

PLANNING BOARD

Date and Time:- Thursday 19 March 2026 at 9.00 a.m.

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

Membership:- Councillors Mault (Chair), Jackson (Vice-Chair), Adair, Ahmed, Allen, Bacon, Cowen, Currie, Duncan, Elliott, Fisher, Hussain, Sutton, Tarmey and Thorp.

This meeting will be webcast live and will be available to view [via the Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Governance Advisor of their intentions prior to the meeting.

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 26th February 2026 (Pages 7 - 9)
6. Deferments/Site Visits (information attached) (Pages 11 - 12)
7. Development Proposals (Pages 13 - 93)
8. Report of the Assistant Director of Planning, Regeneration and Transportation Service (Pages 95 - 106)
9. Updates

**The next meeting of the Planning Board will be held on
Thursday 9 April 2026 commencing at 9.00 a.m.
in Rotherham Town Hall.**



**JOHN EDWARDS,
Chief Executive.**

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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.)

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PLANNING BOARD - 26/02/26

PLANNING BOARD
Thursday 26 February 2026

Present:- Councillor Mault (in the Chair); Councillors Adair, Ahmed, Allen, Currie, Duncan, Elliott, Fisher, Hussain, Jackson, Tarmey and Thorp.

Apologies for absence:- Apologies were received from Councillors Bacon and Sutton.

The webcast of the Planning Meeting can be viewed at:-
<https://rotherham.public-i.tv/core/portal/home>

54. EXCLUSION OF THE PRESS AND PUBLIC

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

55. MATTERS OF URGENCY

There were no matters of urgency for consideration.

56. DECLARATIONS OF INTEREST

Councillor Fisher declared a personal interest in application RB2025/1408 (change of use from Class C3 Dwellinghouse to Class E(e) provision of medical or health services and single storey side/rear extension and single storey link extension to 41 Broom Road at 39 Broom Road, Broom for Joseph Family Dental Care) on the grounds of being a client. He left the room whilst the application was discussed and did not observe the vote.

57. MINUTES OF THE PREVIOUS MEETING HELD ON 22ND JANUARY, 2026

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 22nd January, 2026, be approved as a correct record of the meeting and signed by the Chair.

58. DEFERMENTS/SITE VISITS

There were no site visits or deferrals recommended.

59. DEVELOPMENT PROPOSALS

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

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

- Erection of 107 dwellings, associated highways, landscape, open space and drainage infrastructure at land south of Mansfield Road, Aston for Gleeson Regeneration Ltd and Network Space Land Ltd. (RB2024/1431)

Ms. B. Justice (Applicant)

- Change of use from Class C3 Dwellinghouse to Class E(e) provision of medical or health services and single storey side/rear extension and single storey link extension to 41 Broom Road at 39 Broom Road, Broom for Joseph Family Dental Care (RB2025/1408)

Mr. H. Marston (Objector)

(2) That in relation to application RB2024/1431:-

(a) That the Council enter into a legal agreement with the developer under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following:-

- Affordable housing provision (9 units including 6 bungalows on a 1:2 ratio and 3 x 2 bed properties).
- Education Contribution of £327,189.50 towards secondary education at Aston Academy in line with the 2025 Education s106 policy.
- £104,000 towards consulting rooms at Swallownest Health Centre.
- £500 per dwelling towards promotion of sustainable transport (£53,500 in total).
- £39,108 for bus stop improvements at bus stop 30970 (Mansfield Road) and 30969 (Mansfield Road).
- A contribution in the region of £10,200 towards the 30-year management and monitoring of the significant on-site habitat.
- A financial contribution of up to £67,203 to support existing sports pitch provision within an initial one-mile radius of the site and as required by the Play Pitch Strategy.
- Establishment of a Management Company to manage and maintain the areas of Greenspace on site.

(b) subject to the satisfactory signing of the agreement application RB2024/1431 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and subject to an amendment to Condition No.33 which should now state:-

PLANNING BOARD - 26/02/26

Prior to commencement of any above ground works, details of any cut and fill earthworks required to create development platform(s), including detailed topographical survey information and proposed finished site levels **and any retaining walls and structures** shall be submitted to and approved in writing by the Local Planning Authority. This shall include the submission of a Materials Management Plan as required by the CL:AIRE guidance. The development shall thereafter be constructed in accordance with the approved details.

Reason

To ensure the safe occupation of the site.

(3) That application RB2025/1408 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(Councillor Fisher declared a personal interest in application RB2025/1408 (change of use from Class C3 Dwellinghouse to Class E(e) provision of medical or health services and single storey side/rear extension and single storey link extension to 41 Broom Road at 39 Broom Road, Broom for Joseph Family Dental Care) on the grounds of being a client. He left the room whilst the application was discussed and did not observe the vote)

60. UPDATES

There were no updates to report.

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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 March 2026**

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

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<p>RB2025/1101 Erection of two stable blocks at Land Adjacent A57 Chesterfield Road Swallownest for Mr J White</p>	<p>Pages 67-78</p>
<p>RB2026/0061 Application to vary conditions 06 (amend wording relating to car parking spaces and 07 (new rota document amendments) imposed by RB2025/0610 at 92 Swinston Hill Road Dinnington for Mr Hallam</p>	<p>Pages 79-93</p>

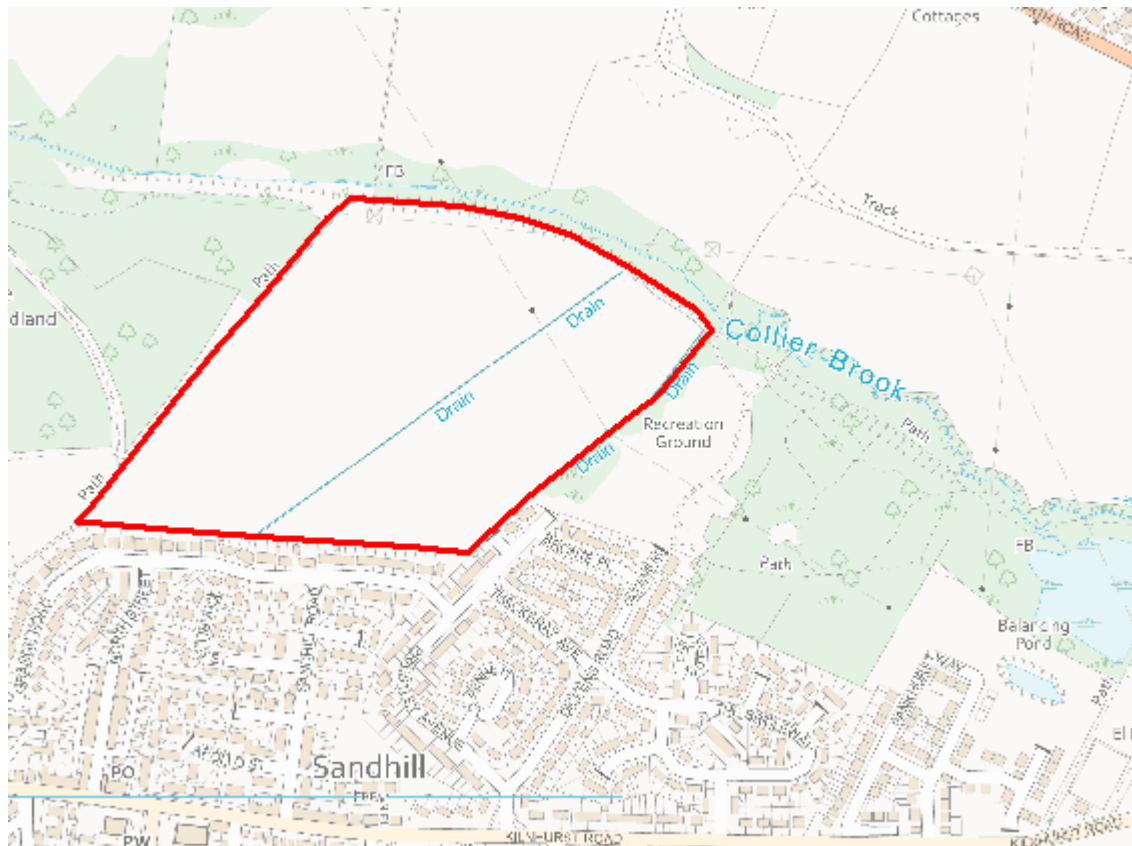
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**REPORT TO THE PLANNING BOARD
TO BE HELD ON THE 19 March 2026**

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	RB2025/0537 https://rotherham.planportal.co.uk/?id=RB2025/0537
Proposal and Location	Erection of 228 dwellings with associated access, open space, drainage infrastructure and landscaping on land to north of Grange Road/off Priestley Avenue, Rawmarsh, Rotherham
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> <p>S106 agreement Heads of Terms</p> <ul style="list-style-type: none"> • 25% affordable housing provision (57 units) as shown on drawing 24 5750 08 S106 Plan Rev D: Including Affordable Rent (32 units) <p>Contributions</p> <ul style="list-style-type: none"> • Bus Stop Improvements Contribution £60,106 • Highways TRO Contributions £5,000 (20mph speed limit) £5,000 (investigation of a traffic regulation order to improve junction capacity at the Haugh Road / A633 junction) £500 (sustainable transport) per dwelling (£114 000) • Greenspace Contribution £149,500 • Playing Pitch contribution £105, 715 • Education Contribution to accord with SPD towards Primary School places <p>Biodiversity Net Gain</p> <ul style="list-style-type: none"> • BNG – 10% increase required as per new legislation – details of BNG to be approved via conditions <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 is identified as Safeguard Land (SL1) in the adopted Local Plan and lies in the northern side of Grange Road/Priestley Avenue in Rawmarsh.

The site is approximately 12.1Ha in size.

The site comprises of land currently in agricultural use and is located to the north of Rawmarsh. The settlement forms part of the Rotherham Urban Area and is located northeast of Rotherham Town centre and southwest of Kilnhurst. The site is bounded by existing residential properties to the south and by Collier Brook to the north. Sandhill Park is located to the east of the site and Warren Vale community woodland to the west.

The site slopes moderately from the southwest corner to the northeast.

Two sets of Overhead high voltage electric cables cross the north and northeastern portion of the site. The more northerly one of these crosses west-east and is the larger of the overhead cable network.

The site is located entirely within an area classified as a Flood Zone 1 (low risk). A brook which crosses the central area of the site is within a known Surface Water Flood Risk area.

There is no public access into the site, though there are public footpaths and bridleways immediately adjacent to the western and northern boundaries.

The area to the west, north and east of the site is predominantly Green Belt. Immediately to the north is Local Wildlife Site (77 Collier Brook and Marsh).

Background

This site does not have any previous planning history.

Proposal

This is a full application for a development of 228 dwellings (originally when submitted for 231). These will be affordable houses sought to be delivered in conjunction with Vico Homes (previously Wakefield District Housing), a Registered Provider. All the dwellings have parking provision, and private garden space.

The development proposes a range of dwelling types and sizes, from two to two and a half storey scale in height and a mix of 2 bed (25%) 3 bed (70%) and 4 bed (5%) properties.

The main access to the proposed development will be via an extension of the existing stub off Priestley Avenue between properties numbered 71 and 73 in the southeast of the site. The site access road and internal loop within the site will be conventional streets with a minimum width of 5.5m with 2m footways on either side segregated by a verge.

Areas of public open space are located to the northeast corner where the SuDS drainage is provided and in the southwest of the site where a play area is proposed. a secondary area of POS uses the central brook/dyke as an internal walkway across the site.

The scheme shows a number of pedestrian and cycle routes which link into the existing paths which are adjacent to the site. The links created will provide direct connections to those existing routes to improve wider opportunities for residents to access services and facilities sustainably.

Planning Statement

- The site comprises 12.12 hectares of land currently in agricultural use and is located to the north of Rawmarsh. The settlement forms part of the Rotherham Urban Area and is located northeast of Rotherham Town centre and southwest of Kilnhurst. The site is bounded by existing residential properties to the south and by Collier Brook to the north. Sandhill Park is located to the east of the site and Warren Vale community woodland to the west.
- The existing site falls from the southwest corner to the northeast. Gradients are relatively steep across the site with falls in the southwest being locally 1 in 7 and 1 in 12 typically. Falls across the northeastern portion are typically between 1 in 14 and 1 in 20.

- Overhead high voltage electric cables cross the northeastern portion of the site.

The need for new housing and the current housing supply in Rotherham

- The NPPF sets out a presumption in favour of sustainable development which for decision taking means approving proposals which accord with the development plan without delay or, where the relevant policies are out of date, granting permission unless the application of policies in the Framework which protect areas of particular importance provide a strong reason for refusal, or where the adverse impacts of doing so would demonstrably outweigh the benefits which assessed against the Framework as a whole.
- Policies in local plans should be reviewed to assess if they need updating once every five years and take account relevant changes to national policy. The Rotherham Core Strategy was adopted in 2013 and the Site and Policies Document adopted in 2018.
- Both documents are in excess of five years old and have not been reviewed against the updated NPPF published in December 2024. Therefore, for decision taking the latest standard method figure (1,111 dpa plus a 5% buffer) applies. This figure takes into account the most recently published Affordability Ratio (March 2025).
- The updated NPPF requires local planning authorities to identify a supply of specific, deliverable, five year supply of site for housing sites, including the appropriate buffer. This five-year housing land supply position should be updated annually by the Council, and Rotherham have not done this. The minimum number of homes needed should be calculated using the standard method in national planning practice guidance.
- For Rotherham this minimum requirement is 1,111 dwellings per annum (plus a 5% buffer equating to 1,167 dpa) dwellings per annum and this represents the current housing requirement. The annual housing requirement in the Adopted Core Strategy (Policy CS6) is 850 dwellings per annum.
- A review of recent delivery against the current target has been undertaken by DLP Planning Consultants Ltd for the applicant and forms part of this application submission. Historic rates of delivery show a long-term average of 579 dwellings per annum when measured over the last 10 years.
- The 6 years average of supply from 2018 onwards is only 675 dwellings per annum. Both figures show delivery is significantly below the minimum annual requirement of 1,111.
- DLP's analysis has illustrated that the Council currently has a 3,244-unit shortfall against the Core Strategy requirement and backlog. They also have a residual shortfall of 8,034 units, thus showing that the Core Strategy has underdelivered much needed homes.
- DLP have also undertaken a review of the current housing land supply in Rotherham. From a high level review of supply based on Rotherham latest published supply figures (2022/23 to 2026/27) there is an estimated supply of 5.38 years against the minimum figure. However,

this does not take into account recent completions from 2022/23 or additional commitments from March 2022 onwards.

- Furthermore, when considering the deliverability of the supply, approximately 50% of the current supply is on sites which are either allocated or have outline, rather than detailed, planning permission. Within the 2022/23 – 2026/27 supply identified by Rotherham, 87% of allocated sites show no evidence of recent delivery. This calls into question the capacity of these sites to deliver the required number of dwellings within a five year period, particularly in the context of national build out rates.
- On the basis of the analysis undertaken by DLP the applicants consider that the local planning authority cannot identify a 5 year deliverable supply of land for housing against the minimum target (with buffer). Taking into account the significant proportion of allocated sites without an implementable position it is considered that the current supply position is approximately 3.4 years.
- The site is identified as Safeguarded Land in the adopted Local Plan. Safeguarded land has been removed from the Green Belt but not allocated for development. Policy CS5 states that development of safeguarded land will require a review of the Local Plan and assessment of the land in relation to the need for development at that time and the identification of the most appropriate locations for development to take place.
- Given the current supply position and that the local plan is in excess of five years old and has not been reviewed against the updated NPPF, it is considered that the 'titled balance' in paragraph 11 of the NPPF is engaged. As safeguard land, the release of this site will assist in meeting the current need for housing in Rotherham.

Table 13: Land Supply Position containing Part B analysis 2024/25 - 2028/29

DLP Rotherham Land Supply Position 2024/25 - 2028/29	
New Standard Method Requirement (March 2025)	1,111
Annual Requirement incl. 5% Buffer	1,167
Total Five Year Requirement	5,833
Forecast Supply 2022-2029	8,811
Minus No Evidence Part B	3,484
Minus Completions 2022-2024	1,740
Plus new permissions (March 2022 – March 2025)	398
Total Supply 2024/25 - 2028/29	3,985
Difference vs five year requirement	-1,848
Five Year Supply	3.42

Table 14: Land Supply Position containing Part B analysis 2022/23 – 2026/27

DLP Rotherham Land Supply Position 2022/23 – 2026/27	
New Standard Method Requirement (March 2025)	1,111
Annual Requirement incl. 5% Buffer	1,167
Total Five Year Requirement	5,833
Forecast Supply 2022-2026	6,272
Minus No Evidence Part B	1,805
Total Supply 2022/23 – 2026/27	4,467
Difference vs five year requirement	-1366
Five Year Supply	3.83

The Housing Land Supply study concludes that Rotherham has a housing land supply of just 3.42 years at a base date of 31st March 2024. This is based on DLP's assessment of potentially challengeable, undeliverable supply due to the Council's heavy reliance on Part B sites

Ecology – Biodiversity Net Gain (BNG)

A Biodiversity Metric has been provided which indicates the following:

- The proposed development will result in an overall change in Habitat Units to +5.67 (22.54%), hedgerow units of 5.47 (843.76%) and watercourse units of 0.26 (17.97%).

