be 21 metres. This also corresponds to a common minimum rear garden or amenity space of about 10 metres in depth."*

The SYRDG further goes on to note that in respect of ensuring adequate levels of daylighting, back-to-back distances should, as appropriate to specific circumstances, be limited by the 25 degree rule. Furthermore, so as to avoid an overbearing relationship, the SYRDG additionally requires back to side distances and the extent of rear extensions to be limited by the 45 degree rule.

Further to the above the NPPF at paragraph 130 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 and across Moor Lane South to the west. Representations have been received claiming that the proposed development will overlook the properties to the north and appear overbearing, particularly as these relate primarily to bungalows and some of the properties to the north will be two-storey.

Whilst the comments are noted, it is of note that due to Hellaby Brook running along the northern part of the site, the layout has been designed with a wide landscape buffer between the rear elevation of existing properties along the northern boundary of the site and the rear / side garden boundaries and rear / side elevations of the proposed properties adjacent. This landscape buffer ensures that there is more than 21m between existing and proposed rear elevations, while all proposed gardens will be 10m in length, ensuring that the scheme complies fully with the guidance of the SYRDG.

Further to the above, the applicant has provided several cross-sectional drawings to illustrate the relationship between the proposed two-storey dwellings and existing bungalows along the northern boundary where the existing properties are sited the closest to the northern boundary of the site. These drawings have also included 25 and 45 degree vertical sight lines from the bungalows, all of which clear the ridge of the nearest proposed dwelling. Therefore, from the information provided given the distance between the properties, the proposed properties would not give rise to levels of overlooking, loss of privacy or appear overbearing from existing neighbouring properties and the proposal would not result in the loss of daylight to rear gardens or rear habitable rooms of existing properties to the north of the site.

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 proposed development adequately addresses how the development does not affect the amenity of existing residents. The proposal is therefore considered acceptable and in accordance with the guidance contained within the SYRDG and adopted Local Plan policy SP55 ‘Design Principles’.

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 and assessed at the outline stage by South Yorkshire Archaeology Service, who raised no objection to the application subject to a condition being attached which requires further archaeological works to be undertaken.

South Yorkshire Archaeology Service when consulted on this reserved matters application have indicated that a programme of archaeological evaluation was undertaken at the site in accordance with condition 36 of application RB2019/0894, and a subsequent phase of archaeological recording is being currently being developed. This is intended to make a record of buried remains of archaeological interest prior to their loss, and a scheme of work will need to be agreed and implemented prior to commencement of development. In light of these comments South Yorkshire Archaeology Service have recommended that a pre-commencement condition is imposed similar to the previous condition 36 on the outline as all matters have not yet been resolved.

Impact on infrastructure, including Education and local GPs

With regards to GP Surgeries, this issue was assessed during the outline application and at the time the NHS CCG made 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”*

The NHS CCG have made further comments on this application whereby they state that: *“This is a large development; 320 houses that could theoretically add circa 800 patients into the local community, though we know in reality the amount will be smaller due to patient shift in the borough. There are a number of practices that cover this area, all of which are currently operating beyond capacity i.e. they don’t have enough physical estate to manage their existing list sizes according to NHS Premises Costs Directions. We have been working with those practices to try find a solution for some time now.”*

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 noted in the Outline Application that Maltby Academy is oversubscribed in all year groups and the s106 tied to the outline and thus this reserved matters application required a contribution in line with the Council’s Education policy towards Maltby Academy.

Now that the final proposed dwellings and house types are known, the figure required to be paid by the developer to Maltby Academy is £670,728.

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, others such as impact on amenities and highways are not applicable to this application as those matters were fully considered during the outline application and cannot be revisited; while others, such as loss of views and devaluation of properties are not material

planning considerations and thus they cannot be taken into account in the determination of this application.

Finally, comments have been raised regarding a dispute over the boundary with the parish of Bramley and who would receive CIL monies. The site is within the area of Bramley Parish Council and as such 15% of the total monies from CIL payments will be received by Bramley Parish Council. The issue of parish boundaries was raised during the determination of the outline application and after a Community Governance Review in 2019 / 2020 it was agreed in late 2020 that the boundaries will remain unaltered. Nevertheless, this does not influence the decision making process of this application.

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 57 of the NPPF.

In this instance the planning obligations and their associated trigger points for their delivery were set as part of the approved outline permission (ref: RB2019/0894). These included the affordable housing provision, financial contributions towards education provision, public transport, sustainable methods of travel and delivery of green infrastructure and play areas, as well as the establishment of a Management Company to manage and maintain the areas of Greenspace, including the proposed LAP and LEALP. These obligations cannot be amended under the reserved matters application, although a Deed of Variation is to be entered into to secure the appropriate tenure split of affordable housing and the update the application reference number to this reserved matters, as a matter of procedure.

Having regard to the above it is considered that the above obligations meet the criteria set out in a Paragraph 57 of the NPPF and the Community Infrastructure Regulations and are therefore considered to be acceptable.

Other Considerations

The four South Yorkshire Authorities have committed to ensuring that relevant developments are provided with Gigabit-capable full fibre broadband. A condition is recommended that would address this matter.

In respect of waste management requirements, a Waste Management Plan has been submitted with the application. The document has been assessed and is deemed to be acceptable and complies with policy WCS7.

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 H65, has an approved outline permission for 320 dwellings and is located within a suitable distance from local facilities. As such, the principle of residential on this site is well established.

The scheme is acceptable in terms of highway safety, 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 Deed of Variation 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 5 and 7 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 5 and 7 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

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 and as shown on the approved plans (as set out below) and in accordance with all approved documents.

