

## CABINET MEMBER FOR ECONOMIC AND DEVELOPMENT SERVICES

<b>Venue:</b>	<b>3rd Floor conference room, Bailey House, Rawmarsh Road, Rotherham</b>	<b>Date:</b>	<b>Monday, 24 January 2005</b>
		<b>Time:</b>	<b>9.00 a.m.</b>

### A G E N D A

1. To determine if the following matters are to be considered under the categories suggested, in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Report re: Opening of Tenders. (copy attached) (Page 1)
4. Minutes of a meeting of the Tourism Panel held on 20th December, 2004. (copy attached) (Pages 2 - 5)
  - to receive the minutes of the meeting of the Tourism Panel held on 20<sup>th</sup> December, 2004.
5. Aldwarke Area Strategic Masterplan. (report attached) (Pages 6 - 16)  
Head of Planning and Transportation to report.
  - to note the report and the community led work undertaken to produce the Aldwarke Masterplan report.
  - to endorse the preparation of a planning brief which takes its lead from the consultants' Masterplan report, with a view to this forming part of the Local Development Framework in the future, and helping inform the next South Yorkshire Local Transport Plan.
  - to refer the report to Regeneration and Planning Boards for information.
6. Flat Roofing Partners - approval to advertise. (report attached) (Pages 17 - 18)  
Projects and Partnerships Manager to report.
  - to seek approval for an advertisement to be placed in the technical press, seeking expressions of interest from specialist flat roofing contractors.

7. Changes to the Development Control System. (report attached) (Pages 19 - 22)  
Acting Development Control Officer to report.
  - to consider proposed views to be sent to the Office of the Deputy Prime Minister.
  
  - to refer the report to Planning Board for information.

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET MEMBER</b>
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**1. MEETING:- ECONOMIC AND DEVELOPMENT SERVICES ISSUES  
(DELEGATED POWERS)**

**2. DATE: 24<sup>th</sup> JANUARY, 2005**

**3. OPENING OF TENDERS**

I wish to report the opening of tenders by the Cabinet Member, Economic and Development Services, as follows:-

on 4<sup>th</sup> January, 2005, for the following :-

- Birks Holt Planting No. L3903/1

**4. RECOMMENDATION**

That the action of the Cabinet Member be recorded.

**TOURISM PANEL  
MONDAY, 20TH DECEMBER, 2004**

Present:- Councillor Boyes (in the Chair); Councillors Hall and Walker.

and.the following.officers:-

Julie Roberts	Town Centre & Markets Manager
Dawn Runciman	Tourism Manager
Richard Poundford	Head of RiDO
Phil Rogers	Strategic Leader ECALS
Marie Hayes	Commercial & Promotional Manager
Steve Blackbourn	Museums & Galleries
Caroline Wilson	South Yorkshire Tourism Manager

**13. APOLOGIES FOR ABSENCE.**

Apologies for absence were received from:-

Councillor Gerald Smith	Cabinet Member for Economic and Development Services
Councillor Jane Austen	Adviser to the Cabinet Member for Education, Culture and Leisure Services
Councillor Reg Littleboy	Senior Adviser to the Cabinet Member for Education, Culture and Leisure Services
Marie Hayes	Commercial and Promotions Manager
Guy Kilminster	Manager, Libraries, Museum and Arts

**14. MINUTES OF THE PREVIOUS MEETING**

**Agreed:-** That the minutes of the previous meeting of the Tourism Panel, held on Monday, 19<sup>th</sup> July, 2004, be approved as a correct record.

**15. TOURISM OFFICER'S UPDATE**

The Town Centre, Tourism and Markets Manager gave a verbal update on the following issues:-

(a) Dawn Runciman - Events and Promotions Officer

The Tourism Panel welcomed Dawn Runciman to her first meeting. Dawn reported on the various seasonal events which were currently taking place in the Rotherham town centre, including animatronics, ice sculpture, reindeer, a snow machine, a giant snowman with bouncy castle and Winter wonderland.

(b) Annual Events Plan

Discussions were currently taking place between the Council, its partner organisations and many voluntary organisations, in order to prepare an annual plan of events which would take place in the Rotherham Borough area. It was important to ensure that the many different events did not coincide on the same dates. It was intended that the Plan would take account of events taking place on a County-wide basis.

The Tourism Panel noted that Dawn Runciman would be preparing an annual events plan for the Town Centre, Tourism and Markets Team and this plan would support the overarching plan produced by Education, Culture and Leisure Services.