On-site	Baseline	Post intervention	Net unit Change	Net % Change
Habitat Units	25.15	30.82	+5.67	+22.54%
Hedgerow Units	0.58	5.47	+4.89	+843.76%
Watercourse Units	1.47	1.73	+0.26	+17.97%

Preliminary Ecological Appraisal Report (PEAR)

- One statutory designated site; a Local Nature Reserve (LNR) was present within 1km.
- A total of 10 non-statutory designated sites; six Local Wildlife Sites (LWS) were recorded within 1km of the Site boundary including one adjacent to the northern boundary, and four Ancient and Semi-Natural Woodlands were recorded within 2km of the Site boundary.
- The Site comprised largely arable land with narrow field margins. Area of scrub, individual trees, other neutral grassland parcels and ditches were also present as linear features at site and field boundaries. One hedgerow needs to be assessed further to confirm it qualifies as Important under the Hedgerow Regulations 1997.
- The Site provided small areas of suitable habitat for a range of protected/notable species including badgers, roosting and foraging/commuting bats and the potential for wintering and breeding birds, great crested newts and reptiles.
- A Local Wildlife Site (LWS) borders the Site's northern boundary and will require appropriate protection during construction and is buffered from built areas by green space within the Scheme's design.

- The habitats of greatest value on Site are the hedgerows, scrub, other neutral grasslands and individual trees. These should be retained within the Design and opportunities to enhance these including with additional planting and open green space alongside to strengthen these corridors should be undertaken. This will to maximise opportunities for biodiversity net gains within the Site.
- Habitats offer varied suitability for a range of protected/notable species. The landscape design should promote biodiversity creating semi-natural habitats and corridors alongside those retained and through the Site, comprising native species planting with a range of additional enhancements introduced, including bat and bird boxes, herpetofauna hibernacula, ponds and hedgehog shelters.
- Vegetation clearance works should be undertaken outside of the bird nesting season (March to August inclusive). If this is not possible, an ecological check will be required, and any active nests buffered until chicks have fledged. Recommendations for Further Survey.
- Bats: Ground based assessment of individual trees, seasonal activity transects and monthly automated static detector surveys.
- Birds: Scoping breeding bird survey with potential for further visits. A wintering bird scoping survey has already been carried out.
- GCN: eDNA presence/absence survey and/or population class-size assessment surveys.
- Detailed botanical surveys will be required to assess the condition of the grassland pockets to fully inform the Biodiversity Net Gain assessment and ensure a net gain can be delivered.

Transport Assessment and Travel Plan

- The site is located to the north of Rawmarsh c.5km northeast of Rotherham town centre and extends approximately 11 hectares.
- The site is located within an accessible location within a reasonable walking and cycling distance of a range of services and facilities. The site is also well connected to public transport network including local bus services, national rail services and the South Yorkshire tram network.
- The existing capacities of junctions on the local road network have been established using surveyed traffic flows and industry standard software. All but one of the junctions within the study area currently operate within capacity in the weekday morning and evening peak hours with the A633 / Haugh Road junction operating at capacity.
- Recorded collisions across the road network surrounding the site have been analysed. Overall, it is concluded that there is not an inherent road safety problem which needs to be addressed by the development proposals.
- The detailed assessment of the impacts of traffic flows generated by the development proposals on the local road network demonstrates that with the exception of the A633 / Haugh Road junction all of the junctions in the study area continue to operate within capacity with minimal.

- With regards to the A633 / Haugh Road, whilst junction operates over capacity in the 2031 assessment year, both without and with the development, the additive effects of the proposed development are less than severe and mitigation is not warranted.
- The NPPF, as revised in December 2024 sets four 'tests' for the consideration of the transport effects of development. These are that:-
 - e) Sustainable modes of transport are prioritised, taking account of the vision for the site, the type of development and its location;
 - f) Safe and suitable access to the site can be achieved for all users;
 - g) The design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - h) 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 through a vision-led approach.
 - Sustainable modes of transport are prioritised, taking account of the vision for the site.
 - Safe and suitable access can be achieved for all users.
 - The design of the internal road network and the pedestrian and cycle facilities proposed at the Site are in accordance with local and national guidance; and
 - The proposed development will not have a 'severe' impact on the safety and/or operation of the local road network.
 - It is concluded that there should be no highways or transport reasons for the

Council not to grant this planning application for the site.

Pedestrians

- Pedestrian access to the site is proposed from multiple points including the proposed access junction onto Priestley Avenue, along with pedestrian connections to the existing public rights of way network to the north and to the west.
- The development proposals aim to create a sustainable development that will encourage active travel. The transport strategy therefore includes the following pedestrian measures:
 - A comprehensive network of footways and footpaths will be created across the site to maximise permeability for pedestrians.
 - Implementation of a 20mph speed limit on residential streets within the site will promote pedestrian safety.
 - New connections to the public rights of way network will unlock new routes for future residents of the site and existing residents.

Cyclists and Wheelers

- The transport strategy for the proposed development includes the following additional measures for cyclists and other wheelers:
- The site layout will be designed to encourage low speeds and create a safe environment for cyclists and wheelers. This will promote cycling and wheeling generally within the site and to/from the local road network.

- Cycle parking will be provided in accordance with prevailing standards, which require a minimum of 2 cycle parking spaces per dwelling, which will be provided in the curtilage of each dwelling.

Public Transport

- The development is within a reasonable walking distance of good frequency existing bus services operating along an established bus corridor, with connections to national rail and the South Yorkshire tram network.

Pedestrian and Cycle Network

- Priestley Avenue itself is a quiet residential street with c.2m wide footways provided on both sides of the carriageway. Street lighting is also provided on both sides of the carriageway, with dropped kerbs provided at junctions.
- To the south, footways and streetlighting are provided on both sides of Kilnhurst Road extending as far as the St. Mary's Fields residential development to the east and as far as the junction with A633 to the west.
- An uncontrolled pedestrian crossing with dropped kerbs, tactile paving and a pedestrian refuge island is provided on Kilnhurst Road, facilitating access to the bus stops to the west of Wheatcroft Road.
- A zebra crossing is provided at Rawmarsh Rosehill Junior School and signalised crossings are provided at the junction with A633 Warren Vale.

Public Rights of Way (PRoW)

- Existing public rights of way run along the northern and western boundaries of the site, with Footpath 27/8 running immediately to the west of the site and to the east of Rosehill Avenue.
- Footpath 27/30 runs through Warren Vale Community Woodland to the north.

Heritage Report

- A report was undertaken by MAP Archaeological Practice Ltd Yorkshire to evaluate the archaeological and historical background, and to assess the potential impact.
- Archaeologically it is recommended that a geophysical survey should be carried out across the site, this would help to establish if features of definitive archaeological origin are present. Depending upon the results, an evaluation by Trial Trenching could be required to assess the archaeological potential of the site, and to allow for a reasoned decision to be made regarding the need for any conditional mitigation.
- There is a single Grade II Listed milepost within the vicinity of the site. The Roman Ridge to the north of the site is a scheduled monument, and certain sections run close to the site boundary. Due to the site's location, it is considered that any development within the site boundary would have a negligible impact on the setting and significance of all known nearby heritage assets.

Arboricultural Report

The Tree Survey indicates that the majority of the trees lie along the perimeter boundaries of the site with only a small number of trees which lie along the dyke which crosses the site in a southwest-northeast orientation.

Noise

Whilst no specific noise survey has been undertaken, it is noted that the surrounding areas are predominantly residential to the south and green belt areas to the north. There are no known areas of high noise sources in the immediate vicinity of the site area.

Landscaping

- The application is accompanied by a landscape masterplan and the Design and Access Statement details the proposed landscape design strategy which seeks to achieve the following:
- Provide a network of green infrastructure which integrates with the surrounding areas of public open space and public rights of way.
- Provide a play space which is overlooked and located on convenient pedestrian routes to school and local services.
- Provide an attractive environment for residents through the use of ornamental tree, hedge and shrub planting on internal streets and in front gardens.
- Retain and enhance existing trees and hedges where possible.
- Provide mitigation for the loss of vegetation through new planting.

Flood Risk Assessment & Drainage Strategy

- The Environment Agency's Statutory Main River Map shows the nearest Main River is the River Don located to the east approximately 1400m from the site at its closest.
- An unnamed watercourse / drainage ditch dissects the site. The watercourse is culverted for a short length to provide field access to either side. The existing culvert is informal without a headwall or trash screen
- An additional unnamed drainage ditch is located on the north eastern boundary.
- The existing site is agricultural and is laid to crop. The site is bound to the south by existing residential development. Boundaries to the west, north and east are formed by established woodland.
- Environment Agency flood maps that the development boundary is located entirely within an area classified as a Flood Zone 1. Land located within a flood zone 1 is defined as having less than a 1 in 1,000 annual probability of river flooding (low risk).
- The site is not considered to be at risk of flooding from rivers or sea.

Phase 1 Site Investigation

- A phase 1 site investigation report (including coal mining report) prepared by Eastwood Consulting Engineers is included in the application submission. Ground conditions are expected to comprise

natural clay over sandstone or mudstone bedrock. Shallow water may be present in low-lying areas of the site near the ditch and brook. Minimal made ground is expected except around former pylon and current pylon bases.

- Significant contamination is not expected to be present and the only remedial measures in relation to soil will likely relate to providing a clean capping over coal outcrops and sulphate precautions in below ground concrete.
- Where significant depths of made ground are not present, traditional unreinforced strip or trench fill foundations, taken through any made or reworked ground and onto the natural clay are considered to be appropriate. At this stage a minimum depth of 900 mm can be assumed. Piled foundations should be considered where tree influence extends over 2.5 m or where coal seams may intersect foundations. Foundations should be constructed in accordance with NHBC Standards Chapter 4.2 and heave precautions installed where appropriate.

Air Quality Assessment

Construction Phase

- Following the construction dust assessment, the Site is found to be at worst 'Medium Risk' in relation to dust soiling effects on people and property, 'Low Risk' in relation to human health impacts and ecological impacts.
- Providing effective mitigation measures are implemented, such as those outlined in Table P of this report, residual effects from dust emissions during the construction phase are deemed to be 'not significant'.
- Given the short-term nature of the construction phase and the comparatively low volume of vehicle movements that will likely arise (when compared to the operational phase, for which a full assessment has been undertaken), there is predicted to be an 'insignificant' effect on air quality from construction-generated road traffic emissions.

Operational Phase

- The assessment of operational phase effects considered impacts on all relevant receptors from road traffic emissions associated with the Proposed Development.
- The ADMS-Roads dispersion model was used to determine the likely NO₂, PM₁₀, and PM_{2.5} concentrations at all assessed existing and proposed receptor locations for a series of scenarios, in accordance with technical guidance published in LAQM.TG(22). Predicted pollutant concentration changes at relevant receptor locations are a result of the Proposed Development were assessed using the EPIC & IAQM significance criteria.
- In accordance with EPIC & IAQM guidance, the impacts of the Proposed Development on NO₂, PM₁₀ and PM_{2.5} concentrations at all existing assessed receptor locations are considered to be 'negligible'. Unmitigated effects associated with NO₂, PM₁₀ and PM_{2.5} concentrations at all assessed receptor locations are therefore

considered to be 'not significant'. Furthermore, the outcome of the RMBC Exposure Assessment indicates that the site is suitable for residential development.

- Consideration has been given to potential impacts on air quality at ecological designations within the vicinity of the Site. Project alone development trips are below the applied screening criteria and therefore operational phase project alone road traffic emission impacts will result in 'no likely significant effect' on habitats within the identified ecological designation, and no further assessment is required.

Affordable Housing Needs Assessment

- This assessment has concluded that there is a critical need for affordable housing in the borough which is currently not being met.
- This analysis found that these national issues are affecting the site area whereby a misalignment between the housing on offer in Rotherham and incomes was identified, and housing is becoming increasingly unaffordable. This is further exacerbated by the failure to meet the most recently published affordable housing need figure of 716 dwellings per annum (which takes into account previous years' shortfall).
- It also has shown that the affordable delivery as anticipated by the Core Strategy has failed both in terms of the actual number of units delivered and the percentage total overall. This is a situation worsened by the accumulative shortfall in delivery against the Core Strategy as a whole.
- As such, the secondary data clearly identifies an ongoing and significant need for additional affordable housing in Rotherham.
- The scheme is on safeguarded land and is ready to meet the immediate affordable housing needs in the borough, a need which has not been met to date.

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 28th June 2018.

The application site is allocated as Safeguard Land (SL1) in the Local Plan. 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'

CS5 'Safeguarded Land'

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'
CS25 'Dealing with Flood Risk'
CS27 'Community Health and Safety'
CS28 'Sustainable Design'
CS30 'Low Carbon & Renewable Energy Generation'
CS32 'Infrastructure Delivery and Developer Contributions'
CS33 'Presumption in Favour of Sustainable Development'

Sites and Policies

SP11 Development in Residential Areas
SP26 Car Parking Layout
SP32 Green Infrastructure and Landscape
SP33 Conserving and Enhancing the Natural Environment
SP34 Sites Protected for Nature Conservation
SP47 Understanding and Managing Flood Risk and Drainage
SP54 'Contaminated and Unstable Land'
SP55 Design Principles
SP56 Car Parking Layout
SP57 Sustainable Construction
SP64 Access to Community Facilities
SP69 Utilities Infrastructure

Other Material Considerations

The NPPF states that “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

The revised NPPF came into effect in December 2024. It states that “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.”

South Yorkshire Residential Design Guide.

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 individual neighbour notification letters to adjacent properties along with 6no. site notices posted around the site, specifically along Grange Road, North Street, Sandhill Road, Priestly Avenue and Bronte Place. A total of 44 representations have been received and these can be summarised below:

General

- Accept that there is a need for more housing.
- Already a large scale development being constructed off Kilnhurst Road.
- The development will spoil the local landscape.
- The site is still regarded as Green Belt.
- The green belt provides a vital natural refuge, offering peace, tranquillity and an essential escape from the pressures of daily life.
- The development of this site would be premature and would undermine the Local Plan.
- Conflict with policy CS5 'Safeguarded Land'.
- Loss of privacy and intrusion to houses directly adjacent the site.
- Devaluation of house prices.
- Increase in noise.
- Loss of view from existing properties along Grange Road and Priestley Avenue
- Detrimental impact on the health of nearby residents from increased pollution.
- An alternative location should be considered further north.
- Loss of community cohesion.
- Increase in light pollution.
- Scepticism that the application has already been decided.
- Onsite groundwork and testing has already started.

Traffic and Highways

- The access is insufficient.
- Significant increase in traffic.
- The traffic increase will be felt in the construction phase and through the development.
- Hundreds of vans and lorries will be using this site for many months.
- Poor pedestrian links into and around the site
- The construction phase would generate significant additional levels of noise, dust and traffic on local roads.
- Bad bend on Priestly Avenue.
- The site is heavily reliant on car users

Design

- The design has been poorly thought through.
- Loss of privacy and overshadowing to existing residents.
- Scheme is overly dense and not enough Green Space included.
- Overdevelopment of the site.
- Will the development be using heart pumps?
- The development should have solar panels.
- All new development should have EV chargers.
- Potential increase in crime due to the new accesses allowing for escape routes.

Ecology and Wildlife

- Detrimental impact on wildlife.
- Loss of biodiversity.
- Further loss of green space.
- Potential impact on Sandhill nature reserve.

Infrastructure

- Insufficient infrastructure in the local area to support this scale of development.
- Limited school places present, which will be exacerbated by this development.
- Limited GP surgery/dentist appointments which will be exacerbated by this development.
- Unsustainable location being a long walk from services within Rawmarsh.
- Have the utilities been considered?
- The power lines in the north of the site could represent a future danger to children.
- The site is near a former landfill site.
- Insufficient information on future drainage and SUDS.

In addition 10 individual Rights to Speak have been received, 9 of which are from residents and local ward members, and 1 from the applicant.

Consultations

Transportation Infrastructure Service – no objections subject to conditions, £500 sustainable transport contribution as part of a S106 contribution.

Affordable Housing – no objections subject to 25% Affordable Housing which is subject to a S106 agreement.

Environmental Health – no objections subject to conditions.

Pollution Control – no objections subject to conditions.

Drainage – no objections subject to conditions.

Ecologist – no objections subject to initial clarifications and conditions. The BNG will be subject to a S106 agreement.

Landscape – no objections subject to condition.

Tree Officer – no objections subject to condition.

Green Spaces – overall no objections subject to recommended Greenspace improvements through a S106 contribution.

Sports Development Manager – no objections subject to improved sports playing pitch provision through a S106 contribution.

Education – no objections subject to improvements through a S106 contribution.

Policy – the Council cannot demonstrate a 5 year housing supply.

Public Rights of Way (PROW) – no objections.

External

Yorkshire Water – no objections subject to conditions.

National Grid – no objections subject to informatives.

South Yorkshire Mayoral Authority (SYMCA) – no objections subject to S106 contribution of £60 106.

Active Travel – no comments required.

Environment Agency – no comments received.

NHS – no objections.

Coal Authority – no objections subject to conditions.

South Yorkshire Mining Advisory Service (SYMAS) – no objections subject to condition.

Sheffield Area Geology Trust (SAGT) – no objections.

Natural England – no objections.