MLSR-16-02-01-LocationPlan

MLSR-16-02-02 rev H – Proposed Site Layout

MLSR-16-02-08 – Phasing plan

EF_TWEE_SM.2.0 – The Tweed – Brick

MLSRF_BAKE_SM.1 – Bakewell Semi – Render

MLSRF_BAKE_SM.1 – Bakewell Semi – Brick

MLSRF_BAKE_SM.1 – Bakewell Semi – Floor Plans

EF_CHTR_DM.1 – Chester – Render

EF_WINS_DM.5 – Windsor – Render

EF_WINS_DM.5 – Windsor – Brick

EF_WELW_DM.8 – Welwyn – Brick

EF_WELW_DM.8 – Welwyn – Render

EF-WELW_DM.8 – Welwyn – Floor Plans

EF_LL3_M.4-901 rev A – Ledbury (Four Block) – Elevations – Brick

EF_LL3_M.4-903 – Ledbury (Four Block) – Elevations – Render

EF_LL4_M.4.0 – Ledbury (Four Block) – Floor Plans

EF_WARW_DM.6 rev A – Warwick – Render A1

EF_WARW_DM.6 rev A – Warwick – Brick B1

EF_WARW_DM.6 rev A – Warwick – Render A2

EF_WARW_DM.6 rev A – Warwick – Brick B2

EF_TAVY_MM.4 – Tavy (Mid) – Brick

EF_TAVY_EM.4 – Tavy (End) – Brick

EF_STRAQ_DM.1 – Stratford – Render

EF_STRAQ_DM.1 – Stratford – Brick

EF_SHRB_DM.3 – Shrewsbury – Render

EF_SHRB_DM.3 – Shrewsbury – Brick

EF_SHAF_DM.8 – Shaftesbury – Render

EF_OXFO_DM.4 – Oxford – Render

EF_OXFO_DM.4 – Oxford – Brick

EF_HIG5_DM.8 – Highgate – Render

EF_HIG5_DM.8 – Highgate – Brick

EF_HIG5_DM.8 – Highgate – Floor Plans

EF_HENL_DM.6 – Henley – Brick

EF_HENL_DM.6 – Henley – Floor Plans

EF_HARR_DM.8 – Harrogate – Render
EF_HARR_DM.8 – Harrogate – Brick
EF_HARL_DM.1 – Harlech – Render
EF-HAMP_DM.1 – Hampstead – Render
EF-HAMP_DM.1 – Hampstead – Brick
EF-HAMP_DM.1 – Hampstead – Floor Plans
EF_MARO_DM.3 – Marlow – Render
EF_DART_MM.4 – Dart (Mid) – Brick
F_DART_MM.4 – Dart (End) – Brick
EF_CHTR_DM.1 – Chester – Brick
EF_CANT_DM.7 – Canterbury - Brick
EF_CANT_DM.7 – Canterbury – Floor Plans
EF_CAMB_DM.7 – Cambridge – Brick
EF_CAMB_DM.7 – Cambridge – Render
EF_AMBY_DM.8 – Amberley – Render
EF_AMBY_DM.8 – Amberley – Brick

GAR01_901 – Single Garages
GAR10-903 – Twin Garages
GAR12-905 – Double Garage

MLSR-16-02-04 rev B – Proposed Boundary Treatment Plan
F-SD0926 – Horizontal rail fencing
F-SD0906 rev B – Screen Fencing, 1.8m high
F-SD0900 – Post and Rail Fencing
F-SD0806 – Free Standing Brick Walls
F-SD0804 – 600mm high wall with 600mm high railings

P21-0354.002 rev B – Landscape Masterplan
P21-0354.004 rev C – Detailed Landscape Proposals for Central POS
SF 3198 LL01 rev A – Landscape Proposals – sample area
P21-0354.005 rev B – Detailed Play Proposals

MLSR-16-02-03 rev C – Proposed Materials Layout
MLSR-16-02-05 rev B – Proposed EV Charging Plan
MLSR-16-02-15 - Temporary Sales Plan
MLSR-16-02-06 rev C – Proposed Affordable Housing Plan

Reason

To define the permission and for the avoidance of doubt.

02

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details provided in the submitted application form/shown on drawing no. MLSR-16-02-03 rev C – Proposed Materials Layout. The development shall thereafter be carried out in accordance with these details, unless otherwise agreed in writing with the Local Planning Authority.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity.

HIGHWAYS

03

Each dwelling shall not be occupied until the charging point as shown on drawing no. MLSR-16-02-05 rev B – Proposed EV Charging Plan, has been provided unless otherwise approved in writing with the Local Planning Authority. The EV charging point shall thereafter be retained.

Reason

In the interests of sustainable development and air quality.

ECOLOGY

04

The development shall be carried out in accordance with the mitigation measures outlined in Section 5.0 of the submitted Preliminary Ecological Appraisal by Smeeden Foreman, dated July 2021; and Sections 4.0, 5.0, 6.0 and 7.0 of the submitted Ecological Mitigation Scheme by Smeeden Foreman, dated July 2021.

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

05

Prior to commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. 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.

WASTE MANAGEMENT

06

The development shall be carried out in accordance with the submitted Waste Management Strategy unless otherwise agreed in writing with the Local Planning Authority.

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.

TREES

07

No work or storage on the site shall commence until all the trees/shrubs to be retained have been protected by the erection of a strong durable 2 metre high barrier fence in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations. This shall be positioned in accordance with details to be submitted to and approved by the Local Planning Authority. The protective fencing shall be properly maintained and shall not be removed without the written approval of the Local Planning Authority until the development is completed. There shall be no alterations in ground levels, fires, use of plant, storage, mixing or stockpiling of materials within the fenced areas.

Reason

To ensure the trees/shrubs are protected during the construction of the development in the interests of amenity.

LANDSCAPES

08

Prior to completion and first occupation of each geographical phase of development, a detailed landscape scheme for Plot landscaping shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape scheme shall be based on the approved Landscape masterplan (Pegasus Environment Drawing P21.0354.002 Rev B) prepared to a minimum scale of 1:200 and shall clearly identify through supplementary drawings where necessary:

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

The scheme shall thereafter be implemented in accordance with the approved landscape scheme and in accordance with the appropriate standards and codes of practice within a timescale agreed, in writing, by the Local Planning Authority.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity.

09

Prior to first occupation, a detailed hard and soft landscape scheme for the Public Open Space Area within the north-east corner of the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall be prepared to a minimum scale of 1:200. The scheme shall clearly identify the following as appropriate:

Hard Landscape elements:

- Existing and proposed finished levels or contours
- Means of enclosure
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting)
- Proposed and existing functional services above and below ground (e.g. drainage, power, communication cables, pipelines, inspection chambers, etc)
- Highway visibility requirements
- Retained existing site features and proposals for restoration, where relevant.

Soft landscape details shall include:

- Planting plans
- Written specifications (including ground preparation, cultivation and other operations associated with plant and grass establishment)
Schedules of plants, noting species, planting sizes and proposed numbers /
densities or planting distances
- An implementation programme.
- Written details of the responsibility for ongoing maintenance and a schedule of operations.

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

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity.

10

Landscaping of the Central POS as shown on the approved detailed landscape scheme (Pegasus Environment drawing no. P21.0354.004 Rev C) shall be carried out prior to occupation of the 100th dwelling. The site shall be maintained in accordance with approved details for the lifetime of the development. Any plants or trees which within a period of 5 years from completion of planting die, are removed or damaged, or that fail to thrive shall be replaced within the next planting season. Assessment of requirements for replacement planting shall be carried out on an annual basis in September of each year and any defective work or materials discovered shall be rectified before 31st December of that year.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity.

11

A Landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape and public open space areas shall be submitted to and approved by the Local Planning Authority prior to the completion or first occupation of the part or phase of development to which it relates, whichever is the sooner. The management shall thereafter be carried out in accordance with the agreed management scheme for the lifetime of the development. Any plants or trees which within a period of 5 years from completion of the part or phase of planting die, are removed or damaged, or that fail to thrive shall be replaced within the next planting season. Assessment of requirements for replacement planting shall be carried out on an annual basis in September of each year

and any defective work or materials discovered shall be rectified before 31st December of that year.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity.