(c) Events arranged for 2005

The following events had been arranged to take place during 2005:-

- Ice Magic ice rink (with "strictly ice skating" event), from 12<sup>th</sup> to 19<sup>th</sup> February, 2005;
- Continental Market, during May, 2005 (dates to be confirmed);
- Rotherham Walking Festival, 2<sup>nd</sup> to 17<sup>th</sup> July, 2005;
- Royal Horticultural Society Flower Show at Tatton Park, from 20<sup>th</sup> to 24<sup>th</sup> July, 2005;
- Rotherham by the Sea, 15<sup>th</sup> to 27<sup>th</sup> August, 2005.

It was suggested that Arts funding might be sought to finance part of the costs of these events.

The Tourism Panel agreed that a suggestion to arrange an event in commemoration of the 60<sup>th</sup> Anniversary of VE Day should be the subject of further discussion.

(d) Staffing Issues

The Tourism Panel was informed that a number of town centre staff had suffered verbal abuse from members of the public and certain town centre traders. Members of the Tourism Panel expressed their support for all local authority employees working in the town centre and asked to be informed of progress towards the resolution of the issues now reported.

(e) Appointment of Tourism Manager

The Tourism Panel was informed of the appointment of Joanne Edley to the post of Tourism Manager, with effect from 5<sup>th</sup> January, 2005. One of Joanne's first duties would be to establish a Task Group to prepare the draft Tourism Plan.

**16. SOUTH YORKSHIRE TOURISM MANAGER'S UPDATE**

The Tourism Panel welcomed the South Yorkshire Tourism Manager, Caroline Wilson, to the meeting.

Caroline reported that the consultants, KPMG, had been commissioned to prepare a vision of tourism potential in South Yorkshire for the next decade. This exercise involved a considerable amount of consultation work with public and private sector organisations. It was intended that the initial three-year marketing plan would be completed during January, 2005. KPMG would examine the costs, strengths and weaknesses of the three alternative options for the delivery of this tourism vision: using either the existing capacity of an organisation; or an existing organisation with increased capacity (eg: Business Link South Yorkshire); or establishing a new organisation to deliver the vision. The process would be largely private sector driven.

The chosen option would be reported at a workshop to be held during January, 2005.

It was also noted that a Task Group was currently preparing a South Yorkshire Tourism Action Plan.

Progress would be reported at the next meeting.

**17. ANY OTHER BUSINESS****(1) The Robin Hood Sheffield-Doncaster Airport**

The Tourism Panel noted that the first outbound flights would take off from the new Robin Hood Sheffield-Doncaster airport, Finningley, on 28<sup>th</sup> April, 2005. Five aircraft would be based at the new airport, which would initially be operating flights to eleven destinations for business travel, as well as nineteen destinations for leisure journeys. Negotiations, which might take a long time to complete, were taking place in respect of the possible operation of long haul flights from this airport.

The Tourism Panel acknowledged the importance of inbound journeys to this airport bringing business and leisure travellers to the South Yorkshire sub-region.

**(2) Tourism Forum – November, 2004**

The recent meeting of the Tourism Forum, held at the Hellaby Hall hotel, had been very well attended.

**(3) Local Government Association – Tourism Forum**

It was reported that Councillor Sheila Walker had been appointed to the Tourism Forum of the Local Government Association.

**18. DATE, TIME AND VENUE FOR THE NEXT MEETING**

**Agreed:-** That the next meeting of the Tourism Panel be held at the Town Hall, Rotherham on Monday, 7<sup>th</sup> February, 2005, commencing at 2.00 p.m.

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	Economic and Development Services matters
<b>2.</b>	<b>Date:</b>	24 January 2005
<b>3.</b>	<b>Title:</b>	Aldwarke Area Strategic Masterplan
<b>4.</b>	<b>Programme Area:</b>	Forward Planning, Economic & Development Services

**5. Summary**

To inform Members of a Masterplan which has been prepared by GVA Grimley on behalf of the Rawmarsh, Parkgate and Kilnhurst Integrated Development Plan (IDP) Steering Group for some 50 ha of land within the strategic regeneration area of Aldwarke. The report also seeks consent to prepare a planning brief based on this work which will form part of the Local Development Framework and inform the Local Transport Plan.

**6. Recommendations**

That Cabinet Member notes this report and the community led work undertaken to produce the Aldwarke Masterplan report.

That Cabinet Member endorses the preparation of a planning brief which takes its lead from the consultants' Masterplan report, with a view to this forming part of the Local Development Framework in the future, and helping inform the next South Yorkshire Local Transport Plan.

That this report is referred to Regeneration and Planning Boards for information.



## **7. Proposals and Details**

Appendix 1 (attached) sets out the background to the Masterplan along with a summary of the proposed options, identification of a number of Council concerns and the proposed Council response.