Yorkshire Wildlife Trust – no comments received.

Police ALO – no objections, recommended informative.

South Yorkshire Archaeology Service (SYAS) – initial objection on lack of information. No objections following additional updated details.

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 of the application are as follows:

- The principle of development
- Highway safety issues
- The design of the proposal, impact on the street scene and character of the immediate surrounding area and nearby residential properties
- Affordable Housing
- Biodiversity Net Gain (BNG)
- Landscape issues
- Green space
- Flood risk and Drainage
- Land Contamination
- Coal Mining Legacy
- Other issues

Principle of development

The application site is known as Safeguarded Land (SL1).

Policy CS5 'Safeguarded Land' states that "...Safeguarded Land will be identified in areas between the Green Belt and Settlements in the Sites and Policies document to meet possible longer term development needs equivalent to 5 years beyond the Core Strategy Plan period. The broad areas of search for Safeguarded Land will be considered in the following locations:

- The wider Rotherham Urban Area
- Principal Settlements for Growth
- Principal Settlements

Safeguarded land will be removed from the Green Belt but not allocated for development. The principles of protection enshrined in national Green Belt policy will apply to safeguarded land during the current Plan period. Development of safeguarded land will require a review of the Local Plan and assessment of the land in relation to the need for development at that time and the identification of the most appropriate locations for development to take place.

Policy CS6 'Meeting the Housing Requirement' states that sufficient land will be allocated in the Sites and Policies document to meet Rotherham's housing requirement of 850 net additional dwellings per annum or 12,750 for the

period 2013 to 2028, plus any shortfall in the delivery against that annual target from April 2008 to March 2013.

Policy CS7 'Housing Mix and Affordability' requires proposals for new housing to deliver a mix of dwelling sizes, type and tenure taking into account an up to date Strategic Housing Market Assessment. The Council will seek the provision of 25% affordable housing on sites of 15 dwellings or more.

Policy SP11 "Development in Residential Areas" states that "Residential areas identified on the Policies Map shall be retained primarily for residential uses. All residential uses shall be considered appropriate in these areas and will be considered in light of all relevant planning policies."

Safeguarded land sits between the urban area and the Green Belt and is intended to provide flexibility for future housing or employment needs beyond the plan period and avoid repeated Green Belt boundary changes by identifying future growth locations in advance. Safeguarded sites have also been identified in the Local Plan in order to maintain control over the timing and pattern of development.

Residential development on safeguarded land generally requires one of the following policy-aligned justifications:

1. A Local Plan review has reallocated the land for housing

This is the clearest and strongest justification, though in this case the Local Plan review is not likely to be concluded before October 2026.

2. A significant and demonstrable housing land supply shortfall

While safeguarded land is not automatically released even during a shortfall, in this case it is accepted that the applicant has been able to demonstrate that the following apply:

- The five-year housing land supply cannot be met on allocated sites.
- Other non-Green Belt options are exhausted.
- The safeguarded land is sustainably located and deliverable.

From a policy perspective, the passage of time and changes to national policy has contributed to the Rotherham Borough no longer being able to demonstrate a Five-Year Land Supply given the unprecedented and unforeseen changes to the NPPF by Central Government in December 2024. The target for new house building per annum has increased from circa 560 dpa to 1,111 dpa in accordance with changes to the Standard Method for determining housing need targets within this Borough.

In these circumstances, the Council will need to support windfall planning applications on land allocated or designated for other uses within urban areas as the "tilted balance", on Safeguarded Land sites and other sites in accordance with paragraph 11 footnote 8 of the latest NPPF. The Five-Year Housing Land Supply Report at 31 March 2025, indicates the position that Rotherham Borough is able to demonstrate a 4.41 years supply currently but concludes that it is not possible to demonstrate a five year supply of housing.

When these triggers apply, paragraph 11(d) requires decision-makers to start from a position that permission should be granted, unless the harms clearly outweigh the benefits. All material considerations are set out in subsequent sections of this report but the site is considered to be sustainable by virtue of it being directly adjacent to a long established residential area and is within 400m of shops and services on Kilnhurst Road. The site has been removed from the Green Belt and adjoins the existing built up area.

Accordingly, it is considered that owing to the lack of five year housing land supply, along with the increased housing requirements, the use of the safeguarded sites for residential development is now the next most logical step. Overall, the principle of this residential development on this Safeguarded land allocation is considered acceptable in this instance given the housing need and updated NPPF. The site is adjacent to a long established residential area with existing services and infrastructure and is considered to be sustainably located.

Highway safety issues

CS14 'Accessible Places and Managing Demand for Travel' states the Council will work on making places more accessible and that accessibility will be promoted through the proximity of people to employment, leisure, retail, health and public services by, amongst other things, 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. Policy CS14 is supported by paragraphs 108 and 110 of the NPPF.

Paragraph 115 of the NPPF 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."*

Policy SP 56 'Car Parking Layout' indicates that layouts must be designed to:

- a. reduce the visual impacts of parking on the street-scene and provide defined visitor parking on-street;*
- b. discourage the obstruction of footways by kerb parking, and parking that compromises the operation of the highway; and*
- c. ensure in-curtilage / on plot parking does not result in streets dominated by parking platforms to the front of the property or large expanses of garage doors fronting the street.*

A number of objections received raise concerns in relation to highway and parking issues.

The Transportation Unit note that the land forms part of SL1 'safeguarded land' in the Council's Local Plan and that the application has now resulted in a scheme that provides 228no dwellings, a reduction of 3no units from the original submission. With regard to the latest layout submission, Drg 24 5750

01G, and specifically ITY200240-GA-005 Rev E, this demonstrates swept path movements.

Site layout

The proposed revised site layout Drg 24 5750 01G now conforms with guidance from both the South Yorkshire Residential Design Guide and Manual for Streets. The site has been designed to a 20mph speed limit and the developer has confirmed that they will fund the traffic regulation order and any appropriate signage / road markings associated with it.

Car parking

The proposed car parking facilities are in accordance with the Council's minimum residential car parking standards as required by Supplementary Planning Document No 12.

Transport Assessment

In summary the results of the Transport Assessment (TA) set out that junction modelling has been carried out using the parameters the Council had requested and that as outlined in Tables 5 and 6 (of the document) that most junctions do operate at capacity and with acceptable queues in year 2031. The exception is the junction of the A633 and Haugh Road, which is already at full capacity based on 2024 baseline and which undergo further constraint by 2031. The developer has agreed to provide mitigation to ensure that the junction operates satisfactorily, (as confirmed via email dated 24/12/25) and that a traffic regulation order (TRO), and to investigate and resolve issues highlighted in the Transport Assessment associated with the Haugh Road junction, will be funded by the applicant. This agreement is to be secured via the s106 agreement.

Pedestrian Accessibility

The Transportation Unit also note that Rawmarsh Sandhill Primary School, Rawmarsh Dental Practice, Family Shopper, Retail and Sandhill Park are within 800m walking distance. The masterplan illustrates dedicated pedestrian infrastructure 2m wide with a pedestrian 'central corridor' dividing the site into two which runs alongside an existing ditch. This infrastructure connects to the Public Right of Way (PROW) on the northern, east and southeastern boundary providing pedestrian connectivity to Wentworth Road, Kilnhurst Road and A633 Warren Vale. In general terms the site of the development is conducive to walking trips to access these facilities.

Public Transport

The nearest bus stops to the site are located on Kilnhurst Road, c.600m from the centre of the site (equating to a c.7 minute walk). Both the eastbound and westbound stops are provided with a bus flag and timetable information, with the eastbound stop also provided with a bus shelter. The Transportation Unit are of the view that the development is within a reasonable walking distance of good frequency existing bus services operating along an established bus corridor.

Cycling Accessibility

Rotherham Town Centre, Swinton and Mexbrough are all within 5km of the site, putting a large range of facilities and employment opportunities with cycling distance of the site. In addition, the 'Rotherham Interactive Cycle Map' identifies Kilnhurst Road as a 'local cycleway' connecting to Swinton in the north and Rotherham to the south via a network of local cycleways.

Road Safety

The assessment demonstrates that there were no fatal collisions recorded across the study area during the five-year period. A detailed Accident Investigation and, Prevention study was requested, specifically for the Kilnhurst Road / A633 Warren Vale junction. The result of this study concluded that there were no treatable injury collision patterns at the junction that could be addressed at this present moment time. It should also be noted that there were just two injury collisions at the Kilnhurst Road / Priestley Avenue junction during the five-year period, one of which was slight and the other was serious.

Travel Plan

Given the public transport connectivity of the site the developer has agreed to provide a sustainable transport contribution of £500 per dwelling to be used to fund a variety of measures encouraging residents to travel sustainably, secured by a S106 legal agreement and monies should be paid prior to the first dwelling occupation in full. This will enable the measures to be implemented before residents establish travelling patterns. A travel plan has been submitted, but a condition is still required to enable enforcement.

Overall the Transportation Unit conclude that the scheme complies with both national guidance and industry standards. The scheme is in accordance with the Local Plan and National Planning Policy Framework in that it promotes sustainable travel / transport, it has safe and suitable access for all highway users, the scheme if implemented will not have an unacceptable impact on highway safety and the residual cumulative impact on the road network will not be severe.

This will require the securing of the following contributions as part of the S106 agreement:

- 1) £500 per dwelling for sustainable initiatives.
- 2) The sum of £5,000 for the investigation of a traffic regulation order to improve junction capacity at the Haugh Road / A633 junction.
- 3) The sum of £5,000 for the investigation of a traffic regulation order to provide a 20mph speed limit within the new development.

Overall the layout amendments to the scheme conform to the design advice in Local Plan Policy SP 56 'Car Parking Layout' along with the more general advice in national policy requirements of the NPPF. There are no objection to the proposal from a highway safety, capacity and design context subject to relevant conditions, including hard surfacing and a Construction Management Plan.

The design of the proposal, impact on the street scene and character of the immediate surrounding area including neighbouring properties

Policy CS7 'Housing Mix and Affordability' requires proposals for new housing to deliver a mix of dwelling sizes, type and tenure taking into account an up to date Strategic Housing Market Assessment. The Council will seek the provision of 25% affordable housing on sites of 15 dwellings or more.

In terms of more general design considerations the revised NPPF at paragraph 131 states, in part, that: "*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.*" Paragraph 139 adds, in part, that: "*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.*"

There have been concerns raised from local residents regarding the impact of the proposed development on existing properties which are directly adjacent to the south of the site.

In terms of garden/amenity areas it is noted that the development shows the new properties will have an amenity area that either achieves or exceeds the minimum recommended amenity area of 60sqm. The internal layouts of the proposed dwellings also meets the minimum sizes set out in the National Described Standards.

The long established residential area to the south is typically characterised predominantly two storey semi-detached and detached properties that are of different ages, though the area to the south along Priestly Avenue was developed in the early 1960s. the densities of the area are generally of a medium density with rear garden areas typically between 8-18m in length.

There is a variety of materials within the area without a single form of development, though a large proportion of the main residential areas to the south are in brickwork. There are some examples of stone built properties in the vicinity as well as examples of mixed brick and render properties, particularly at first floor level, in the Rawmarsh area. The design and form of the proposed development is similar to that within the wider site area and street scene. The scale of the development is considered to be compatible with the surroundings and overall it is considered that the development would not have a detrimental impact on the character of the wider area or the nearby street scenes.

In terms of overlooking to adjacent properties, the new properties all have outlooks meet the minimum recommended outlook of 10m, 12m to gable sides as defined in the South Yorkshire Residential Design Guide (SYRDG) and 21m first floor to first floor of existing or new properties.

The existing properties along the northern side of Priestly Avenue have a direct boundary with the site area, though the majority of the built development is positioned further away from the immediately adjacent boundary. It is not considered that the development will materially increase the levels of overlooking to the existing neighbouring properties along Priestly Avenue and Grange Road to the east and south. Likewise the separation distances are such that this is not likely to have any dominant impact or overshadowing to existing properties.

The design and layout of the revised plans are considered to show an acceptable quality of development which will have sufficient regard to spacing and layout standards. The new properties are considered to be of a modern standard of design and the layout is considered to represent an acceptable compromise between maximising densities and achieving efficient use of land whilst balancing this against meeting landscaping and green space requirements.

Overall this revised development is considered to have sufficient regard to the surroundings and is in conformity with Local Plan policies CS28 Sustainable Design, SP11 Development in Residential Areas and SP55 'Design Principles' as well as the general advice within the NPPF.

Affordable Housing

Policy CS7 'Housing Mix and Affordability' requires proposals for new housing to deliver a mix of dwelling sizes, type and tenure taking into account an up to date Strategic Housing Market Assessment. The Council will seek the provision of 25% affordable housing on sites of 15 dwellings or more.

The mix is in line with local need and ensures a wide range of accommodation types both in terms of form and scale. The scheme proposes a mix of 2, 3 and 4 bedroom dwellings which are detached, semi detached and small terraces. The houses proposed are all compliant with Nationally Described Space Standards.

The whole scheme is scheduled to be developed in conjunction with VICO homes who are a Registered Social Landlord. However, a policy compliant scheme with formally allocated Affordable Housing is being proposed.

A total of 57 units are being proposed as being Affordable Units which equates to 25% of the total of 228 units. The split breaks at 40.35% 2 bed, 40.35% 3 bed and 19.3% 4 bed which is as close as can be achieved from the initial 40/40/20 split request.

Overall the proposal is considered to be in compliance with Policy CS7 'Housing Mix and Affordability'.

Biodiversity

SP33 'Conserving and Enhancing the Natural Environment' indicates that:

Development should conserve and enhance existing and create new features of biodiversity and geodiversity value. Where it is not possible to avoid negative impact on a feature of biodiversity or geodiversity value through use of an alternate site, development proposals will be expected to minimise impact through careful consideration of the design, layout, construction or operation of the development and by the incorporation of suitable mitigation measures....or provide an adequate level of compensation. The aim of mitigation and compensation should be to respond to impact or loss with something of greater value; the minimum requirement will be to maintain 'no net loss'.

In this case the application site is required to deliver 10% biodiversity net gain as the application was submitted after April 2024.

It is proposed to provide the BNG net gain within the development site, outside of private garden areas. Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The applicant has submitted a biodiversity net gain metric alongside the application. The submitted biodiversity net gain metric is outlining that the development is achieving an increase in habitat units of 5.38 (20.87%), hedgerow units of 5.10 (880.52%) and watercourse units of 0.15 (10.39%). The Council's Ecologist concurs with this assessment and is satisfied that this application can achieve 10% BNG within the development which can be satisfied via a standard pre-commencement condition.

The results of the Great Crested Newt Survey have shown that GCN are absent from ponds within areas of optimum terrestrial habitat and also considered the lack of suitability of the ditches recorded on Site, the age of the data returned from the desk study (10 years) and lack of records held by the RBRC. The Ecologist concurs with these findings and considers that the presence of GCN can be reasonably discounted in this instance, and there is a low risk of causing an offence in relation to direct harm to a GCN during clearance or construction works. As a result, the development can proceed without constraint from GCN.

It is also recommended that a condition be imposed which includes biodiversity enhancements on-site in the form of bat roosting features, bird nesting boxes and hedgehog holes. This is in addition to BNG no net loss and cannot be included in the metric. This is in line with the National Planning Policy Framework Paragraph 180 (d) which states that opportunities to improve biodiversity in and around development should be integrated as part of their design.

Overall, subject to a biodiversity improvement condition along with additional landscaping and planting the development is considered to achieve BNG +10% in accordance with national and local policy SP33 'Conserving and Enhancing the Natural Environment'.

Greenspace issues

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 SP32 'Green Infrastructure and Landscape' states: *"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..."*

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"*.

The NPPF at paragraph 131 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."*

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 SP32 'Green Infrastructure and Landscape' states: *"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..."*

Policy SP 37 'New and Improvements to Existing Green Space' indicates that "...a. 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; and
- ii. ideally within 840 metres of a Neighbourhood Green Space (as defined in the Rotherham Green Space Strategy 2010); and
- iii. within 400 metres of an equipped play area."

SP64 'Access to Community Facilities' indicates 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.

The proposal comprising of 228 houses, requires an onsite level of Public Open Space provision of 12 540sqm. The area of POS has been located around the site with the main areas of greenspace being located at the west and east of the site. These are connected with each other via a 'Northern Corridor' at the north-western end of the site, adjacent to the Green Belt and will assist in screening the development from the north and west. A further and larger 'Central Corridor' connects these areas with footways and this follows the central drainage ditch.

The level of accessible Public Open Space provided is substantially in excess of the minimum policy requirements (approximately 43 000sqm) which occupies nearly a third of the overall site area available for development. It is also considered that all of the POS areas are accessible and usable and will connect to the existing pathways as part of the surrounding path network.

Overall the proposed POS provision is considered to be of an acceptable level and is considered to be appropriately located in the northern part of the site which is adjacent both the existing Green Belt along with an existing Local Wildlife site. A further more detailed landscape scheme is considered appropriate with a more detailed breakdown of planting and species list. However, it is considered that this could be appropriately safeguarded via a further landscape condition. This element of the scheme is considered to be in accordance with Local Plan policies CS28 Sustainable Design, SP32 'Green Infrastructure and Landscape', SP37 'New and Improvements to Existing Green Space' and SP55 'Design Principles' as well as the general advice within the NPPF.