Informatives

01

You should note that the Council's Neighbourhood Enforcement have a legal duty to investigate any complaints about noise or dust which may arise during the construction phase. If a statutory nuisance is found to exist they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in the Magistrates' Court. It is therefore recommended that you give serious consideration to reducing general disturbance by restricting the hours that operations and deliveries take place, minimising dust and preventing mud, dust and other materials being deposited on the highway.

02

Nature conservation protection under UK and EU legislation is irrespective of the planning system and the applicant should therefore ensure that any activity undertaken, regardless of the need for any planning consent, complies with the appropriate wildlife legislation. If any protected species are found on the site then work should halt immediately and an appropriately qualified ecologist should be consulted. For definitive information primary legislative sources should be consulted.

Furthermore, vegetation removal should be undertaken outside of the bird breeding season, March to September inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present, work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

03

The South Yorkshire Police Architectural Liaison Officer recommends that the development is designed and built to Secured by Design standards. www.securedbydesign.com

04

Given that the development is comprised solely of dwellings and does not involve flats or mixed use buildings, South Yorkshire Fire and Rescue will be satisfied if the vehicle access provision is in accordance with the recommendations of ADB1: Section B5.

Please note below, a table of information in relation to current SYFR appliance dimensions and weights.

SYFR - Scania Rescue Pumps and Scania Turntable Ladders							
➤ MAM (maximum authorised mass). ➤ Turning circle, the figure is quoted as "less than" and this is "wall to wall".							
Type	Turning Circle (Metres)	Front Axle (KG)	Rear Axle (KG)	Height (Metres)	Length (Metres)	Width (Metres)	Weight Gross (KG)
Scania Rescue Pump	<17	6152 kg actual	8086 kg actual	3.38	8.5	2.55 Inc mirrors	14500kg actual
		7500 kg mam	11500 kg mam				18000kg mam
Scania Turntable Ladder	<19	6,356 kg actual	10120 kg actual	3.50	10.5	2.55 Inc mirrors	16476 kg actual
		8500 kg mam	11500 kg actual				18000kg mam

05

The planning permission is subject to a Legal Agreement (Obligation) under Section 106 of the Town and Country Planning Act 1990. The S106 Deed of Variation 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.

06

The proposed site accesses and improvements to the site frontage (pedestrian facilities) as required by both the current application and the original Outline planning permission (RB2019/0894P) will require the developer to enter into a S278 legal agreement with the Council for the works. It is advised that the applicant contacts David Phillips (david.phillips@rotherham.gov.uk) to commence the process at their earliest convenience.

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.

APPENDIX 1

Planning Board Report

Screening Opinion Required?

RIGHT TO SPEAK **Yes**

Plan to go

DCR5 (footpath crossing)

DCR6 (Section 278 agreement)

DCR7 (Highway Issues)

DCR8 (Travel Plan)

LGAN2 (Landfill gas)

LGAN3 (Landfill gas)

PRW's (Public Footpath/Bridleway)

Letters to representees (Number) **18**

Petition (number of signatures if <30 otherwise >30)

Coal Authority Decision (exempted)

Temporary Permission

Copy of Decision to Yorkshire Water

S106

PD Rights Removed

PND (Disabled access)

Notify Enforcement

Other Letters/Notify Decision

Application Number	RB2019/0894
Proposal and Location	Outline application for the erection of up to 320 No. dwellinghouses including details of access at Land east of Moor Lane South, Ravenfield
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. • Financial contribution towards the enhancement of local bus services - £100k per annum for a period of 3 years • Improvement of 4 bus shelters on Moor Lane South and Braithwell Road amounting to £63,389.10 • Education Contributions in accordance with the Council's adopted Policy. • Formation of a Local Area of Play prior to occupation of the 100th dwelling • Formation of a Local Equipped Area of Play prior to the occupation of the 200th dwelling • Financial contribution towards the improvement of football pitches at Ravenfield Recreation Ground or Bill Hawes to provide playing surfaces - £15,000 prior to the occupation of the 250th dwelling.

	<ul style="list-style-type: none"> Establishment of a Management Company to manage and maintain the areas of Greenspace, including the proposed LAP and LEAP. <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 lies to the east of Moor Lane South and extends to approximately 14.5 hectares. It currently comprises of agricultural land that is delineated by existing hedgerows. To the south and east of the site lies further farmland, whilst existing residential development adjoins the site to the west, where the dwellings off Moor Lane South look onto the site. To the North runs Hellaby Brook with houses beyond on Common Farm Close, Grayson Close, Longfield Drive and Barberry Way, backing on to the site. Beyond these roads are further houses leading to Braithwell Road which forms a crossroads with Moor Lane South.

The site itself does not contain any landscape features such as trees or other vegetation, nor does it contain any structures. Its topography slopes from the south western corner to the far eastern edge.

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 320 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 western edge of the site onto Moor Lane South and estate roads feeding the built development and open spaces.

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 single storey, to 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 lead to a main central open area, with a further area to the north east corner. These open spaces are both primary and secondary amenity spaces and include water attenuation features. Landscaped areas along the southern and eastern boundaries are also shown to form a visual break between the development and the open countryside beyond. The central circular open space provides a focal point for the development and the linear paths that link across the site provide car free pedestrian routes throughout the site.

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 include primary and secondary roads and private shared drives.

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

- Design and Access Statement
- Masterplan Document
- Statement of Community Involvement
- Accommodation Schedule
- Transport Assessment
- Travel Plan
- Flood Risk and Run Off Assessment
- Air Quality Assessment
- Archaeology and Cultural Heritage Statement

- Preliminary Ecological Appraisal
- Reptile Survey
- Pre-development Tree Survey
- Geophysical Survey
- Landscape and Visual Appraisal

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 H65). 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 (H65).

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. 18 letters of representation have been received, including one from Bramley Parish Council.

The objections are summarised below:

Highways/Transportation/Infrastructure

- The roads cannot take the volume of traffic associated with this development.
- The roads around this location are already considerably busy, particularly during 'rush hour' periods in the morning and early evening. This development will only exacerbate the level of congestion and negatively affect the air quality locally through additional emissions.

- Any further development in the area will only lead to more traffic and pollution to the countryside.
- A series of road accidents at the beginning of June 2019 resulted in disruption, on all motorways which resulted in a shut down of Bawtry Road – We do not need further development causing the same.
- Lack of parking for Ravenfield Primary school which is already treacherous.
- If this number of houses are built we are talking about the possibility of two cars per household - 640 more cars how can this possibly be supported.
- The public transport information you have published linked to this is incorrect as not all those routes run anymore. Also public transport does not always reflect the needs who work shift patterns so cannot always be relied on as a form of transport for people.
- The travel plan seems to have been conducted in August, during the school holidays when traffic is quieter than normal, so I don't think your findings are a true reflection of normal traffic patterns & the impact 320 additional homes will have.