The Council's Playing Pitch Strategy (PPS) is now at an advanced stage of preparation and awaiting formal adoption. This identifies a need across the Borough for a range of Sports pitches/facilities. The PPS aims to meet current and future demand, support investment bids, and improve health and wellbeing by providing high-quality, accessible facilities. Key aspects of the strategy include:

- Strategic Objectives: Focusing on developing community access to school pitches, improving pitch quality, and securing investment for key sites.
- Targeted Improvements: Prioritizing sites in disadvantaged areas to boost community health and social inclusion.

In this instance the Sports Development Manager considers that a contribution of approximately £105k towards improving local sports provision within the north of the Rotherham borough is justified on a scheme of this size and based on the additional likely need this would generate. The contribution is calculated using the Sport England standard calculation based on the Playing Pitch Strategy and would be secured through the S106 agreement. The contribution will assist in meeting the aims and objectives set out in the PPS. This will also meet the criteria within Local Plan Policy SP64 'Access to Community Facilities'.

Landscaping

Policy SP32 'Green Infrastructure and Landscape' states: *"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..."*

In terms of landscaping details, the Landscape Officer notes that the selection of viewpoints from the Landscape and Visual Assessment appear to have been well considered. The Landscape Officer concludes that the LVA is compliant with Landscape Institute guidance, and is aligned with their methodology for the study. The Landscape Officer is critical of the descriptions within the supporting landscape study and is of the opinion that the development may be visible in the wider landscape, it will remain so and in some instances be 'moderately adverse'. The Landscape Officer is of the view that additional planting is required to lessen its impact within the wider landscape. This includes continuous bands of structural planting, a more considered, strategic approach be taken to delineate the balance of useable space throughout the development, potentially more space allowed for the southern portion of the site and central spine to allow for more useable public space, alongside a variety of planting to the southern portion of the site and central spine.

It is accepted that the scheme provides a high level of public open space and significant amounts of landscaping. It is also considered that these initial concerns could be overcome by a more detailed breakdown of species

planting within the extensive areas of a open space to mitigate longer term impacts. The Landscape Officer considers that this can be achieved by imposition of a condition requiring submission of a detailed planting schedule.

Trees

CS19 Green Infrastructure states "...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...A net gain in Green Infrastructure will be realised through the protection and enhancement of existing assets and the creation of new multi functional areas, assets and linkages...Proposals will be supported which make an overall contribution to the Green Infrastructure network...and providing buffering to protect sensitive sites..."

Policies SP32 'Green Infrastructure and Landscape' and SP33 'Conserving and Enhancing the Natural Environment' further encourage the retention and improvement of Green Infrastructure and new landscape planting.

The Tree Survey indicates that the majority of the trees lie along the perimeter boundaries of the site with only a small number of trees which lie along the dyke which crosses the site in a southwest-northeast orientation. Overall the majority of the existing trees along the boundaries of the site will be retained, and the tree coverage would be expanded with a significant increase in new tree planting as part of a new landscape scheme.

Overall this development is considered to have sufficient regard to the surroundings and is in conformity with Local Plan policy SP32 'Green Infrastructure and Landscape' and SP33 'Conserving and Enhancing the Natural Environment'.

Drainage and Flood Risk

The site does not lie within a known surface water flood risk area and is within zone 1 (lowest risk) on the Environment Agency's Flood Maps.

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.”*

Flood and Drainage details relating to the proposed drainage of the site have indicated that this development would not increase the potential for flood risk within the site. The site is all within Flood Zone 1 and the supporting details have been considered by the Drainage Officer. Overall the Drainage Officer has not raised any objections to the drainage proposals, subject to final connection details which can be conditioned.

Yorkshire Water have raised no objections, subject to conditions.

The positioning of the drainage attenuation scheme in the northern part of the site is considered to be appropriately located by virtue of this being the lower ground areas of the site. It is also considered that much of the year this will be dry and can operate as informal Public Open Space to extend the greenspace area of the site during these periods. This is also located adjacent to the existing green belt and Local Wildlife Site and the presence of overhead power lines is likely to restrict any future built development in this area.

Accordingly, subject to conditions the scheme would comply with policy CS24 'Conserving and Enhancing the Water Environment', CS25 'Dealing with Flood Risk' and SP47 'Understanding and Managing Flood Risk and Drainage'.

Land Contamination

SP52 'Pollution Control' indicates 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 the detrimental impact on the amenity of the local area.

Policy SP54 'Contaminated and Unstable Land' indicates 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 watercourse 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."

In this case the application site is located at land to the north Of Grange Road, Rawmarsh. The main body of the site comprises an area which appears to be used for Arable production.

The Pollution Control Officer notes that the Phase 1 report has not identified any previous uses on the two arable fields that may have given rise to any gross contamination, but as indicated in the report, agricultural use can give rise to some degree of contamination.

In addition, the report has also identified a former Landfill situated on the North-West boundary of the site. The gassing state of this site is not given and could give rise to ground gas affecting the proposed development. This risk has been identified within the above report and has recommended that Gas Mitigation measures should be incorporated within the housing design at this stage to address any gas migration risks from the former landfill site. The report has also recommended that robust gas monitoring programme and gas risk assessment will be required.

Overall however, subject to the safeguarding measures identified within the supporting documents it is considered that the development could be constructed in a satisfactory and safe manor, subject to conditions. These

remediation measures including a 1m capping layer to be placed on those affected areas are considered to prevent any future risks. Subject to these conditions the proposal meets the criteria set out in policies SP52 'Pollution Control' and SP54 'Contaminated and Unstable Land'.

Coal Mining Legacy

Policy SP54 'Contaminated and Unstable Land' indicates 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:*

c. demonstrate that adverse ground conditions have been properly identified and safely treated."

The application site falls within the defined Development High Risk Area. The Coal Authority records indicate that a thick coal seam outcrops at or close to the surface of the site which may have been worked in the past and historic unrecorded underground coal mining is likely to have taken place beneath the site at shallow depth. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

With regard to potential shallow unrecorded coal mining, the Coal Authority note the report indicates that the Swinton Pottery coal seam is inferred to outcrop through the eastern field. Stratigraphically, the seam lies below the Oaks Rock, which is inferred to outcrop west of the seam. The author considers that the seam is likely present below the southwestern quarter of the field and suggests that the risk of workings within the Swinton Pottery seam is expected to be low but given the presence of collieries in close proximity to the site, the presence of workings cannot be fully discounted. Accordingly, the competent report author identifies that a rotary drilling investigation is required to determine if workings are present.

With regard to the mine entry on, or close to, the site's western boundary, the report acknowledges its presence and annotates it, as well as its zone of influence, on the Proposed Site Layout Plan. It is noted that all of the proposed built development avoids encroachment over the shaft and its possible zone of influence. The Coal Authority do not consider it necessary to precisely locate the shaft prior to any planning permission being granted. However, it will be necessary, as part of the intrusive site investigations to more accurately identify its location and zone of influence in order to inform any mitigation measures.

Overall, subject to conditions the Coal Authority have raised no objections to this element of the scheme.

Other issues

Noise

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."*

A number of objectors have raised concerns around noise and disruption, particularly during construction. However the final use is for a residential development and it is considered that this is compatible with existing uses and would have similar ambient noise levels after completion to neighbouring areas.

Objectors also note the potential for noise and dust nuisance to the occupiers of nearby residential dwellings during the construction phase, which will last for many months as well as accumulations of mud on the highway network and general disturbance and nuisance to neighbours. Whilst it is accepted that this will involve a significant level of disruption, in this instance the

future access road into the site was originally constructed when the original Priestly Avenue development was constructed. It is considered that a Construction and Environmental Management Plan (CEMP) condition would seek to try and address these concerns and minimise the level of disturbance to existing properties.

Archaeology

The South Yorkshire Archaeology Service (SYAS) have reviewed the submitted archaeological evaluation report and they are satisfied that this provides sufficient evidence to determine the site is of no archaeological interest.

There are no further archaeological concerns with the proposal and no planning conditions are required.

Conclusion

Overall in land use terms, the site is allocated as safeguarded land rather than as a residential allocation. However, it is accepted that the Council cannot demonstrate a five year housing land supply. The next most preferable land use are residential developments on the safeguarded land allocations. From a planning policy perspective, the development is considered to meet the 'tilted balance' approach to new development. It is considered that the land available for a development of 228no. units is of a sufficient size and shape to accommodate the scale of development proposed.

The layout proposed is considered to be of a satisfactory design which has sufficient regard to the general layout and character of the surroundings. The plots are considered to represent an acceptable compromise between achieving a sufficient density across the site whilst maintaining policy compliant levels of future landscaping and Public Open Space provision.

The application achieves a +10% in biodiversity across the site.

The application is recommended for approval, subject to 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 10, 11 and 28 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 10, 11 and 28 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 development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

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

02

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

(Drawing numbers

Location Plan 24 5750 02 revision A

Site Plan Layout 24 5750 01 revision G

S106 Plan 24 5750 08 Rev D

Public Open Space areas 24 5750 106 Revision O

Swept Path drawings ITY200240-GA-005 Rev G

Swept Path drawings ITY200240-GA-006 Rev F

Swept Path drawings ITY200240-GA-011

Swept Path drawings ITY200240-GA-012

Site Sections 24 5750 06 revision A

Site Sections 24 5750 07 revision A

Streetscenes 24 5750 05 revision A

Tree Protection Plan Barns Associates BA24697

House types

24 5750 2000 Rev 0 Beaford Plans and elevations

24 5750 2001 Rev 0 Beaford/Aynesdale Plans and elevations

24 5750 2002 Rev 0 Aynesdale/Beaford Plans and elevations

24 5750 2003 Rev 0 Eynesford Plans and elevations

24 5750 2004 Rev 0 Eynesford/Aynesdale Plans and elevations

24 5750 2005 Rev 0 Aynesdale/Eynesford Plans and elevations

24 5750 2008 Rev 0 Tetford Plans and elevations

24 5750 2009 Rev 0 Tetford Plans and elevations

24 5750 2010 Rev 0 Carrdale Plans and elevations

24 5750 2011 Rev 0 Carrdale Plans and elevations

24 5750 2012 Rev 0 Harrton Plans and elevations

24 5750 2013 Rev 0 Bittesford Plans and elevations

24 5750 2014 Rev 0 Bittesford Plans and elevations

24 5750 2015 Rev 0 Plumdale Plans and elevations

24 5750 2016 Rev 0 Plumdale Plans and elevations
24 5750 2017 Rev 0 Tetford Plans and elevations
24 5750 2018 Rev 0 Tetford Plans and elevations
24 5750 2019 Rev 0 Tetford Plans and elevations
24 5750 2020 Rev 0 Bittesford Plans and elevations
24 5750 2021 Rev 0 Bittesford, Plumdale Plans and elevations
24 5750 2022 Rev 0 Plumdale, Bittesford Plans and elevations

Received 07.04.25, 12.09.25, 11.10.25, 12.12.25, 07.01.26, 23.01.26 and 03.02.26

Reason

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

03

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

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with Local Plan Policies and the NPPF.

04

Prior to occupation of the each dwelling the approved boundary treatment for that dwelling (ref Boundary Treatment Plan 24 5750 03 Rev B received 12.12.2025) shall be erected and thereafter retained for the duration of the development.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with Core Strategy Policy CS28.

Highways

05

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

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

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and that mud and other extraneous material is not deposited on the public highway and that each dwelling can be reached conveniently from the footway in the interests of the adequate drainage of the site, road safety and residential amenity

06

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

Reason

In the interests of road safety.

07

Before the electrical system is installed a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for each dwelling.

Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.

Reason

In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives Chapters 2, 9 and 15 of the National Planning Policy Framework.

08

Prior to the first dwelling being occupied a Travel Pack shall be produced in the form of an introduction pack to the area with information on buses, trains, cycle and walking routes, local facilities such as schools, doctor's surgeries and other local facilities (shops, parks etc.) and submitted to and approved by the Local Planning Authority. The approved Travel Pack shall be provided for each new resident on first occupation of any dwelling.

Reason

In order to encourage sustainable modes of transport.

Ecology

09

Before above ground works commence a scheme for biodiversity enhancement, such as the incorporation of permanent bat roosting feature(s), hedgehog homes and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

The scheme shall include, but not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

For each of the first 5 years of the Plans, a progress report shall be sent to the Local Planning Authority reporting on progress of the annual work programme and confirmation of required Actions for the next 12 month period.

The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme

Reason

To improve wildlife habitat across the site.

10

No development shall commence on site until:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The details shall be implemented in accordance with the timescales set out in the approved Biodiversity Gain Plan.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Reason

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition), to ensure Biodiversity Net Gain.

11

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority and including:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

Notice in writing shall be given to the Council when the HMMP works have started.

Reason

To ensure no net loss in biodiversity across the site.

12

No dwelling hereby approved shall be occupied until:

- 1) the habitat creation and enhancement works set out in the approved Habitat Management and Monitoring Plan (the HMMP) have been completed; and
- 2) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and / or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason

To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

13

Before above ground works commence details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bats or other species using key corridors, foraging habitat features or accessing roost sites. The details shall include, but not limited to, the following:

- a) A drawing showing sensitive areas and/or dark corridor safeguarding areas;
- b) Technical description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
- c) A description of the luminosity of lights and their light colour;
- d) A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
- e) Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR));

f) Lighting contour plans both horizontal and vertical where appropriate and taking into account hard landscaping, etc.

All external/internal lighting shall be installed in accordance with the specifications and locations set out in the approved details. These shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed

Reason

In order to protect surrounding habitats and wildlife from excessive lightspill and pollution.

14

No removal of hedgerows, trees, shrubs, brambles, ivy, other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason

To minimise any biodiversity loss across the site.

Trees

15

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 appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of Rotherham's environment, air quality and adapting to and mitigating climate change.

Landscape

16

Prior to any above ground development taking place a detailed landscape scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape scheme shall be prepared to a minimum scale of

1:200 and shall clearly identify through supplementary drawings where necessary:

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

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

Reason

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

17

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.

Coal Authority/SYMAS

18

No development shall commence until;

- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, including the recorded mine entry and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been

implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 187, 196 and 197 of the National Planning Policy Framework.

19

Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 187, 196 and 197 of the National Planning Policy Framework.

RMBC Drainage

20

No above ground development shall take place until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. 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 the occupation of the development.

Reason

To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin and in accordance with Policy CS25 of the Local Plan.

Yorkshire Water

21

The development shall be carried out in accordance with the details shown on the submitted plan, 'Flood Risk Assessment and Drainage Strategy' 25022-FRADS01 prepared by Coast, dated 26/03/2025', unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interest of satisfactory and sustainable drainage.

Pollution Control

22

Prior to above ground works commencing, a Phase II Intrusive Site Investigation shall be undertaken to assess the geotechnical and geo-environmental constraints at the site complete with ground gas monitoring. A detailed scope of works including the methodology for investigation and the proposed gas monitoring frequency shall be submitted to and approved in writing by the Local Authority prior to any site investigation works commencing. The site investigation shall thereafter be undertaken in accordance with the approved details. The investigation and subsequent risk assessment must be undertaken by competent persons and a written report of the findings must be produced and will be subject to approval in writing by this Local Planning Authority. The above should be conducted in accordance with the new guidance document 'Land Contamination Risk Management' (October 2020) and predecessor guidance 'Model Procedures for the Management of Land Contamination, CLR 11 (Environment Agency, 2004) and BS10175:2011+A2 2017 (BSI, 2017).

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 189 and 190 of the National Planning Policy Framework, December 2024.

23

Subject to the findings of the Phase II (condition 22 above) and prior to above ground works commencing, a Remediation Method Statement shall be provided for the approval of this Local Authority prior to any remediation/ground improvement works commencing on site. The works shall be of such a nature as to render harmless any possible 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 the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 189 and 190 of the National Planning Policy Framework, December 2024.

24

Prior to the commencement of construction, and if required based on site investigation findings, a Detailed Design Report for gas mitigation measures shall be submitted to and approved in writing by the Local Authority. The report shall demonstrate how the proposed mitigation measures have been incorporated into the overall infrastructure design. All approved mitigation measures shall be fully implemented prior to occupation of the site.

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 189 and 190 of the National Planning Policy Framework, December 2024.

25

If virgin material, subsoil/topsoil materials are required to be imported to site for remedial works, then these materials will need to be tested at a rate and frequency to be agreed with the Local Authority to ensure they are free from contamination and will not present a risk to future users of the site and the environment.

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 189 and 190 of the National Planning Policy Framework, December 2024.

26

If during development works unexpected significant contamination is encountered, 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. This is to ensure the development will be suitable for use and that identified contamination will not present significant risks to human health or the environment.

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 189 and 190 of the National Planning Policy Framework, December 2024.

27

Following completion of any required remedial/ground preparation works a Verification Report should be forwarded to the Local Authority for review and comment. The Verification Report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any

post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the Verification Report together with the necessary documentation detailing what waste materials have been removed from the site. No dwellings shall be occupied until such time as all verification data has been approved by the Local Authority.

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 189 and 190 of the National Planning Policy Framework, December 2024.

Construction Environmental Management Plan (CEMP)

28

Prior to the development commencing a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties and shall provide information in respect of the following matters:

- Program and Phasing Details
 - Site layout
 - Expected duration of demolition and construction work phases

- Site Management
 - Contact details of site manager
 - Complaints procedure
 - Roles and responsibilities
 - Details of public liaison meetings (including details of the frequency of meetings and of those to be invited to the meetings).

- Routes for Construction Traffic
 - Routes to be used to and from the site along the road network within the Rotherham Borough.
 - Proposed access/egress points onto the site.
 - One way systems
 - Haul routes (on-site and delivery)

NOTE: Where temporary access is required during the construction phase, these should benefit from separate planning permission if not approved under the host permission. Appropriate S278/S184 Agreements (as appropriate) must be gained from the Highways Authority before any works commence on site.

- Site Access, Storage and Movement of Materials
 - Delivery access point details
 - Location details of storage areas
 - Delivery times of materials and plant
 - Location of on site parking and turning provision

- Dust, Debris and Mud
 - Screening and hoarding
 - Preventative measures
 - Details of soil and its movement and temporary storage during construction
 - Dust suppression measures - General and machinery
 - Wheel wash facilities (including details of source of water)
 - Road sweeping facilities
 - Covering of dusty stockpiles
 - Vehicles carrying dusty loads
 - Dust monitoring
 - Boundary checks
 - Monitoring of weather including wind speed and direction, dry conditions etc

NOTE: Regards shall be had to the guidance detailed in Institute of Air Quality Management- Guidance of the assessment of dust from demolition and construction 2014. In addition, measures shall be taken to minimise mud on nearby public roads, such that road sweepers are only required on these roads in exceptional/emergency circumstances.

- Noise and Vibration Control
 - Silencing of vehicles, plant and machinery.
 - Mitigation measures for noisy operations
 - Operational hours (to include site opening hours, operational hours of workers, and delivery of goods hours).
 - One way systems
 - Vehicle reverse alarms (white noise reversing alarms should be used as opposed to bleeper alarms, particularly where close to residential properties)
 - Leaflet drops to noise sensitive premises

NOTE: Regards shall be had to the guidance detailed in BS5228 2009: 'Noise and Vibration Control on Construction Sites'.

- Artificial Lighting
 - Hours of operation of the lighting
 - Location and specification of all of the luminaires
 - Level of maintained average horizontal illuminance for the areas that needs to be illuminated
 - Predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity.
 - Measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site.

NOTE: Regards shall be had to the guidance detailed in the Institute of Lighting Professionals - Guidance Note 01/21 – Reduction of Obtrusive Light.

- Waste Management
 - Waste storage
 - Waste collection
 - Recycling
 - Waste removal

Constructional techniques in respect of the Overhead Power Lines of the adjacent electricity cable.

The agreed CEMP shall be adhered to throughout the construction of the development.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and Supplementary Planning Document No.2 Air Quality & Emissions.

Communication

29

Prior to first occupation of a dwelling on this site, information relating to the availability of infrastructure to enable the provision of gigabit capable full fibre broadband should be submitted and approved by the LPA. If the necessary infrastructure is available to enable provision, details of measures to facilitate the provision of gigabit-capable full fibre broadband for the development hereby approved, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

In accordance with Local Plan Policy SP61 'Telecommunications' and Chapter 10 of the NPPF.

Local Labour Agreement

30

Prior to the commencement of construction works above ground level, a Local Labour Agreement relating to the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The scope of the Agreement shall be agreed in writing prior to submission of the formal document. The development shall thereafter be carried out in accordance with the approved Agreement.

Reason

To improve skills in all of Rotherham's communities through the promotion of access to training, education and local employment opportunities.

Hours of construction

31

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 of nearby properties.

Waste Management Plan

32

Prior to the development being first occupied a Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will need to include:

- information on the amount and type of waste that will be generated from the site;
- 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);
- an assessment of the potential to re-use or adapt existing buildings on the site (if demolished it must explain why it is not possible to retain them);
- 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;
- measures to minimise the use of raw materials and minimise pollution of any waste;
- details on how residual waste will be disposed in an environmentally responsible manner and transported during the construction process and beyond;
- 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
- details on how the development will be monitored following its completion.

The agreed details shall be implemented and thereafter maintained.

Reason

To minimise the amount of waste used during the construction and lifetime of the project and to encourage the re-use and recycling of waste materials on site.

Informatives

01

Ecology

Condition 09

- 72 bird brick integrated into the building on a northerly aspect/orientation (north, north-east and north-west). Example specification includes the Schwegler Brick Box Type 24, Woodstone Sparrow Nest Box or an equivalent suitable for tits, sparrows or starlings. The boxes should be located between two to four metres high, ideally at the gable apex or at eaves. The brick can be installed flush with the outside wall and can be rendered or covered so that only the entrance hole is visible.
- 21 swift bricks integrated into the building on any elevation but ideally under shading eaves. They should be installed in groups of three, at a height above 5m and preferably with a 5m clearance between the host building and other buildings or obstructions. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place. Example specification includes the Manthrope 'GSWB' Swift brick or the Vivara Pro Cambridge Brick Faced Swift Nest Box.
- 25 bat bricks should be integrated into buildings on a southerly aspect / orientation (south, south west, and south-east). Boxes should be located a minimum of 2 metres, but ideally 5-7 metres above ground, in a position near the eaves or gable apex. Placement should avoid windows, doors and wall climbing plants. Example specification includes Verona Build-In Woodstone Bat Box, Segovia Build-in WoodStone Bat Box and WoodStone Build-in Bat Tube.
- Hedgehog holes between any fencing, railings, wall and gates to ensure the development is permeable to hedgehogs. These can be created by 13cmX13cm holes at ground level within fences or by leaving a sufficient gap beneath gates and/or leaving brick spaces at the base of brick walls. To ensure holes are kept open 'Hedgehog Highway' signage should be provided and secured above the holes.

Biodiversity Net Gain – condition 10

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that **development may not begin** unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be Rotherham MBC. Failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered,

which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development;
- (f) any information relating to irreplaceable habitat making up onsite habitat
- (g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.
- (h) any additional information requirements stipulated by the secretary of state.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

1. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
2. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

- Listed exemptions from Statutory BNG and transitional arrangements can be found at Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)
- The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>
- Minimum legal requirements for the Biodiversity Gain plan can be found at

[https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015\).-,Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015).-,Biodiversity%20gain%20plan,-14)

- Irreplaceable habitats for the purposes of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/ukxi/2024/48/schedule/made>
- Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and may be subject to the nature of your application <https://www.legislation.gov.uk/ukxi/2015/595#:~:text=Additional%20content%20of%20plan>
- Where a Habitat Management and Monitoring Plan is required: <https://publications.naturalengland.org.uk/publication/5813530037846016>

Please note that Informative 1 relates to Biodiversity Net Gain, and notes that this permission is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The Informative adds that failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered, which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).

Condition 13

Informative: Guidance regarding lighting issues can be found in the ‘Guidance Note 08/23: Bats and Artificial Lighting At Night’ Institute of Lighting Professionals, 2023.

Ecology - general

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.

In the absence of mitigation, where vegetation removal is scheduled during March– August (inclusive), there is potential for active bird nests to be destroyed during Site vegetation clearance works.

As such, any vegetation removal should ideally be programmed to be undertaken outside of bird breeding season, i.e. between September and February (inclusive). If it is not possible to schedule clearance works for these months, a nesting bird check by a suitably qualified Ecologist will be required no more than two days prior to vegetation clearance, to identify the presence of active bird nests.

An active nest would require an exclusion zone to be established and adhered to until chicks have fledged and/or the nest is no longer in use (to be monitored and confirmed by an Ecologist).

National Grid

02

National Grid required a minimum of a 15m stand off from of towers to any buildings or structures and our access (including vehicular access) must not be restricted.

Yorkshire Water

03

1.) The submitted 'Flood Risk Assessment and Drainage Strategy' 25022-FRADS01 prepared by Coast, dated 26/03/2025 is acceptable. In summary, the report states that

- a.) Foul water will discharge to public foul combined water sewer
- b.) Sub-soil conditions do not support the use of soakaways
- c.) Surface water will discharge watercourse, subject to approval by appropriate governing body.

2.) On the Statutory Sewer Map, there is a 375mm diameter public combined water sewer recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme.

- a.) It may not be acceptable to raise or lower ground levels over the sewer and we will not accept any inspection chambers on the sewer to be built over.
- b.) In this instance, a stand-off distance of 3 (three) metres is required at each side of the sewer centre-line and it may not be acceptable to raise or lower ground levels over the sewer, nor to restrict access to the manholes on the sewer.
- c.) In this instance, it would appear that the public sewer is unlikely to be affected by building-over proposals.
- d.) There should be no new tree planting within 5 metres of the public sewer network

3.) If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), he/she should contact our Developer Services Team (telephone 03451 208 482, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Code for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's requirements.

Electric Vehicle Charging Points – Footnote

04

- A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof.
- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

Police ALO

05

South Yorkshire Police indicate that all rear boundaries should be at least 1.8m high to prevent access into rear gardens. All doorsets allowing direct access into the home and ground floor windows should be to the required standard for Secured by Design.

Lighting

06

All external paths and car parking areas should be well lit with an LED lighting scheme and to standard BS5489 with no dark areas.

Management plan

07

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

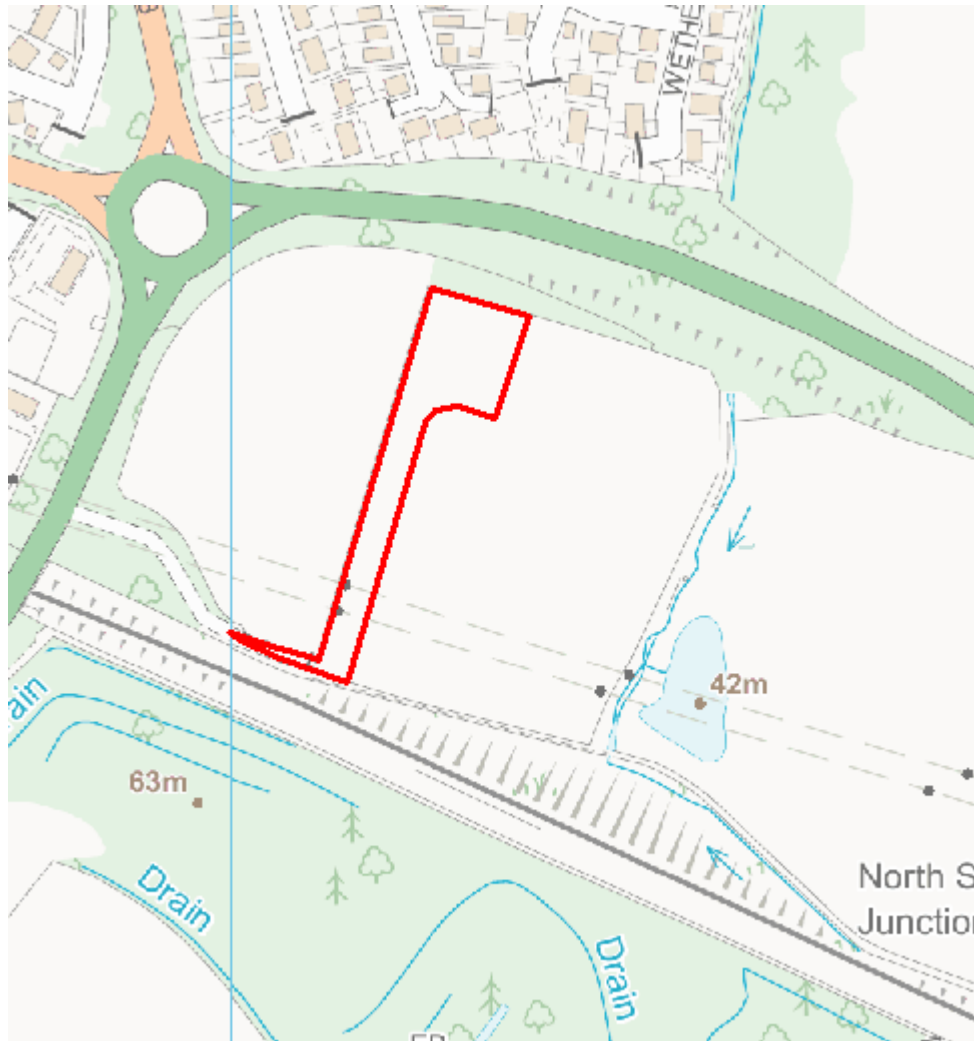
As part of the S106 the applicant is required to submit a detailed management plan for final approval by the local planning authority to demonstrate how the Public Open Space areas within the site will be managed and maintained by the applicant or management company in the long term.

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	RB2025-1101 https://rotherham.planportal.co.uk/?id=RB2025/1101
Proposal and Location	Erection of two stable blocks, Land Adjacent A57 Chesterfield Road, Swallownest
Recommendation	Grant Conditionally

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



Site Description & Location

The application site is land adjacent to a partially constructed fishing pond, located off Chesterfield Road, Swallownest. The site is set between the A57 bypass and a railway line. The site originally formed a sewage works that ceased operation around the 1980s.

The site is accessed from the Chesterfield Road, with access being recently improved to accommodate the proposed fishing pond traffic.

Background

RB1991/0927 - Outline application for car park to serve adj.park & ride railway station - GRANTED CONDITIONALLY (Not built)

RB2010/1406 - Importation of materials & formation of fishing pond including alterations to access – REFUSED

RB2011/1639 - Importation of materials & formation of fishing pond and parking area including alterations to access - GRANTED CONDITIONALLY (Pond only partially completed, not operational)

RB2022/0908 - Variation of conditions 2 & 13 (access) imposed by RB2011/1639 – WITHDRAWN

RB2024/0346 - Application to vary condition 2 (approved plans) imposed by RB2011/1639 - GRANTED CONDITIONALLY

Proposal

The applicant seeks retrospective permission for two stable blocks and the change of use of land for the keeping of horses set below the embankment to the A57 bypass. The site is accessed via the existing highway access track which was upgraded by the applicant to serve the fishing pond approved under RB2011/1639, which is still not operational. Grazing land is provided with the stables including a field rented from the South Yorkshire Mayoral Combined Authority. The stables blocks are rented out as a whole by the applicant and are not for the applicant's personal use.

The previously approved pond on site has been partially completed and the proposed stables do not impinge on the pond layout.

The 'L' shaped stable buildings each measure 16 metres by 4 metres and 3.5m high. The buildings are constructed using stained timber cladding with a corrugated roof that overhangs to create a canopy at the front.

Following Highway concerns the applicant has agreed to set the access gates back 10m from carriageway to ensure larger vehicles including horse boxes can fully pull off the road, prior to the gate opening.

The applicant has produced Biodiversity Enhancement plan which outlines measures to enhance ecological value on the site to compensate for the loss of an area of grassland. Additional biodiversity benefits will come from a new 220-metre species-rich native hedgerow and the planting of 15 suitable native trees, all designed to enhance habitat structure while remaining compatible with horse and sheep grazing. The planting will use bare-root stock, follow best-practice spacing and protection methods, and be implemented in the first available planting season following approval, collectively resulting in a positive BNG score for the site.

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, (For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):

CS4 'Green Belt'

CS28 'Sustainable Design'

SP2 'Development in the Green Belt'

SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt'

SP55 'Design Principles'

Other Material Considerations

National Planning Practice Guidance (NPPG)

National Planning Policy Framework: The revised NPPF 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.

Rotherham adopted Supplementary Planning Documents:

- Development in the Green Belt

Publicity

The application has been advertised by way of site notices along with individual neighbour notification letters to nearby properties. 11 letters of objection have been received setting out the following concerns:

- Harm to rural character and landscape, including visual intrusion, inappropriate development in the Green Belt, and potential disturbance to wildlife without an ecological assessment.
- Flooding and drainage concerns, with the site lying in or near a flood-risk area and lacking evidence of safe surface-water management or compliance with past drainage conditions.

- Highway safety risks, due to inadequate site access onto the high-speed A57, gate positioning causing vehicles to obstruct live traffic lanes, and dangers associated with horse riders and horseboxes at this location.
- Non-compliance with previous planning conditions (RB2011/1639), including failures in drainage provisions, landscaping, tree/hedgerow protection, parking, biodiversity measures, and construction management.
- Lack of demonstrated local need or sustainable location, with concerns about cumulative impact from similar nearby sites, increased congestion, and unclear intentions regarding livestock.
- Unauthorised development and enforcement issues, with structures reportedly erected before planning approval and longstanding enforcement requests not acted upon, undermining confidence in the process.
- Strategic Network & Design Standards: Objections reference the A57's status as part of the Major Road Network and an M1 diversion route, arguing the access fails to meet national design standards (DMRB, Manual for Streets) for gradients, visibility splays and junction safety.
- Public Right of Way Obstruction: A public footpath runs through the entrance and is allegedly obstructed by gates, pillars and vegetation, with claims this has not been shown on submitted plans contrary to national validation requirements.
- Gate Set-Back & Vehicle Length Issues: Detailed evidence suggests the gate setback distance is inadequate to contain typical vehicles (tractors with trailers, horseboxes), resulting in obstruction of the A57 during access manoeuvres.
- Legal Concerns Over Previous Permissions: Objectors argue that a pre-commencement visibility condition on RB2011/1639 was not lawfully discharged, potentially rendering earlier works unauthorised.
- Applicant Conduct & Site Condition: Claims that past illegal tipping and vegetation removal degraded the site's former greenspace value, alongside concerns about a pattern of retrospective applications and non-compliance.