Residential Amenity

- Privacy issues for some houses on Barberry Way who don't currently have high fences in place as the houses back onto the farmer's field.
- The noise, disturbance, traffic/congestion and dust/dirt this build will create is going to effect the entirety of residents on Moor Lane South and the surrounding streets.
- The noise and air pollution will be increased when the development is complete
- At the Parish Hall consultation meeting, there were no plans mentioned for 3 storey dwellings which are now classed as a statement on the outlined plans.
- There are many high ethical design principles proffered in this submission, but it is irrefutably an outline application, so what guarantee is to be extended to the affected parties that these principles and commitments will be fully incorporated into the subsequent detailed planning application?

Drainage/Flood Risk

- Where will the surface water from the new homes go to? Existing water runs into the dyke which doesn't have capacity for additional flows as it will overflow into our garden

Ecology/Biodiversity/Landscape

- The proposed development will severely affect the wildlife in this area of Ravenfield
- Many species of birds, mammals and reptiles are often seen on this site, this will be obliterated if houses are built.
- there is a commendably high inclusion of environmental assets to the design e.g. greenspaces, water features, hedges and trees retention and improvements, etc. However, given recent RMBC maintenance reviews of existing local greenspaces responsibilities, how will long term maintenance of these proposed assets be assured?

Supporting facilities

- we do not feel that current local amenities are able to meet what will likely be the diverse and multiple needs of the residents that will live in these new properties. There is currently only one GP practice in the immediate locality and one small primary school – totally insufficient to continue to meet existing local need alongside an additional 300+ homes.
- schools have already been maxed to supply the existing builds, doctors have a waiting period of two to three weeks to obtain appointments and the hospital is also under pressure
- This is still viewed as a little village and does not have the resources to take more people. We have one small village shop and one small school and we are already seeing the village strain under the amount of people that live here

Loss of Agricultural Land

- we are particularly concerned about the implications of the loss of yet more arable, green-belt land, that, in the many years we have resided in this location, has consistently produced excellent crop yields every year.
- We feel the loss of this land is a real issue in light of the current political climate. With the country due to leave the European there will be a likely and real need to ensure the country has sufficient land available to grow food. Relatedly, the provision and protection of existing green-belt land represents an important part of efforts to combat climate change.

Other

- We pay a high price to live in such a lovely village and we cannot help but feel that this planning is going to make Ravenfield just another council estate which is definitely not why 95% of the residents bought property here in the first place.
- There is no shortage of large family homes in the borough but there is for social affordable starter homes so please consider building more of these on the development to encourage more young people to be able to afford to stay and live in the village.
- The views are beautiful across this field, building on it will ruin the character.
- The development would detract from the beautiful rural landscape and visual character of the area. Our skyline will be removed completely which is certainly not enhancement.
- This development is showing no respect at all to the residents of Longfield Drive. Our properties will lose the wonderful views and will therefore lose value. Compensation has never been mentioned, although nothing could compensate for that loss.
- The council said there would be no further development in Ravenfield, and to all intents and purposes the site is in Ravenfield and if houses do get built no doubt they will be advertised as being in Ravenfield
- The development will lead to an increase in crime in the area.
- The development will result in the loss of views from our property.
- The value of my house will decrease dramatically should this build go ahead.
- This plot for development is in the heart of the village so please consider amending the boundary from Bramley parish to Ravenfield.
- There is a dispute over the boundary with the parish of Bramley claiming that this development is in their area. It is not, it is well in Ravenfield. It is the people

of Ravenfield who will suffer, it is Ravenfield's services which will be stretched to the limit, so it is Ravenfield's precept which will be affected.

The Agent has requested to speak at Planning Board.

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

RMBC - Drainage raise no objections to the proposed development as the drainage and flood risk issues have been considered and allowed for in the site layout sufficiently for outline approval

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. The development of this site is considered to be compliant with the above listed policies.

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 Reptile Survey and concur with the findings. Accordingly, no objections are raised subject to conditions relating to mitigation measures.

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 Maltby Academy which in recent years has been oversubscribed. Therefore, a Secondary 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.

Highways England originally issued a holding recommendation to allow sufficient time to establish the impact of the development on Junction 1 of the M18. Following discussions with the Agent and an agreement to mitigate traffic associated with the development, the holding recommendation was removed. Accordingly, HE raise no objections subject to a condition requiring the mitigation be implemented.

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 site.

Environment Agency do not wish to comment on the proposals.

Seven Trent Water raise no objections to the proposed development subject to a condition requiring further information relating to a sewer modelling assessment.

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.

South Yorkshire Fire and Rescue note that access for fire appliances should be in accordance with Building Regulations Approved Document B volume 2 Part B5 section 16. Water supplies for fire-fighting purposes should be in accordance with Building Regulations Approved Document B volume 2 Part B5 section 15.

Rotherham NHS raise no objections to the proposed development.

Sport England – objected to the application in a non-statutory role as the proposal would generate demand for sporting provision.

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.

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 H66 (total area of 16.49 hectares) and the Sites and Policies Document indicates that the total site has a capacity of approximately 320 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 H65 for a total of 320 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 the Braithwell Road/Moor Lane South crossroads, including a hairdressers, public house and a convenience store. Furthermore, there are 3 Primary / Junior Schools available in close proximity to the site at Bramley Sunnyside Infant and Junior School, Ravenfield Primary Academy, Bramley Grange Primary School and bus stops are located on Moor Lane South and Braithwell 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 South Yorkshire Residential Design Guide aims to provide a robust urban and highway design guidance. It promotes high quality design and development which is sensitive to the context in which it is located.

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 320 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 now shows the provision of primary green spaces within the centre of the site and to the far north eastern corner, together with secondary amenity spaces and green pedestrian routes through the site.

The built development has been designed around these area as well as a need to provide a 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. The development is segmented into 16 smaller blocks by the primary road network which will create development areas from the large central open area. These blocks are linked by the road system and dedicated pedestrian links and will allow the creation of character areas throughout the development. The proposed arrangement of the development blocks allows dwellings to look outwards on all sides of the development which enhances the scheme.

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 (9.7%)
- 2 and 3 bed townhouses/semis (63.7%) and
- 3, 4 and 5 bed detached houses (26.6%)

The new dwellings on the site will range from single 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. It is anticipated that the heights will range from about 6 metres to ridge for single storey dwellings to 9m for two storey dwellings to about 12 metres to ridge for three storey dwellings. Single storey dwellings will be used in appropriate locations to ensure appropriate relationships to nearby properties adjoining the site.