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

Consultations

RMBC – Transportation Infrastructure Service: No objections subject to relevant condition preventing livery and a condition requiring that the existing gate is set back 10m from the adopted highway.

RMBC – Environmental Health: No objections subject to relevant conditions.

RMBC Ecology: No objections subject to recommended 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.

The main issues to consider in the determination of this application are:

- Principle of development in the Green Belt.
- Design issues
- Highway safety
- General amenity issues
- Whether intentional unauthorised development

Principle of development in 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.”

Supplementary Planning Document (SPD) - ‘Development in the Green Belt’ adopted in June 2020 states: “Stables should be a suitable distance away from homes to avoid problems of smell, noise, pests and so on (taking account of wind directions and other relevant factors). Guidance on an appropriate distance will be from the Council’s Environmental Health Department. You should use existing buildings wherever possible, and any new buildings should generally be made from wood with felt roofs so they are relatively easy to dismantle when they are no longer needed and are in keeping with the character of the Green Belt. Stables and associated tack room/storage should be appropriate for the outdoor recreational use of the associated land, and genuinely required for that use. Livery proposals will be considered on their impact on the character and amenity of the area”.

Paragraph 154 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 (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;”

Paragraph 154 goes on to state that: “Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are (amongst other things): material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)”.

In this instance the applicant seeks retrospective permission for 2 stable blocks and attached tack rooms which are rented out as a block rather than individual stable pens. The proposal also includes adjacent land that is used for the keeping of horses, which represents a material change of use.

The buildings are considered to constitute appropriate facilities for outdoor sport and recreation as identified by NPPF paragraph 154, and they are directly linked to the outdoor equestrian use of the surrounding land. The scale, form and siting of the stable blocks are modest and do not introduce excessive built development that would materially harm the openness of the Green Belt or conflict with the purposes of including land within it. Their timber construction aligns with the expectations of the Council’s Green Belt SPD, ensuring the structures remain lightweight in appearance, reversible in nature, and sympathetic to the character of the rural environment.

The proposed change of use of the adjacent field for the keeping of horses is considered acceptable as it represents a typical and low-impact rural activity commonly found within the Green Belt. The use is directly related to outdoor recreation and is consistent with national and local policy, which supports

equestrian uses where the openness and character of the Green Belt are preserved. The field remains largely unchanged in physical form, with no engineering works or intrusive structures required, ensuring that the openness of the landscape is maintained.

On this basis, the proposal satisfies the requirements of the NPPF with regards to provision of outdoor sport and recreation and criteria of Local Plan Policies CS4 and SP10 by preserving Green Belt openness and avoiding harm to landscape, environmental and residential interests. It also accords with the approach set out in the Development in the Green Belt SPD. As such, the development represents an appropriate form of Green Belt development compliant with both local and national planning policy, and is therefore considered acceptable in principle.

Design

Core Strategy Policy CS28 'Sustainable Design' states: "Proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well-designed buildings 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' which seeks to ensure that all development make a positive contribution to the environment by achieving an appropriate standard of design."

SP55 'Design Principles' states: "All forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environments, 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".

Paragraph 126 of the NPPF states that: "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. Being clear about design expectations, and how these will be tested, is essential for achieving this."

The Council's adopted Supplementary Planning Document 'Development in the Green Belt' states that: "...any new buildings should be generally made from wood felt roofs so they are easy to dismantle when they are no longer required and are in keeping with the character of the Green Belt; and stables and tack room / storage should be appropriate for the outdoor recreational use of the associated land. In addition, they should be a of minimum size, materials, colours and construction methods and building styles that fit in with the surrounding area; sited where they have least effect on the landscape."

The stable blocks are designed in an L shaped footprint with a timber construction. Such a design is appropriate for rural stable buildings and are fit for purpose. In addition, this lightweight design will minimise the potential for the stables to be converted to another inappropriate uses.

As such, the design and appearance of the stable blocks is considered acceptable and complies with the aforementioned policies and guidance.

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 access to the site is via an existing access to Chesterfield Road, which has in recent years been improved in terms of width and passing places, in line with the 2011 approval for the fishing pond. In recent years the applicant has installed a large gate that is set 6m from the road. Objectors have raised concerns that when horse box trailers come and go from the site, the trailers blocks the highway to allow the driver to open and lock the gate. The applicant has therefore agreed to set the gate back a full 10m from the road to allow vehicles towing a horse box to fully pull off the highway and avoid conflict with moving traffic.

With the above circumstances in mind, subject to appropriate conditions restricting the type of equestrian use on site and a requirement to set the gate back, the proposal is acceptable in highway safety terms.

Amenity

Core Strategy Policy CS27 ‘Community Health and Safety’ states that development will be supported which protects, promotes or contributes to securing a healthy and safe environment and minimises health inequalities.

It adds that 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.

Sites and Policies 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.”

The Council's SPD 'Development in the Green Belt' states planning will only be granted for stables as long as they are sited a suitable distance away from homes to avoid problems of smell, noise, pests and so on.

The proposed stables are set away from neighbouring dwellings and as such the small amount of waste and associated noise will not harm neighbouring amenity and to a certain extent is to be expected in a rural setting.

As such no significant harm to neighbouring amenity will occur.

Biodiversity Net Gain

As the submission is retrospective the proposal is exempt from the mandatory Biodiversity Net Gain 10% gain requirement. However Local Plan Policy SP33 states that:

"Where, despite mitigation, there will be residual adverse impact on biodiversity or geodiversity value or on wider ecological networks, development should provide an adequate level of compensation. The aim of mitigation and compensation should be to respond to impact or loss with something of greater value; the minimum requirement will be to maintain 'no net loss'." It adds that:

"Development will be expected to enhance biodiversity and geodiversity on-site 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."

With this in mind, the applicant has agreed to additional hedgerow planting to the field edge to provide some habitat improvement. This will introduce potential habitat and some modest biodiversity enhancement, on a site that was formerly open grassland on this former sewage works. Given the modest nature of the scheme the proposed works are reasonable. As such, it is considered that should the landscaping be provided, there would be no net loss in biodiversity on the site, in line with Local Plan Policy SP33, if anything a biodiversity enhancement will be achieved.

Whether intentional unauthorised development

The Department for Communities and Local Government's Written Ministerial Statement of 31 August 2015 introduced a clear national policy that intentional unauthorised development should be treated as a material consideration in the determination of planning applications and appeals. The Government expressed concern that development carried out without prior consent undermines the integrity of the planning system and removes the opportunity to mitigate harm before it occurs. This is particularly significant in the Green Belt, where most development is inappropriate and should only be permitted in very special circumstances. The Planning Inspectorate was directed to

monitor such cases closely, and the Secretary of State reserved the right to recover appeals to reinforce this policy stance.

In the case of retrospective applications for stables within the Green Belt, the intentional nature of the unauthorised development weighs against granting permission. National policy makes clear that intentional unauthorised development is not a neutral factor; it is a deliberate act that should be considered alongside other harms when assessing whether very special circumstances exist.

However, in this instance the as built stables are as referred to above, not inappropriate development within the Green Belt and no Very Special Circumstances need to be demonstrated by the applicant. It would not therefore be reasonable to refuse such an application merely for that fact that the scheme is retrospective.

Conclusion

Having regard to the above it is considered that the proposal would represent not inappropriate development in the Green Belt and would not harm the openness of the Green Belt. As such it is considered to be in accordance with Local Plan Policies SP2 'Development in the Green Belt' and SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt', as well as those within the NPPF. The application is therefore recommended for approval subject to conditions.

Conditions

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)

(Amended site and Location Plan) (Received 26 January 2026)

(Elevations and Floor Plans)

(Proposals to achieve Biodiversity Net Gain) (Received 06/02/2026)

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

02

The stables hereby approved shall not be used as riding schools and shall only be rented out as whole stable block units rather than individual stables.

Reason

The location of the site is not considered appropriate for a general commercial use.

03

The stables shall be operated at all times in such a manner as to prevent the occurrence of odour nuisance at nearby sensitive receptors. Measures shall include the regular removal and appropriate disposal of manure and soiled bedding, and the proper storage of waste materials. Records of waste removal shall be kept and made available to the Local Planning Authority upon request.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and part 15 of the NPPF.

04

No manure or waste materials shall be burned upon the land within the application site.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and part 15 of the NPPF.

05

Landscaping of the site as shown within the submitted Biodiversity Net Gain shall be carried out during the next available planting season. 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 hedgerow, to achieve biodiversity gain.

06

Within 3 months of the date of this approval the existing gates at the site entrance to Chesterfield Road shall be repositioned so that they are sited no closer than 10m from the Chesterfield Road carriageway and open inwards only.

Reason

In the interest of highway safety.

Informative

The Council's Neighbourhood Enforcement have a legal duty to investigate any complaints of nuisance being caused due to accumulations of manure, odour from manure and insects being attracted due to any accumulations. 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 an unlimited fine upon

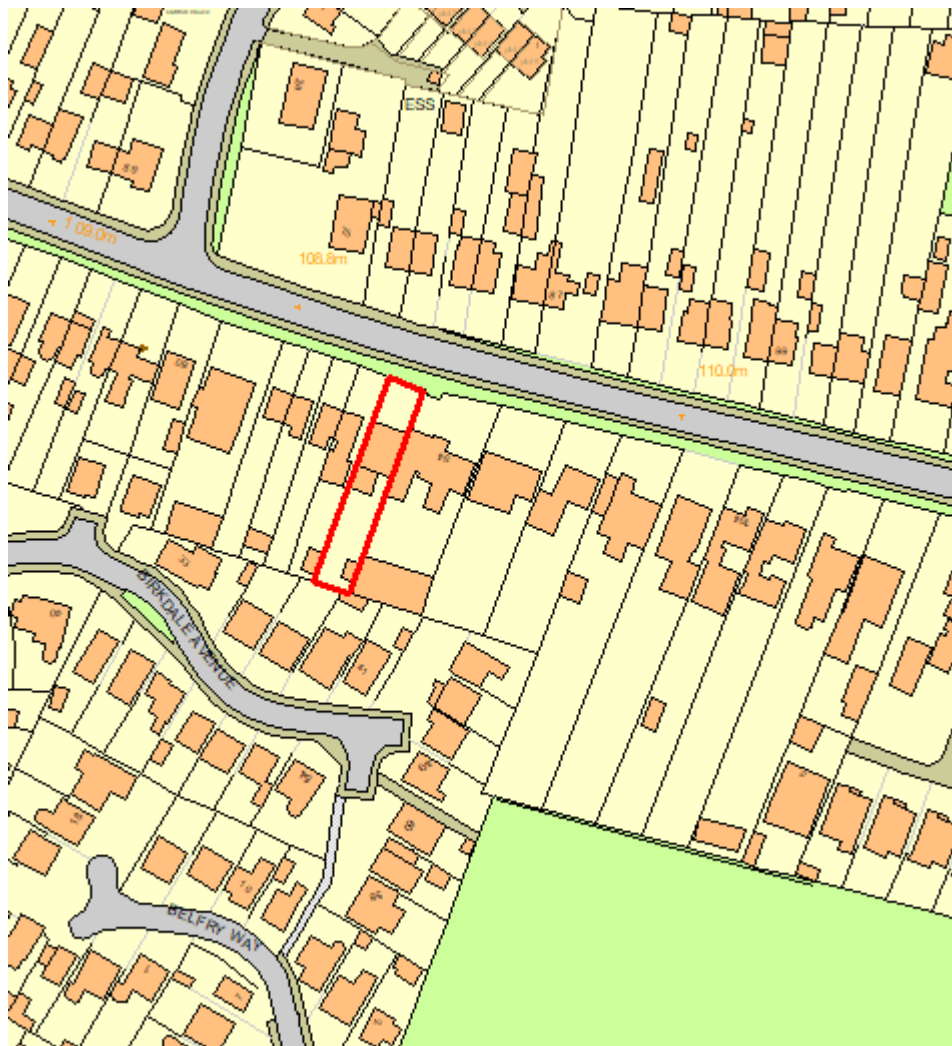
conviction in the Magistrates' Court. It is therefore recommended that you give consideration to any measures that may need to be taken to prevent a nuisance from being created.

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	RB2026/0061 https://rotherham.planportal.co.uk/?id=RB2026/0061
Proposal and Location	Application to vary conditions 06 (remove wording relating to car parking spaces & 07 (new rota document amendments) imposed by RB2025/0610 at 92 Swinston Hill Road Dinnington Rotherham S25 2SA
Recommendation	Grant with conditions

This application is being presented to Planning Board due to the number of objections received and due to the original application being approved by Planning Board.



Site Description & Location

The application relates to an existing extended two-storey detached dwelling located on Swinston Hill Road at Dinnington. The property is located within a residential area consisting of mixed house types set back from the adjacent highway with off road parking to the front and relatively large rear garden areas.

The property has vehicular access from Swinston Hill Road with off road parking available on the site frontage. The original access and dropped kerb

has been widened by the removal of part of the front boundary wall as required by the previously approved application ref RB2025/0610.

Background

There have been several applications relating to this property including the following;

RB1978/3876 - Extension to form garage kitchen bathroom & bedroom –
Granted

RB2006/0803 - Two storey rear extension, new pitched roof to replace existing pitched & flat roof, formation of rooms in roof space and erect porch to front – Granted conditionally

RB2025/0610 - Change of use of dwelling from residential (Use Class C3) to children's home for up to 3 children (Use Class C2) – Granted subject to conditions

Proposal

Planning permission was granted in July 2025 (subject to several conditions) for the change of use of the dwelling to a children's home.

This application seeks to vary two of the conditions that were imposed on the planning approval which was granted for the change of use of the property from a dwellinghouse (Use Class C3) to a children's home (Use Class C2) for up to 3 children.

The conditions that the applicant wishes to amend are as follows:

Condition 06

Before the development is brought into use the car parking area shown on the approved plan ref 3378-CDA-00-XX-DR-A-0403 shall be provided, marked out and thereafter maintained for car parking.

Reason

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

The site has off road parking to the front and the existing vehicular access has been widened to 5m by removing of a section of the front boundary wall and extending the existing dropped kerb as required by the original planning application. The parking area has been formed with a gravel surface and as such the spaces cannot be marked out as required by the above condition. This application seeks to change the wording of condition 06 to address this.

Condition 07

The use hereby permitted shall be restricted to no more than three children with two carers in accordance with the rota details as set out in the submitted Appendix B Rota Summary received 2 July 2025

Reason

In the interests of the amenities of the occupiers of nearby dwellings

The applicant seeks amend condition 07 to replace the original Rota (Appendix A (rev)) with a revised rota (Appendix B) to meet Ofsted requirements.

The proposed details/changes are as follows:

Appendix A (approved)	Appendix B (proposed)
Two staff for 48hrs	Three staff for 48hrs Additional staff to be drafted in as needed
Core staff sleepover 11pm to 7am	Core staff sleepover 11pm to 7am
Handover time 10am – 10.30am one leaves another arrives	Handover time 10am – 10.30am one leaves another arrives
Registered Manager – times not specified	Registered Manager - hours on site are flexible and are tailored to suit the home's need
Professional visitors Regulation 44 Inspector – once a month mid week between 9.30am and 16.30pm Social worker – every 6 weeks mid week between 9.30am and 16.30pm OFSTED Inspection - Once a year for two consecutive days mid-week arriving after 9am and leaving before 18.30.	Professional visitors Regulation 44 Inspector – once a month can be announced or unannounced Social worker to the child (statutory visits are every 6 weeks, maybe sooner or more frequent if required) OFSTED inspection - several visits throughout the year. Other professionals may visit the Children such as IRO's, advocates, LAC nurse, home tutor and maybe other professional bodies.

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 located within a residential area in the Local Plan, for the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):

CS27 'Community Health and Safety'
SP11 'Development in Residential Areas'
SP52 'Pollution Control'

Other Material Considerations

National Planning Policy Framework: The revised NPPF 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". National Planning Practice Guidance (NPPG).

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

Rotherham Adopted SPDs:

SPD12 Transport Assessments Travel Plans and Parking Standards

Dinnington Neighbourhood Plan

Publicity

The application has been advertised by way of a site notice along with individual neighbour notification letters to adjacent properties and those who submitted representations to the original application. 24 letters of representation have been received from local residents. The concerns raised can be summarised as follows:

- This application will increase the number of vehicles requiring access and increase on street parking causing a massive impact on road safety on this dangerous road.
- The changes will cause road safety issues and impact negatively on the quality of life of local residents.
- The application states that this is due to Ofsted requirements which is separate legislation which should have zero impact on planning decisions.

- The parking surface needs to be changed so that the bays can be marked out to avoid excess traffic parking in the highway making entering and leaving neighbouring properties difficult and dangerous.
- Condition 07 completely changes the dynamic of the original application by increasing staff and causing more cars and more congestion and danger on the highway.
- The property was a residential family home and is not suitable for this type of business.
- The condition to restrict the number of carers was imposed for a reason and changes would be to the applicant's advantage and the disadvantage of residents.
- The changes introduce an additional carer at all times and a potential fourth carer that could be present every day with visits by the manager increased to every day. This will impact on the amenity of nearby occupiers.
- More staff and visitors equals more vehicles
- The proposed change to Condition 7 also does not mention the restriction of a maximum of 3 children. This should remain within the condition.
- If this number of children require this level of staffing then the number should be reduced to 1 or 2 children.
- This is an underhand way to increase the staffing which is a danger to road safety. They have tried to cover up the extra staff and visitors to get the original application passed.
- Planning should not have been granted in the first place. The applicant only cares about profits and not road safety for all concerned.
- The owner cannot enforce how employees will travel to work and will have no control over how, where and when they park on the road.
- There should be sufficient parking within the footprint of the property.
- Disagree that the children's home would not have more vehicles/comings and goings to that of a residential home.
- This is a pleasant residential area with a vast amount of through traffic currently not many vehicles are parked on the road.
- No marked parking bays means no parking discipline which will result in cars parked on the road causing increased inconvenience and a detriment to road safety.
- Swinston Hill Road is a residential road it is wrong to convert a property to a commercial property, which serves a very different purpose and has many different needs.
- No. 92 is close to a junction where several accidents have occurred.
- The plan for 5 vehicles and the attempts made to orchestrate that parking is a joke with vehicles having to be moved during the day.
- The diagram of five parked cars looks good on paper, I would suggest a site visit by planning. The loose gravel is carried out onto the footpath.
- Any more than 3 cars would prevent any of the cars (except the one blocking the entrance) from leaving or returning to the property without all the cars being moved to allow access. This would cause a serious congestion and safety issues on an already busy bus route.

- If all staff are moving cars, who is supervising/safeguarding the children?
- Where are the bins to be stored?
- The construction of the parking area does not allow for wheelchair use.
- In an emergency how would services operate around five vehicles.
- Manoeuvring of vehicles will take place while pedestrians and vehicles are passing.
- The safety of all road users and pedestrians and the staff and children really should come first and the applicant should look for a property which can accommodate everybody safely with the grounds for a larger number of vehicles.
- Increased traffic and activity will cause noise and disturbance to neighbouring residents and reduce their quality of life.
- The applicant is merely increasing staff for financial gain, not for the good or safeguarding of under privileged children.
- A children's home is an extremely busy environment with many visitors and will vastly increase traffic on Swinston Hill Road let alone create serious parking issues.
- Highways comments that additional visitors could be safely accommodated with on street parking in front of the property is incorrect. Vehicles parked on the widened entrance would block vision to enter and leave the carriage way for other local residents.
- The highways officer makes no comments on the unsuitability of the drive construction, the fact cars parked on the road would mean traffic having to overtake approaching a t-junction and traffic leaving surrounding drives having to view oncoming traffic around parked cars.
- Have the fire and ambulance service been asked for their comments on attending this property with proposed parking arrangements?

The comments submitted by Dinnington St Johns Town Council can be summarised as follows:

- While the Council understands and supports the necessity of providing appropriate care for vulnerable young people, we have serious concerns about the suitability of this application.
- The property is located within a quiet, residential area, primarily composed of family homes. This type of care home requires not only round-the-clock support staff but also regular visits from a variety of external professionals. The cumulative effect of this increased footfall and traffic presents real and legitimate concerns for the amenity of nearby residents.
- The property itself is not big enough to accommodate more residents and it does not have sufficient land to accommodate a larger number of parked cars.
- Parking provision and traffic management were not adequately addressed in the original application. The expected number of support staff and visiting professionals far exceeds what the property or surrounding streets can reasonably accommodate. This raises potential issues around highway safety and the obstruction of what is already a limited residential parking environment.

- Lack of detailed information regarding staff numbers, shift pattern, visiting schedules and safeguarding measures still not been explained to address the potential impact.
- Lastly, the proposal appears to conflict with the aims and objectives of the Dinnington St John's Neighbourhood Plan, which promotes sustainable development that respects and enhances the character of our community. A development of this intensity and complexity is, in our view, incompatible with the surrounding area and does not support the cohesive, family-oriented environment the Plan seeks to uphold.

In response to the objections received, the following comments have been submitted by the applicant from the proposed care home manager:

- The sole purpose of the requested changes is to ensure that the children placed at the home are safeguarded appropriately and supported in line with their individual needs.
- The proposal is not driven by financial considerations. On the contrary, it has been requested by me personally in my capacity as the Registered Manager following a meeting with OFSTED.
- I have no financial interest in the company. My professional responsibility and personal commitment are to ensure the safe, ethical and effective operation of the home, and that the children's wellbeing and protection remain the primary consideration in all operational decisions.
- The home will continue to accommodate a maximum of three children, as previously approved.
- The request relates only to the ability to deploy one additional member of staff, for an additional 16 hours, 8 of which are during the hours of darkness. This reflects the realities of caring for children with complex and varied needs and is consistent with good safeguarding practice.
- Additional staff need to supervise other children if one becomes distressed and needs two staff to provide support.
- This proposal does not represent a 100% increase in staffing, as has been suggested in some objections. The home was originally approved on the basis of two core members of staff, with a third member of staff, already identified to support the shift between the hours of 2pm and 10pm. The change being requested is that this existing third member of staff, may sleep on site and work a full day, thereby providing consistent staffing of three staff, members across the full 24-hour period.
- When additional support is required, this is not a permanent uplift in staffing. It reflects the reality that some children, particularly when first moving into a new home environment, can experience high levels of fear, anxiety and emotional distress.
- Staffing changeovers will remain limited to one member of staff, arriving and one leaving; and therefore the level of vehicle movement associated with the home is extremely limited. This level of traffic movement is typically much lower than that of a large family household.
- It is also relevant to note that this street already accommodates a range of private vehicles parked on driveways, including motorhomes,

caravans, work vans and multiple family cars, and there is no history of accidents on the street arising from parked vehicles or driveway use. The home is situated on a straight road and not in any proximity to bends/hills or visual obstructions.

- Following the completion of the approved works to widen the driveway opening, the available on-site parking space has materially improved. The driveway can now safely accommodate up to five vehicles.
- Designated parking can be clearly managed through appropriate wall signage, without the need for painted bay marking
- The proposal is driven by the need to safeguard children and ensure safe, responsible operation of the home, not by financial considerations

In response to Dinnington St Johns Neighbourhood Plan, the manager has submitted the following (which has been summarised).

- The intention is to provide a family-oriented environment for children within an established family neighbourhood.
- Very aware that Children's homes come with stigma attached to them however, these children need homes.
- The home remains committed to being a good neighbour. We recognise the concerns of residents and are committed to managing the property in a way that respects the amenity of nearby occupiers, including careful rota planning, clear parking management and ongoing oversight by the management team

At the time of writing this report there have been 4 requests to speak at the Planning Board (the applicant, one supporter and two objectors)

Consultations

RMBC – Transportation Infrastructure Service: consider that at times additional visitors may also attend and if there is no available space on the site frontage then they consider that these could safely be accommodated in Swinston Hill Road. They consider that Swinston Hill Road is capable of accommodating some on street car parking without interfering with the free and safe flow of traffic.

With regard to the adequacy of the on-site car parking layout and that the scheme may result in cars undertaking reversing manoeuvres back into Swinston Hill Road so other cars can exit. It is acknowledged that the optimum facility would enable all cars to access / egress without the need for other cars to be moved, the proposed staffing arrangements will in the main allow for staff who will be on site for the day to access appropriately and then other staff who are only on site for part of the day to park (blocking others in).

The site access has been increased in width so as to assist in the manoeuvring of cars and as mentioned above, there is good intervisibility for cars when accessing / egressing and also for cars who are within the highway. The proposed facility is not uncommon for large residential dwellings which are managed appropriately by families.

RMBC – Environmental Health: Do not foresee any issues with regard to this application.

Appraisal

The principle of the change of use has already been established by the granting of the previous application ref RB2025/0610. This application can only consider the proposed changes to two of the previously imposed conditions.

The main considerations in the determination of the are:

- Impact on residential amenity
- Highway/Parking considerations
- Other matters raised by objectors

Impact on general amenity

Policy CS27 'Community Health and Safety' states that: "Development will be supported which protects, promotes or contributes to securing a healthy and safe environment and minimises health inequalities."

Policy SP52 'Pollution Control' states: "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.
- 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."

The NPPF at paragraph 135 (f) states planning decisions should ensure that development "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 and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

There is no current national guidance in relation to children's homes, therefore, the planning considerations need to be considered are mainly the impact of the proposed changes to the conditions on residential amenity and highways issues.

Concerns have been raised that the proposed changes to the rota system previously approved would increase the number of staff and visitors, thereby increasing the comings and goings and vehicular movements to and from the site which they consider would be detrimental to the residential amenity of nearby occupiers.

The permission previously granted was for the use of the dwelling as a children's home for up to three children at any one time with two carers and a visiting manager providing 24-hour care for 3 children. The maximum number of children to be cared for remains unaltered.

This application seeks permission to amend condition 07 attached to RB2025/0610 which required the applicant to abide by a previously submitted rota. The proposal therefore seeks an increase from two to three core staff on duty for each 48-hour period, with an additional staff member available to be brought in as required. While core sleep-in arrangements and handover times remain unchanged, the Registered Manager's on-site hours are now defined as flexible and tailored to the needs of the home. The proposal also updates expectations for professional visiting arrangements.

Regulation 44 inspections may be announced or unannounced; social worker visits may occur more frequently than the current six-weekly cycle if needed; OFSTED inspections would take place several times a year rather than once per year; and additional professionals (such as IROs, advocates, and specialist staff) may visit the children as required.

Collectively, these changes increase staff from two to three at any one time, with an additional member on an ad-hoc basis, which the applicant claims will provide greater operational flexibility, and are required primarily to safeguard the children that will be homed there.

The Council's Environmental Health department have been consulted with regard to the proposed changes in staff and visitor levels to assess the impact of these comings and goings on residential amenity and have not raised any objections.

It is acknowledged that the proposed increase in staffing levels, primarily arising from the addition of a third core member of staff will result in a modest rise in movements to and from the property during daytime hours. However, it is considered that the associated noise and vehicle activity would remain at a level that does not give rise to any significant adverse impact on the residential amenity of neighbouring properties.

Accordingly, the level of additional noise and disturbance that may be expected as a result of additional staff members is not considered to be of a scale that would conflict with policies SP11 'Development in residential Areas' or SP52 'Pollution Control'. and as such would not justify refusing the planning application on these grounds.

Whilst the concerns raised by residents and Dinnington Town Council have been noted in terms of the potential impact on residential amenity it is considered that the proposed increases in visitors to the property primarily during daytime hours would be considered to have a character akin to that of a residential dwelling and as such is considered acceptable in a residential area.

Highways issues

Paragraph 116 of the NPPF 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."

Objections to the proposals include concerns that the increase in the number of staff will result in the number of vehicles requiring access and parking and will increase on street parking.

Objectors consider that the proposed on-site parking is inadequate and the proposed 5 car parking plan is unworkable and will result in manoeuvring in the highway which will result in an impact on road safety on this dangerous road.

The marking out of the parking is considered by several objectors as being necessary as lack of this would mean no parking discipline which will result in cars parked on the road causing increased inconvenience and a detriment to road safety.

They further consider that the owner cannot enforce how employees will travel to work and will have no control over how, where and when they park on the road and consider that there should be sufficient on site parking for the required number of staff.

Residents disagree that the children's home would not have more vehicles/comings and goings to that of a residential home and consider that this is a pleasant residential area with a vast amount of through traffic currently not many vehicles are parked on the road.

In response to the objections submitted the proposed care home manager considers that the driveway was originally assessed as accommodating three vehicles and, following the requested and approved widening works, can now safely accommodate up to five vehicles, without vehicles being blocked in, without restricting access to the property and with doors able to open fully.

They also consider that there is sufficient on-site parking within the driveway, set back from the highway, and that this does not compromise visibility or access for neighbouring residents. They propose that designated parking can be managed through appropriate wall signage, without the need for painted bay markings

The Transportation Officer has assessed the proposals in highway terms and notes that at times when additional visitors attend and if there is no available space on the site frontage some on street parking may occur. They consider that these could safely be accommodated in Swinston Hill Road. They consider that Swinston Hill Road is capable of accommodating some on street car parking without interfering with the free and safe flow of traffic.

With regard to the adequacy of the on-site car parking layout and that the scheme may result in cars undertaking reversing manoeuvres back into Swinston Hill Road so other cars can exit. The Transportation officer acknowledges that the optimum facility would enable all cars to access / egress without the need for other cars to be moved, however they consider that the proposed staffing arrangements will in the main allow for staff who will be on site for the day to access appropriately and then other staff who are only on site for part of the day to park (blocking others in).

The site access has been increased in width so as to assist in the manoeuvring of cars and as mentioned above, the Transportation officer considers that there is good intervisibility for cars when accessing / egressing and also for cars who are within the highway. They note that the proposed facility is not uncommon for large residential dwellings which are managed appropriately by families.

Taking all of the above into account the Transportation officer raises no objections to the proposed variation subject to the imposition of an alternative condition to replace condition 06 requiring the site frontage to be made available at all times for vehicular parking.

Other matters raised by local objectors

Several other matters have been raised by local residents and are addressed below:

- *Property is not big enough to accommodate more people*

The property was originally a six bedroom detached dwelling and is considered to be of sufficient size to accommodate additional overnight staff

- *Not a suitable location for this use*

The change of use has already been approved under the previous application and this application can only consider the proposed changes to the conditions imposed by that permission.

- *Lack of detailed information regarding staff numbers, shift pattern, visiting schedules and safeguarding measures*

The revised rota details were submitted as part of the application with additional information submitted since this comment was received.

- *Conflict with Dinnington Neighbourhood Plan*

The property will provide a residential use in a residential area which is in a sustainable location and has already been considered under the previous application.

- *The changes are for profit only*

This is not a material planning consideration.

- *The safety/supervision of the children*

This will be overseen by the relevant authorities and is not a consideration of this planning application.

- *OFSTED regulations are sperate from planning*

OFSTED regulations are not material planning considerations and cannot be considered in the assessment of applications, the proposal under assessment is the acceptability of the proposed changes to the previously imposed conditions, not the reasons behind them.

- *Assessment by the Fire/Ambulance Service*

The LPA does not consult with SY Fire or Ambulance Service on planning applications of this nature.

Conclusion

The proposed changes to the previously imposed conditions will not materially affect the parking area to the front of the property, although the spaces will not be marked out as previously required. The changes to the rota to increase the staffing levels on site and improve the flexibility for professional visitors is not considered to result in an unacceptable level of noise and disturbance and that generated is considered to be similar to a traditional family dwelling.

Whilst there would be an increase in comings and goings, especially at shift change over times, this would be within daytime hours and it is not considered that it would create such a significant impact on the amenity of neighbouring residents that would justify refusing the proposed changes on these grounds.

The level of parking and vehicular movements and the potential for some on street parking has been assessed by the Transportation officer as being acceptable in this location.

The proposed variation to the previously imposed conditions is considered to be acceptable and is recommended for approval with the revised conditions being set out below.

Conditions

01

The development hereby permitted shall be commenced before the expiration of three years from 24 July 2025.

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 and as shown on the approved plans (as set out below).

- Drawing nos: 3378-CDA-00-XX-DR-A-0402, 3378-CDA-00-ZZ-DR-A-0401 Received 28 April 2025
- Drawing No. 3378-CDA-00-XX-DR-A-0403 Received 2 July 2025
- Drawing no. 3378-CDA-00-SP-DR-A-0400 Received 5 February 2026

Reason

To define the permission and for the avoidance of doubt.

03

The premises shall be used as a residential care home for up to 3 children only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or any Order revoking and re-enacting that Order with or without modification)).

Reason

The premises are not considered suitable for general use within the Class quoted for amenity and highway reasons.

04

Prior to the commencement of the use hereby approved the site access shall be increased in width to 5m with a corresponding increase in the width of the vehicle access crossing. (A S184 licence will be required for these works from the Council's Streetpride Service).

Reason

In the interest of highway safety

05

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

a/ a permeable surface and associated water retention/collection drainage, or;

b/ an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and that mud and other extraneous material is not deposited on the public highway and that each dwelling can be reached conveniently from the footway in the interests of the adequate drainage of the site, road safety and residential amenity.

06

The site frontage shall be made available at all times for vehicular parking purposes.

Reason

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

07

The use hereby permitted shall be restricted to no more than three children in accordance with the rota details as set out in the submitted Appendix B (Revised) Rota Summary received 4 February 2026.

Reason

In the interests of the amenities of the occupiers of nearby dwellings

Informative

01

The property would benefit greatly from being refurbished to Secured by Design standards, to create a better standard of security.

Surveillance Any landscaping and front boundaries should be kept low at no more than 1 metre high to enable greater informal surveillance into and out from the property.

Lighting All external paths and car parking areas should be well lit with an LED lighting scheme to standard BS5489 with no dark areas. All front and rear doors should be lit with a wall mounted luminaire to provide lighting in line with standard BS5489 which should operate on a dusk to dawn sensor and spread the light downward.

Security of Dwellings In line with SBD standards, all front / rear doors and ground floor windows should comply with PAS 24:2022.

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.