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 all of the above into account, it is considered that 320 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 and eastern boundaries 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 320 new homes and as such the requirement for on site open space extends to 1.76 hectares. Taking into account the primary and secondary areas of open space, these areas extend to 1.84 hectares and together with the peripheral planting areas to the southern and eastern boundaries and land containing and protecting Hellaby Brook, the overall area set aside for open spaces extends to 2.93 hectares, 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) and a Local Equipped Area of Play (LEAP). 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 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 and LEAP are proposed to be maintained by a management company which would be secured by a Section 106 legal agreement.

An objection to the application has 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 £275,855 which is in relation to Sports Halls, Swimming Pools, Artificial Grass Pitches and Indoor Bowls.

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 H65 as set out in the adopted Sites and Policies Document states: *"A Transport Assessment will be required which includes consideration of possible traffic issues regarding Bramley village and J1 of the M18."*

The application is accompanied by a Transport Assessment 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 in respect of its impact particularly on the B6093/Flanderwell Lane mini-roundabout 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. The TRICS database has been used and the results converted to vehicle trips based on local journey to work data from the census. This indicates that the proposed development would result in an additional

276-277 vehicle trips on the local highway network during the typical weekday peak hours. These figures are considered to be very robust when compared with the accepted average for residential development in Rotherham.

Traffic Impact - The TA has considered the impact of the additional trips on the operation of various junctions in the area for a design year of 2028 (the end of the local plan period). Growth factors have been applied to the baseline data from traffic counts and junctions have been modelled using industry standard software. This analysis indicates that existing junction layouts will perform poorly in the design year even without the addition of development traffic.

B6093/A630 junction, Hooton Roberts – this junction was not originally modelled in the TA . Subsequent consideration revealed that some 26 No. two way trips along the B6093 to the north of Ravenfield Crossroads during a peak hour are predicted and it is accepted that an assessment of the B6093/A630 junction at Hooton Roberts is not therefore required.

B6093/Flanderwell Lane mini-roundabout – the TA shows that this junction will continue to operate above capacity during the am and pm peak hours and that mitigation in the form of a signal controlled junction is not an option. Improved pedestrian safety measures are proposed in the TA (refuges and zebra crossings) which are not considered to satisfactorily address the impact.

Revised improvements to the Flanderwell Lane/B6093 roundabout, which include works to widen the carriageway are considered to be acceptable in principle and worthy of further detailed design as part of a S278 Agreement. Whilst the scheme would reduce the Ratio of Flow to Capacity (RFC) and modelled queue length at this junction, there would remain the potential for a significant increase in queue length on the approach from the Church Lane roundabout. In other words, the scheme would result in a future year scenario that is better than the “no development scenario” but not perfect. However, the use of growth factors over 8 years in the TA gives a robust assessment. This may make the completed development appear to have a more deleterious effect than will be the actual case such that the cumulative impact on this part of the road network is not considered to be severe.

B6093/Church Lane mini-roundabout – the TA points out that there are very little conflicting traffic movements at the junction although the junction could potentially be converted to a simple “T” junction.

On balance, I it is recommended that this junction should be maintained in its current form since the mini roundabout was originally provided as a traffic calming feature as part of the Bramley Traffic Management scheme and its speed reducing effect should be retained. However, increased queuing will result although the TA opines that the modelled queue lengths are overly pessimistic, based on those observed, and would not occur in reality. The use of growth factors over 8 years gives a robust assessment.

B6093/Cross Street mini-roundabout – the TA advocates a simple “T” junction arrangement in order to achieve increased capacity.

This junction should also be maintained in its current form for the traffic calming reason referred to above. However, increased queuing will result although the TA opines that the modelled queue lengths are overly pessimistic, based on those observed, and would not occur in reality. Again, the use of growth factors over 8 years gives a robust assessment.

A631/Church Lane signal controlled junction – whilst it is predicted that this junction will continue to operate above capacity, no mitigation is proposed.

These signals are to be refurbished later this year and will operate MOVA (Microprocessor Optimised Vehicle Actuation) and linked to the Flash Lane junction referred to below.

A631/Cross Street/Flash Lane signal controlled junction – the TA predicts that this junction will continue to operate above capacity and suggests that MOVA control would be appropriate mitigation.

A631/B6093 priority “T” junction – whilst the TA points out that this junction will continue to operate above capacity, it is not considered that the impact of the development would be severe and no mitigation is proposed.

The assessment of this agreed, although it is accepted that increased queuing will occur as a result of the proposed development.

Site accesses – two simple priority “T” junctions onto the B6093 are intended with 2.4m x120m visibility splays. A 2m wide footway is to be constructed on the site frontage. Whilst the indicative layout plan shows this extending the full site frontage, the proposed site access plan in the TA shows the footway terminating north of the opposing road junction at Spencer Drive. Whilst the agents disagreed with the Council’s recommendation regarding the provision of visibility splays based on an “x” distance of 4.5 metres and a 3m wide footway/cycleway on the eastern side of Moor Lane South connecting with the existing footway near Lidgett Lane, there is a wide highway verge over which adequate visibility can be attained. Furthermore, a contribution of £500 per dwelling has been agreed by the agents for sustainable transport measures which may include improved cycling facilities. This will be secured via the S106 Agreement.

Car and Cycle Parking - Having regard to car and cycle parking, whilst these details are reserved for future consideration, the applicant should be made aware that provision should be provided in line with the Council’s adopted standards.

Pedestrian Accessibility - A 2km. walking catchment from the site includes schools, shops and pubs. However, pedestrian provision between the site and Bramley is far from ideal and will involve pedestrians crossing B6093 Moor Lane South to use the existing footway on the western side. 4 No. uncontrolled pedestrian crossings are proposed in Moor Lane South. A Stage 1 Road Safety Audit has been undertaken and no problems were identified.

Cycling Accessibility - The Rotherham cycle map indicates that there are advisory cycle routes through Bramley village, along Hollings Lane, Braithwell Road and Lidgett

Lane. There are controlled crossing facilities at the B6093/Hollings Lane/Braithwell Road crossroads to the north and at the A631/Cross Street/Flash Lane crossroads to the south. Cycling facilities along B6093 Moor Lane South could be improved as one of the sustainable transport measures referred to above.

Road Safety - The accident record in the vicinity of the site does not appear to indicate any particular cluster of incidents nor correlation between accident severity and location which would be cause for concern. 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. A Stage 1 Road Safety Audit has been undertaken and no problems were identified.

Travel Planning - A Residential Travel Plan has been produced to support the proposed development which includes details of sustainable transport measures/initiatives that would be introduced as part of the transport strategy for the site. In this respect, it is recommended that the developer provides a sustainable transport contribution of £500 per dwelling to be used to fund a variety of measures encouraging residents to travel sustainably (as per the Sites and Policies Good Practice Guidance). Electric vehicle charging points should be provided at each dwelling.

Layout - Whilst the submitted layout is for illustrative purposes only, I would advise that future details should be designed and constructed in accordance with the South Yorkshire Residential Design Guide. An Agreement under S38 Highways Act 1980 would be Required.