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To the Chairman and Members of the
PLANNING BOARD

Date 19 March 2026

Report of the Director of Planning, Regeneration and Transportation Service

ITEM NO. SUBJECT

- | | |
|---|---|
| 1 | Whitestone Solar Farm – Nationally Significant Infrastructure Project –
Update No. 2 |
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ROTHERHAM METROPOLITAN BOROUGH COUNCIL PLANNING BOARD

PLANNING, REGENERATION AND
TRANSPORT SERVICE

REPORT TO COMMITTEE
DATE 19 March 2026

ITEM NO: 1 **NO. OF APPENDICES: 1 – Adequacy of Consultation
Milestone Response**

Ref: RB2025/0603

Report Title	Whitestone Solar Farm – Nationally Significant Infrastructure Project – Update No. 2
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1.0 Background

- 1.1 Members will recall that the Whitestone Solar Farm proposal is being progressed as a Nationally Significant Infrastructure Project (NSIP), requiring a Development Consent Order (DCO) from the Secretary of State under the Planning Act 2008 rather than determination by RMBC.
- 1.2 As a host authority, RMBC is a statutory consultee throughout the NSIP process. Before the Planning Inspectorate (PINS) can accept an application for examination, it must seek the views of host authorities on the Adequacy of Consultation Milestone. On 5 February 2026, RMBC received the applicant's Adequacy of Consultation Milestone Report (AoCM Report). Officers have reviewed this and issued a detailed response which is appended to this update.
- 1.3 It is important to note that this is not the formal Adequacy of Consultation under s55 of the Planning Act that the Planning Inspectorate request. The AoCM is a non-statutory, interim progress report submitted by the Applicant during the pre-application stage to demonstrate that their ongoing engagement aligns with the project's Statement of Community Consultation (SoCC).
- 1.4 In contrast, the Adequacy of Consultation Representation (AOC) is a formal, statutory response submitted by the Local Authority under Section 55 of the Planning Act 2008. The AOC is requested only after the final application is submitted and provides the definitive local government verdict on whether the developer met its legal consultation duties, directly influencing PINS decision on whether to accept the application for examination.

2.0 Summary of the Applicant's AoCM Submission

- 2.1 The AoCM Report outlines the applicant's approach to statutory consultation, including identification of consultees, community consultation in line with the SoCC, and publication of statutory notices.
- 2.2 The Applicant asserts that statutory requirements have been met.

3.0 RMBC Review of Statutory Compliance

3.0 RMBC is satisfied that most statutory requirements appear to have been met. However, statutory consultation is not considered complete due to the non-service of a Section 42 notice¹ on a number of landowners.

3.1 Until evidence of correct legal service is provided, statutory obligations are not considered fully discharged.

4.0 Summary of Community and Stakeholder Concerns

4.1 RMBC has received substantial feedback from Parish Councils, Ward Members, and residents, outlining concerns including:

- Lack of transparency
- Incorrect Freepost addresses
- Some residents not notified of events
- Limited and poorly advertised engagement events
- Gaps in information on infrastructure locations
- Short consultation periods for extensive documentation
- Unclear mapping materials
- No information on Community Benefit provision
- Concerns that consultation does not reflect the scale of the proposal

5.0 Consideration of Applicant Response to Feedback

5.1 The applicant has made some changes to the draft masterplan; however, RMBC will continue to scrutinise the Environmental Statement, draft Development Consent Order (DCO), and technical submissions. Officers note concern that no draft DCO has yet been provided despite requesting this on numerous occasions.

6.0 Masterplan Changes

6.1 Following a review of the comments received by local residents and statutory consultees, which include RMBC, the applicants have made amendments to the masterplan. These updated masterplans now incorporate additional reductions to the proposed solar development areas located in proximity to villages and residential properties. These revisions result in an overall 37% reduction in the developable area when compared with the initial proposals.

6.2 A further review of land identified for environmental mitigation has also been undertaken. As a result, areas that exceed what is required to deliver appropriate ecological benefits have been removed from the scheme. These

¹ A Section 42 notice is the formal letter an NSIP promoter sends out at the statutory pre-application stage to consult prescribed bodies, relevant local authorities, and certain affected land interests on a proposed Development Consent Order (DCO) application. It's part of the legal duty under s.42 of the Planning Act 2008 to consult before submitting the DCO, alongside community consultation (s.47) and public publicity

parcels of land will therefore remain outside the project boundary and continue in their existing agricultural use, supporting the applicant's objective of maximising local agricultural productivity.

- 6.3 These amendments, together with any subsequent revisions to the Draft Environmental Statement, are anticipated to form part of the documentation submitted to PINS as part of the Development Consent Order application. RMBC will be afforded the opportunity to provide representations on these matters through the preparation of its Local Impact Report.

7.0 Inclusion of the National Grid Substation

- 7.1 National Grid has offered Whitestone a 750 MW grid connection to the existing Brinsworth substation. As part of the wider Great Grid Upgrade, National Grid is progressing proposals for a new 400 kV substation at Long Lane, together with new overhead lines. This National Grid project is independent of the Whitestone scheme.

- 7.2 Notwithstanding this, National Grid has advised that the Whitestone connection point will be moved to the proposed Long Lane 400 kV substation if both proposals are approved. As this new substation remains subject to planning approval and has not yet been constructed, the project boundary for Whitestone includes cable routes to both the existing Brinsworth substation and the proposed Long Lane site. This ensures that a viable grid connection can be achieved should the Long Lane substation be delayed or not proceed.

8.0 Next Steps

- 8.1 RMBC will provide a statutory adequacy response when formally consulted by PINS. Officers will continue to prepare for the Local Impact Report (LIR), Statements of Common Ground (SoCG), comments on the DCO and other statutory submissions.

Instruction of Consultants

- 8.2 To ensure the Council can meet its statutory responsibilities during the Whitestone Solar Farm NSIP process, specialist external consultants are being instructed to provide technical expertise in key areas such as landscape, ecology, heritage and agricultural land quality, where the scale and complexity of the proposal exceed internal capacity. These consultants will operate under RMBC direction, and their work will support the preparation of the Local Impact Report, Statements of Common Ground, and responses to the Planning Inspectorate throughout the pre-application and examination stages. All consultancy costs will be fully funded by the applicant through the agreed Planning Performance Agreement, ensuring the arrangement is entirely cost-neutral to the Council.

Draft Environmental Statement, including Cumulative Impact

- 8.3 Since issuing the comments on the draft Environmental Statement, topic based meetings have been held to discuss the applicants response to the issues raised. These will continue throughout the pre-application stage on

subjects such as Landscape Visual Impact, Heritage, Noise and Transportation.

- 8.4 Additionally, the Local Planning Authority (LPA) and the applicant have agreed a comprehensive Long List of developments to be considered within the cumulative impact assessment for the Whitestone project.
- 8.5 In order to ensure that the Council's approach is fully compliant with the Environmental Impact Assessment Regulations, officers sought legal advice on the correct application of the legislation. This advice confirms that cumulative assessment must be based on 'committed development', defined as existing development and/or development that has already received approval.
- 8.6 However, given the extended timescales associated with the determination of this NSIP, the Council has also included all other relevant current applications, such as the two solar farm proposals at Ulley and Thurcroft and the proposed substation at Brinsworth on the basis that they are likely to reach determination within the NSIP assessment period. Consequently, the Whitestone proposals will be required to assess their cumulative effects alongside these schemes.
- 8.7 Conversely, applications determined under the Town and Country Planning Act (TCPA) will not be required to consider the Whitestone project, as its determination is expected to take place after those applications have been concluded.
- 8.8 The legal advice received is explicit in its interpretation of the legislation, and deviation from this approach would expose the Council to a significant risk of challenge.

Development Consent Order (DCO)

- 8.9 At the time of writing neither RMBC nor CDC have had sight of the draft DCO. The applicant has suggested this will be provided in early March. Officers will continue to press the applicant for this and once received it will be circulated to relevant internal departments, including legal representatives for comment. Liaison with the applicant will thereafter continue to feedback any relevant concerns, ensuring that they align with national Policy Statements and guidance.

Local Impact Report (LIR) and Statement of Common Ground (SOCG)

- 8.10 The pre-application process should be used to gather information that will inform the Local Impact Report (LIR) and any Statement of Common Ground (SoCG). A proactive approach at this stage is seen to help reduce resource pressures during the formal Examination phase.
- 8.11 The Local Impact Report (LIR) is a critical document in the Development Consent Order (DCO) process. It is report written by the LPA that outlines the anticipated effects of the proposed development on the local authority's area. As a technical and evidence-based assessment, the LIR is required to

address all topics the local authority deems relevant to understanding the development's impact. It serves as a formal mechanism for the authority to present its local knowledge and evidence on pertinent issues to the Planning Inspectorate (PINS). The LIR also provides an opportunity for the authority to articulate how local planning policies relate to the proposed development. Its primary function is to inform the examining authority of the potential local impacts, supported by the authority's unique insight and expertise. The report is likely to cover topics such as:

- Landscape and Visual Impact
- Ecology
- Heritage
- Flood Risk
- Agricultural Land Classification
- Socio-Economics
- Glint & Glare

8.12 This list is not exhaustive, and the deadline for submission of this report is likely to be required at short notice, however Government guidance suggests that Council's should begin the preparatory work once they have sight of the final Environmental Statement and draft DCO. Officers

8.13 It is important however to note that there is no need for the Council to prepare a balancing exercise between the impacts, this is the role of PINS when considering the proposals.

8.14 Having regard to the Statement of Common Ground (SoCG), PINS will set deadlines for submission of the SoCG in a post Preliminary Meeting letter; however, early submission is encouraged by Government. A final SoCG is expected to be submitted at the final deadline of the examination. Usually, the SoCG begins with few items agreed, and as the examination progresses more items may become agreed and therefore removed from the document. This final version is often signed by both parties.

8.15 Generally, a SoCG sets out matters on which the applicant and another party or parties agree and identifies those areas where agreement has not been reached.

8.16 Again, timescales for submission of the LIR and SoCG are unknown at this time given we are not yet at this stage of the process.

9.0 Conclusion

- 9.1 The Whitestone Solar Farm proposal continues to progress through the NSIP pre-application process, and the Council remains actively engaged in its statutory role as a host authority. While the applicant has made revisions to the masterplan, several key matters remain outstanding, including confirmation of full statutory compliance, provision of the draft DCO, and clearer evidence of how consultation feedback has informed the evolving scheme.
- 9.2 Officers will continue to scrutinise all forthcoming documentation, including the Environmental Statement, draft Development Consent Order, and cumulative impact assessments, to ensure that the Council's statutory responsibilities are met and that local issues are fully and accurately represented. The appointment of specialist consultants will strengthen the Council's technical capacity and ensure robust evidence is available during both pre-application and examination stages.
- 9.3 The Council will prepare its Local Impact Report, and Statements of Common Ground at the appropriate stages, ensuring that the local planning authority's position is clearly articulated, evidence-based, and aligned with national requirements. Members will be kept informed as the project progresses, including when the application is submitted and when further formal responses are required.
- 9.4 Overall, while progress has been made, significant work remains to ensure that the potential impacts of this nationally significant proposal are fully understood and appropriately addressed. Officers will continue to prioritise transparency, statutory compliance, and the protection of local interests as the project advances toward examination.

Regeneration & Environment

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Email the Council for free @ your local library!

Our Ref:
RB2025/0603

Please Contact:
Lisa Brooks

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01709 254751

27th February 2026

Lucy Freeman
lucy.freeman@dwd-ltd.co.uk

Dear Lucy

Whitestone Solar Farm – Adequacy of Consultation Milestone (AoCM)

Thank you for the opportunity to comment on the Adequacy of Consultation Milestone Report (“AoCM Report”) received by Rotherham Metropolitan Borough Council (RMBC) on 06 February 2026 by email.

RMBC understands that, in due course, the Planning Inspectorate (PINS) will seek the Council’s formal views under section 55(4)(b) of the Planning Act 2008 relating specifically to whether the Applicant has complied with its consultation duties under sections 42, 47 and 48 of the Act. RMBC acknowledges that representations at that stage must be confined solely to statutory adequacy of consultation, and not to the planning merits of the Nationally Significant Infrastructure Project (NSIP).

With this context in mind, RMBC provides the following comments.

Compliance with Statutory Requirements

RMBC notes that the AoCM report sets out, in comprehensive detail, how the Applicant approached consultation under Sections 42, 47 and 48 of the Planning Act 2008. Based on the information presented, the Council is satisfied that the statutory requirements have been met and that RMBC was appropriately identified and consulted as a host authority.

Engagement with RMBC on the Statement of Community Consultation (SoCC)

RMBC confirms that constructive engagement has taken place with the Applicant since 2024, including during the preparation of the SoCC and throughout the

subsequent statutory consultation stages. The AoCM Report accurately reflects Officer's input and the corrections sought during this process.

Community Consultation

RMBC acknowledges the consultation undertaken by the Applicant, including leaflet distribution, in-person events, online engagement tools and accessibility measures. The Council is therefore satisfied that the Applicant has complied with the agreed SoCC.

However, it is worth noting at this juncture, significant concerns have been raised by Parish Councils, local residents, and elected Ward Members. These concerns indicate that, while statutory compliance may have been achieved, the quality and effectiveness of the consultation has been perceived as inadequate by these stakeholders. Issues reported to officers include:

- Consultation process lacked transparency, clarity, and genuine community engagement.
- Flyers resembled junk mail and were frequently discarded; some also contained incorrect Freepost addresses, raising concerns about whether responses were received.
- Not all directly affected residents received communication about consultation events.
- Only a small number of drop-in sessions were held across a very large geographical area, many during working hours, with no formal presentations.
- Consultation events were poorly advertised and offered limited opportunity for meaningful participation.
- Treeton was initially excluded from both consultation rounds and only included after pressure from the local MP.
- Whitestone representatives showed poor local knowledge, dismissive attitudes, and were unable to answer key questions regarding flooding, traffic, biodiversity, and community benefits.
- After two years of planning, key infrastructure locations (cable corridors, battery storage, substations) remain undetermined and were not clearly presented.
- Technical documentation was extensive, but the consultation period was too short for residents and organisations to review and understand its implications.
- No consideration was given to extending the consultation period despite issues with incorrect or inconsistent addressing on leaflets and display materials.
- Engagement with both Inner Zone and Outer Zone communities was inadequate, leaving many residents unaware of the scale and impact of the development.
- Communication relied heavily on unclear maps and hard-to-read materials, making it difficult for residents to identify local impacts.
- No information has been provided on the Community Benefit Fund.

- The scale of the scheme, approx. 3,400 acres of Green Belt is not reflected in the limited and superficial consultation undertaken.
- Parish Council(s) believe the overall consultation process is unfit for purpose and should be declared null and void.
- Statutory Notice Failure - No Section 42 notice has ever been served on joint legal owner of Springvale Farm, despite the owners clear status as a statutory consultee. Whitestone were informed in October 2025 that the site forms part of a residential home and is an active Camping and Caravan Club Certified Site. Despite invitations to engage, telephone calls on 17–18 February went unanswered. A representative from Whitestone subsequently attempted entry without notice, contrary to the owners 48-hour requirement issued on 9 February. The representative opened the owners private residential gates and drove into their yard, blocking access. The follow-up email acknowledged a communication issue but not the perceived civil trespass. The engagement to date has not reflected statutory obligations, accurate mapping, or the operational realities of the Certified Site. The current access strategy is not legally or technically viable.

Consideration of Feedback

RMBC notes that the Applicant has made changes to the draft masterplan following consultation feedback, including reductions in solar panel areas and refinements to parcels of land adjacent to Rotherham communities. RMBC welcomes these changes and will continue to examine the evidence base when further submission documents are provided within the Environmental Statement (ES) and draft DCO.

RMBC will, in particular, scrutinise detailed assessments on transport, landscape, green belt, heritage, ecology, agricultural land quality, and other relevant environmental matters through the Local Impact Report and subsequent stages. Officers welcome continued constructive dialogue with the Applicant's technical advisors as the Environmental Statement is finalised and note that there are particular areas of concern, such as the LVIA where no meetings have yet taken place since the Council's initial comments on the draft ES.

Furthermore, RMBC wishes to highlight that, despite requesting sight of the draft DCO on various occasions, no draft has yet been provided. Officers are therefore concerned that the Applicant's intention to submit the DCO to PINS in May 2026 will provide very limited time for meaningful review by RMBC prior to submission. This is not conducive to effective collaborative working and runs counter to the Government's guidance on early and ongoing engagement with local authorities during the NSIP process. We therefore reserve the right to make reps to PINS on this point in due course.

Conclusion

Although the Council recognises that the applicant has endeavoured to satisfy the statutory consultation obligations pursuant to section 42 of the Town and Country Act, at this point due to the failure to serve the appropriate notice at Springvale Farm the Councils position must be that statutory consultation requirements have not been

fully satisfied, unless you can provide appropriate evidence that service has legally taken place. Furthermore, RMBC wishes to emphasise the considerable dissatisfaction expressed by some local communities regarding the quality of the consultation experience. Subject to Data Protection legislation, this information can be provided and will be submitted to PINS in due course. RMBC also remains concerned regarding the absence of the draft DCO and the implications this may have for constructive pre-submission engagement.

RMBC will provide a full statutory adequacy of consultation response when formally requested by the Planning Inspectorate under section 55.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Bramidge', with a stylized flourish at the end.

Andrew Bramidge
Executive Director Regeneration and Environment