Highway Related Representations - The Transport Statement submitted by Bramley Parish Council has been reviewed and matters raised have been considered and addressed by appropriate recommended conditions.

Impact on Strategic Road Network - Extensive discussions have taken place between the Council, Agent and Highways England to understand the how the trips associated with the proposed development will impact on Junction 1 of the M18 and in this respect, Highway England have confirmed that this junction is already at capacity and as such any proposed development that results in additional trips through this junction at peak times should provide physical mitigation to provide additional capacity.

In this regard, it has been agreed that a condition will be placed on a any future approval of planning permission requiring the submission of a scheme to provide these works shall be submitted to the LPA and HE based on a draft plan showing alterations to white lining and signage at Junction 1. Once approved, the scheme should be implemented prior to the occupation of the 80th dwelling.

Public Transport Provision - The TA's claim that the site is accessible by public transport is accepted although no consideration has been given to the spare capacity of the services available. The TA proposes the funding of an additional bus to provide enhanced services between the site and Rotherham town centre.

The South Yorkshire Passenger Transport Executive, have assessed this further and have requested improvements to 4 bus shelters on Moor Lane South and Braithwell Road and a financial contribution of £100k per annum for a period of 3 years towards improvements to bus services in the immediate area.

Summary - In summary, it is acknowledged that the highway impact of the development is significant and requires mitigation and sustainable transport measures/initiatives. Additional queuing at junctions in the area will result. However, it is considered that the development will not have an unacceptable impact on highway safety and the residual cumulative impact on the road network would not be severe. Conditions are recommended which seek to promote sustainable transport and mitigate to an acceptable degree the impact of the development in terms of capacity and congestion. Accordingly, the proposal is considered to accord with the requirements of the National Planning Policy Framework (NPPF).

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, 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) inappropriate 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 applicant's submission confirms that the site is within Flood Zone 1 as shown on the Environment Agency maps, meaning that it is very unlikely to flood and that the sequential test is satisfied.

The Council's Drainage Engineer has assessed the proposals and considers the submitted information to be satisfactory and sufficient to make an assessment of this outline application.

In respect of Flood Risk, he notes that the watercourse along the northern boundary and the associated flood risk have been considered. The indicative site layout avoids siting dwellings in this flood risk area and provides easy access for maintenance of the watercourse. Any future applications for reserved matters should therefore retain this arrangement and ensure that finished ground levels on the south side of the watercourse do not force any potential flood water towards the existing dwellings on the north side.

Having regard to surface water drainage, an estimate of the required surface water attenuation has been carried out and the calculated volume is accepted and can be confirmed at detailed design stage. Two attenuation ponds have been shown on the submitted masterplan, which between them could accommodate the runoff as calculated. It is expected that for a site of this size, attenuation features would be adopted by the water company, however this would need to be considered alongside future reserved matters.

Turning to foul drainage, the flood risk assessment gives some recommendations for foul drainage but recommends a developer enquiry to the water company. A foul pumping station will almost certainly be required, and a potential position has been indicated on the layout. Seven Trent Water have been consulted on the application and note the requirement for a pumping station on site. As this is the case, they have requested a sewer modelling assessment to determine what impact the generated flows will have on the network and to establish the maximum pump rate that could be accommodated within the existing network. Whilst this information has not been

submitted as part of this application, it is considered appropriate to impose a suitably worded condition, requiring the assessment to be submitted as part of future applications for reserved matters.

Having regard to the above, the Council's Drainage Engineer, Seven Trent Water and Yorkshire Water raise no objections to the proposed development. Furthermore, the Environment Agency were consulted on the planning application and stated that they have no objection to the proposed development and refer to their flood risk standing advice.

Having regard to the above and 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 and a Reptile Survey. The Ecological Appraisal concludes that no notable plant species or habitats are present on site, however the development has the potential to produce impacts upon ecological receptors and that these require further evaluation. Accordingly, further investigations were carried out in relation to habitats, bats, badgers, dormice, water voles, otters and other mammals, birds, reptiles, amphibians and invertebrates.

In light of this, the Assessment concludes as follows:

“There is one statutory designated site within 2 km of the site, which is Firsby Reservoir LNR, approximately 1.9km North of the site. There are no statutory designated sites for bats within 5 km of the site.

There are seven non-statutory sites within 2 km of the site.

- *Gulling Wood and Silver Wood LWS*
- *Silverwood Tip & Odd Hill LWS*
- *Hellaby Bridge Brickworks LWS*
- *Listerdale Wood LWS*
- *Wickersley Wood LWS*
- *The site is within the South Yorkshire Community Forest*

The proposed development is well-removed from all of the designated sites listed above and separated from them by existing residential areas. Direct effects of the proposed works are therefore unlikely. Indirect effects from factors such as increased visitor pressure is possible, and so should be considered at an early stage.”

Having regard to the potential impacts of future works on site, the report goes on to state *“if residential development is undertaken in the future, then potential impacts are likely to include the following:*

Removal of grassland, hedgerows and trees may cause loss of bat foraging habitat. Loss or severance of hedgerows may affect bat commuting routes. An increase in general light levels could also affect bat foraging and commuting.

Although no badger setts were observed on site, badger activity can change over a short time. If any setts are created on site prior to works, tunnels could be affected by ground works and vegetation removal, and badgers could be harmed.

Loss of grassland, hedgerows and trees may affect birds that use the site for breeding and foraging by causing a decrease in nesting sites and food resources. Loss of these habitats may directly harm nesting birds if carried out during the breeding season (March to August inclusive).

In the event that reptiles are present on site, they might be killed or injured during removal of vegetation or ground works. They would also suffer loss of habitat.”

In light of this, recommendations are also made within the report which seek to protect bats, badgers, birds and reptiles from development.

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.

The proposal also allows for the retention of the majority of the existing hedgerows around the site as well as additional planting in any areas which have gaps along the eastern boundary with the Green Belt. The retention and improvement of which will be a biodiversity enhancement.

In considering the Reptile Survey, this expands on the findings in the Ecological Assessment, however during the survey no reptiles were identified. As such, no negative impact would occur towards reptiles, therefore no further surveys will be required, though a precautionary approach has been recommended and there is an opportunity to enhance the site for biodiversity gains such as creation of reptile and amphibian Refugia such as habitat piles.

Again, the Council's Ecologist concurs with these findings and recommends further conditions relating to the biodiversity gain recommendations outlined in the report.

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 in question is allocated for residential use within the Local plan (H65), and was assessed by the council as part of its local plan evidence base and was considered to be of Medium sensitivity to change and of Medium capacity to accommodate residential development. The site lies within the local character area of 8 Central Rotherham coalfield farmland. This is described as generally being of moderate strength of character but poor condition. The focus of landscape management proposals for this character area, given its character and condition should be to improve and restore features which contribute positively to its overall character.

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 wider open countryside and on natural landscape features such as trees and hedgerows. Existing vegetation including mature trees should be retained and enhanced, unless agreed in writing with the Local Planning Authority.
- Development proposals shall provide a strong structural landscape framework within which this development will sit. 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 is based on an appropriate methodology in line with best practise: Guidelines for Landscape and Visual Assessment 3rd Edition (GLVIA version 3). The scope of the study at 2km is appropriate for a development of this scale and is informed by a zone of theoretical visibility (ztv). The Council’s Landscape Architect considers that the judgements made in relation to landscape sensitivity, susceptibility, value and magnitudes of effects are reasonable and well considered and as such the conclusions of the report are accepted.

The assessment of landscape effects concludes that the greatest adverse effect (moderate to major) would be the permanent loss of agricultural land. The long term effects on landscape fabric and features are predicted to be of moderate beneficial effect. The long term effects on landscape character within Rotherham MBC are considered to be at worst minor adverse. The long term effects on landscape character within Doncaster MBC are considered to be negligible.

The assessment of visual effects concludes that greatest adverse effects (major and moderate to major) would be limited to residents in locations in the immediate vicinity of the site with direct and unobstructed views into the site (within 0.2km). Wider or more distant adverse visual effects are expected to be negligible.

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.

The features which are fundamental to the impact of the development on the wider area and unlikely to change, are the landscape buffers to the southern and eastern boundaries, and the standoff to Hellaby Brook. Due to the possibility of a phased, and multiple developer approach, it is therefore essential to secure the provision of these buffers within the first phase of development and as such it is recommended that they are the subject of an advanced structure planting condition. Additionally, it is also considered necessary to attach a condition requiring the submission of design codes that would relate to each geographical stage of the development. These would build on the Masterplan framework and set the detailed design instructions for each subsequent phase of development.

Having taken the above into account, whilst the development will result in some adverse visual amenity for existing residents, 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.

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 comprises of a large field, is approximately 14.4 hectares and slopes gently from the south western corner down to the eastern side of the site. The land has been actively farmed for arable crops for many a year.

From a review of the historical maps, it would appear the land has been in use as agricultural land from 1850 to the present date. A sewage works along the northern boundary was annotated on the 1916-1922/1928 map, however on our next available map of 1956 it is no longer present. Also, on the 1956 map an electrical substation

appears to have been located on land immediately adjacent to the north western corner of the site. Hellaby Brook now as 'sinks' annotated on the map, which may lie within the application site. Our final map of 2013 shows the electrical substation is now annotated as a Sewage Pumping Station.

Historically the land has been used for agricultural purposes with no obvious development having taken place.

However, there is some potential for the site to be impacted from contamination associated with past farming practices (the use of organic substances such as pesticides, herbicides, and fungicides), the presence of naturally occurring metals within the soils and any potential infilling of the land (e.g. former sewage treatment works) over time. The land may also have been impacted by the adjacent electricity sub-station/sewage pumping station.

Residential development is proposed for the site which could introduce a sensitive receptor (i.e. human health) to the site with the potential for exposure to soil contamination, if present, in private gardens or areas of soft landscaping.

Accordingly, it is recommended that a Phase I Desk Top Study be undertaken in the first instance, which will fully identify the past and present uses at the site which could have led to contamination occurring. The Phase I report will allow for a preliminary risk assessment to be undertaken which will determine whether a further intrusive site investigation is required or not. This is recommended to be secured via the imposition of conditions.

Furthermore, remediation works may be required to bring the site to a suitable condition to be protective of human health for its proposed end use. Again, it is recommended that this be secured via a suitably worded condition.

In general amenity terms the Environmental Health Section note that the site is adjacent to residential properties and is some distance away from any major noise sources. They note that there is potential for disamenity to occur for existing residents from noise during the construction phase and the working hours of the construction work and machinery used on site and dust and mud from the excavation of the land, construction work and traffic flow of lorries entering and exiting the site.

The site would be accessed off Moor Lane South, which is a residential street and due to the level of development proposed it is considered appropriate that a condition is attached to any planning permission to require the submission of a Construction Management Plan to control such issues.

In relation to Air Quality issues, the application was 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 that Rotherham's Delivering Air Quality Practice Guidance, along

with one of the key themes of the NPPF, is that developments should enable future occupiers to make “green” vehicle choices and “incorporate facilities for charging plug-in and other ultra-low emission vehicles”. Whilst the Air Quality Assessment did not make any recommendations, it is considered that electric vehicle recharging provision should be provided as part of the scheme as there will be significantly increased demand in future years during the lifetime of this development and in accordance with the provisions of the Supplementary Planning Guidance Note 2 ‘Air Quality and Emissions’. It is therefore recommended that if planning permission is granted a condition is attached requiring the submission of details of electric charging points to be provided.

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.”*

The South Yorkshire Residential Design Guide (SYRDG) notes that: *“For the purposes of privacy and avoiding an ‘overbearing’ relationship between buildings, the minimum back-to-back dimension (between facing habitable rooms) should be 21 metres. This also corresponds to a common minimum rear garden or amenity space of about 10 metres in depth.”*

The SYRDG further goes on to note that in respect of ensuring adequate levels of daylighting, back-to-back distances should, as appropriate to specific circumstances, be limited by the 25 degree rule. Furthermore, so as to avoid an overbearing relationship, the SYRDG additionally requires back to side distances and the extent of rear extensions to be limited by the 45 degree rule.

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 and across Moor Lane South to the west. Representations have been received claiming that the proposed development will overlook the properties to the north, particularly as these relate primarily to bungalows.

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, running along the northern boundary of the site, along the rear boundaries of existing properties runs Hellaby Brook, this area will be safeguarded and enhanced as part of the proposals, which will ensure that there will be a significant separation distance between the rear elevations of existing properties and any new dwellings, which will inevitably protect the amenities of existing residents.

Having regard to the amenity of future residents, all future applications for reserved matters will need to be designed in accordance with the separation distances outlined in the SYRDG, which include the 25- and 45-degree rules.

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 affecting the amenity of existing residents. The proposal is therefore considered acceptable in accordance with the guidance contained within the SYRDG.

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 raise no objection to the application subject to a condition being attached which requires further archaeological works to be undertaken.

It is therefore 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 the Maltby Academy 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.

Finally, comments have been raised regarding a dispute over the boundary with the parish of Bramley. In this regard, the Council has received a petition from Ravenfield Parish Council asking that a Community Governance Review be undertaken in the Ravenfield Parish Council in respect of the Parish boundary. The petition asks for a Community Governance Review to be undertaken with a view to altering the existing boundary of the Parish of Ravenfield. Accordingly, the amendment to the Parish Council boundary was subject to consultation between 1st November 2019 and 31st January 2020. An update on the outcome of this review is expected later this summer. Nevertheless, this does not influence the decision making process of this application.

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 Agent's 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 towards the enhancement of local bus services - £100k per annum for a period of 3 years
- Improvement of 4 bus shelters on Moor Lane South and Braithwell Road amounting to £63,389.10
- Education Contributions in accordance with the Council's adopted Policy.
- Formation of a Local Area of Play prior to occupation of the 100th dwelling
- Formation of a Local Equipped Area of Play prior to the occupation of the 200th dwelling
- Financial contribution towards the improvement of football pitches at Ravenfield Recreation Ground or Bill Hawes to provide playing surfaces - £15,000 prior to the occupation of the 250th dwelling.
- Establishment of a Management Company to manage and maintain the areas of Greenspace, including the proposed LAP and LEAP.

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 H65 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, 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, 4, 5, 6, 11, 16, 19, 20, 28, 29, 30, 36, 37, 38, 29 & 41 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, 4, 5, 6, 11, 16, 19, 20, 28, 29, 30, 36, 37, 38, 29 & 41 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 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 July 2013
- Indicative Layout Plan dated Sept 2018
- Proposed Site Access Junctions – Dwg No. 001
- B6093/Flanderwell Lane Junction Improvement – Dwg No. 006
- M18 Junction 1 - Aone Dwg No. HE566833-AONE GEN-M18_J1-DR-C-GA05-P01.
- Tree Constraints Plan – Dwg No. 01 Rev A

Reason

To define the permission and for the avoidance of doubt

04

Prior to the submission of the first Reserved Matters application, a plan shall be submitted to and approved in writing by the Local Planning Authority detailing how the development of the site shall be phased. The development shall thereafter be carried out in accordance with the approved plan.

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'.

05

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

06

No development, shall take place in any of the geographical phases identified in the approved Phasing Plan, as required by Condition 04 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'.

07

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'.

08

The proposed site layout shall be designed and constructed in accordance with the South Yorkshire Residential Design Guide 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

09

A detailed scheme to provide the works to Junction 1 of the M 18 Motorway as shown in draft form on Plan Reference, Aone drawing no. HE566833-AONE GENM18_J1-DR-C-GA05-P01, or an alternative scheme that takes account of improvements that have either been carried out or agreed since the approval of this permission shall be submitted to and approved in writing by the Local Planning Authority. No more 80 dwellings (25%) shall be occupied until the approved highway works have been completed."

Reason:

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

10

The future development of the site shall be served from the access arrangement indication on plan reference AO94759-1 35 18 Drawing No. 001.

Reason

In the interests of road safety

11

The development shall not be commenced until details of the proposed improvement to the Flanderwell Lane/B6093 junction, indicated in draft form on plan reference AO94759-1 35 18 Drawing No. 006, have been submitted to and approved by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the 50th Dwelling on the site.

Reason

No details have been submitted for consideration.

12

On site car parking shall be provided in accordance with the Council's minimum car parking standards for new residential development.

Reason

In the interests of highway safety.

13

The proposed on site layout shall be designed to facilitate possible future vehicular access to the "safeguarded" land to the south.

Reason

To ensure a comprehensive development can be provided

14

Prior to the occupation of the first dwelling within each geographical phase of the development, details of vehicle charging points (a minimum of one point per dwelling) 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.

15

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

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

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained in accordance with the Local Plan and the South Yorkshire Interim Local Guidance for Sustainable Drainage Systems.

16

Prior to the commencement of any above ground development in each of the geographical phases as identified in the phasing plan as required by condition 4, road sections, constructional and drainage details, and timing of the carrying out of the works, shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in accordance with the approved details.

Reason

In the interest of highway safety.

LANDSCAPE AND ECOLOGY

17

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.

18

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.

19

Prior to the commencement of any development, details of a phased scheme of advanced structure planting to provide screen planting to the eastern and southern boundaries 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.

20

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 an 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

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

22

All subsequent applications for the approval of Reserved Matters shall incorporate the mitigation measures outlined in paragraphs 5.17 to 5.19 of the submitted Preliminary Ecological Assessment dated May 2018 and paragraphs 6.4 and 6.5 of the Reptile Survey dated May 2018.

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

23

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

24

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

Reason

In the interests of residential amenity.

25

Unless otherwise agreed in writing by the Local Planning Authority heavy goods vehicles should only enter or leave the site between the hours of 08:00 - 18:00 on weekdays and 09:00 - 13:00 Saturdays and no such movements should take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).

Reason

In the interests of residential amenity

26

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

Reason

In the interests of residential amenity

27

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

Reason

In the interests of highway safety and residential amenity

LAND CONTAMINATION

28

Prior to development commencing, a Phase I Site Assessment Report consisting of a desk top study, a site walkover, and a conceptual site model shall be undertaken to obtain an understanding of the site's history, its setting and its potential to be affected by contamination. This report must be submitted to this Local Authority for review and consideration.

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

Subject to the findings of the Phase I and prior to development commencing, a Phase II Intrusive Site Investigation shall be submitted to and approved in writing by the Local Planning Authority to assess the geotechnical and geo-environmental constraints at the site. The investigation and subsequent risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

The above should be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and Contaminated Land Science Reports (SR2 -4).

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

Subject to the findings of the Phase II and prior to development commencing, a Remediation Method Statement shall be submitted to and approved in writing by the Local Authority prior to any remediation works commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation. The approved Remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The Local Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason

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

31

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

Reason

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

32

If subsoils/topsoils are required to be imported to site for remedial works, then these soils will need to be tested at a rate and frequency to be agreed with the Local Authority to ensure they are free from contamination.

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

33

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. 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

LEVELS

34

Prior to the commencement of any above ground development within each geographical phase, details of existing and proposed finished floor levels of the approved properties and gardens within that phase shall be submitted and approved in writing. The development shall be implemented in accordance with the approved levels.

Reason

For the avoidance of doubt and in the interests of the amenity of the existing residents adjoining the site in accordance with the Local Plan

WASTE MANAGEMENT

35

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

36

Part A (pre-commencement)

No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

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

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

Part B (pre-occupation/use)

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

Reason:

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

DRAINAGE AND FLOOD RISK

37

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 site, 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 is completed. Until the approved scheme has been fully implemented, temporary arrangements shall be put in place to limit foul discharge to rates agreed by Severn Trent Water and surface water runoff to the approved discharge rates, based on the area of site currently developed. 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.

38

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.

39

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. Construction of roads or dwellings shall not begin until such approval has been received. 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.

40

No building or similar structure shall be erected within 5m of the top of the near bank of the watercourse on the northern edge of the site. Sufficient access to allow maintenance of this watercourse shall be provided.

Reason

To ensure that the development does not increase flood risk from this watercourse and allows for future maintenance.

41

Prior to the submission of the first Reserved Matters application, a foul water sewer modelling assessment shall be submitted to and approved in writing by the Local Planning Authority. The Assessment shall determine what impact the generated flows from this site will have on the network and determine the maximum pump rate that could be accommodated within the existing network without worsening the existing sewer performance in rainfall events.

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.

Informatives

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.