In summary, in 2003 the Rawmarsh, Parkgate and Kilnhurst IDP Steering Group commissioned GVA Grimley in conjunction with Gillespies Urban Design, JMP Consultants and White Young Green to prepare a Masterplan for the Aldwarke area of Rotherham. Whilst the Masterplanning process has been community led it has been supported by Economic and Development Services' officers (particularly from RIDO, Transportation and Forward Planning) through the IDP process.

The consultants' Masterplan report suggests three potential options incorporating a range of business units, incubator space, and factory and office units. One option includes the provision of retail warehouse floorspace intended to raise land values and the viability of delivery. It also recommends transport options which would improve accessibility particularly by public transport by providing an alternative to using the two severely sub standard rail bridges.

Whilst the comprehensive Masterplan approach is welcomed and incorporation within the Local Development Framework is supported in principle, there are a number of concerns which limit the potential to take the Masterplan forward in its present form. Primarily these relate to the proposed retail unit in option A scenario 2, the development of out of centre B1 office space and a lack of clarity regarding land uses on land owned by Stadium Developments.

Further work will be required to address these concerns in order that this initial momentum towards seeking a comprehensive development solution is not lost. It is therefore recommended that a planning brief is prepared which takes its lead from the Masterplan and which can in the future be adopted as a Supplementary Planning Document within the Local Development Framework. This would also be useful in informing the preparation of the next and future Local Transport Plans.

## **8. Finance**

The production of the Masterplan has been funded from Objective 1 through the Rawmarsh, Parkgate and Kilnhurst IDP. Further work to progress this as a planning brief will not incur any significant financial costs to the Council and will be limited to officer time, undertaking consultation exercises and printing costs. Clearly the provision of the recommended infrastructure provision will require significant funding through a variety of sources and the preparation of the planning brief will help strengthen the case for funding via traditional funding streams in both public and private sectors.

## **9. Risks and Uncertainties**

Historically development within the Masterplan area has been piecemeal in nature and has generally delivered a lower quality of development and landscaping than would be desired. A lack of regeneration focus compounded by the split ownership has not promoted a comprehensive, strategic approach to development. As a result there is an inefficient use of the land within the Masterplan area and consequently

the site does not live up to its potential in terms of contribution to the local economy. The Masterplan approach seeks to address this and importantly has established a dialogue with the principal landowners. Should this initial momentum be lost the result is likely to be a continuation of piecemeal, low quality development to the detriment of the area. It will also represent a lost opportunity to provide strategic solutions to a number of key transport issues.

The preparation of a planning brief will not guarantee development coming forward; however it will contribute towards maintaining a relationship and dialogue with the principal landowners. To support this process there may be a need for further work to develop these relationships in order to take forward delivery of development.

### **10. Policy and Performance Agenda Implications**

The delivery of a comprehensive Masterplan approach through the development of a planning brief will contribute to a number of the Councils regeneration, transport and sustainability priorities.

By aiding the regeneration of Aldwarke the recommended approach will help transform the current negative image and perceptions of the area and provide an excellent and sustainable environment for business. By improving integration with the surrounding area it will contribute towards creating sustainable neighbourhoods with access to employment opportunities. It will also help make more efficient use of the land and assist the Aldwarke area in contributing more effectively to the local economy.

### **11. Background Papers and Consultation**

Appendix 1 - Aldwarke Area Strategic Masterplan - Background and Summary  
Aldwarke Area Strategic Masterplan Report, October 2004, GVA Grimley

This report has been produced in consultation with officers from Forward Planning, RIDO, the Transportation Unit Manager, the Head of Planning and Transportation, and the Head of RIDO.

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24 January 2005

Appendix 1

## **Aldwarke Area Strategic Masterplan - Background and Summary**

### **Background**

Aldwarke and the surrounding area has suffered from major job losses in the coal-mining and steel-related industries over recent years, which has resulted in large areas of derelict and contaminated employment land. However the area is well situated and readily accessible to several of the borough's more disadvantaged residential communities (most notably Eastwood, Herringthorpe and Rawmarsh/Parkgate) and offers one of the most important and significant development opportunities with the potential for future job creation and diversification of the local economy. As such Aldwarke is identified in the adopted Unitary Development Plan (UDP) as one of the five Strategic Regeneration Areas

Aldwarke is also located within the Rawmarsh, Parkgate and Kilnhurst Objective 1 Integrated Development Plan (IDP) funding area. The IDP is community partnership led, bringing together economic and community initiatives and their implementation within an agreed vision and strategy for the area and a framework for action under the Objective 1 Programme to 2006. The overall aim is to stimulate local economic and community development, safeguard existing employment and generate new employment opportunities.

In 2003 the Rawmarsh, Parkgate and Kilnhurst IDP Steering Group commissioned GVA Grimley in conjunction with Gillespies Urban Design, JMP Consultants and White Young Green to prepare a Masterplan for the Aldwarke area of Rotherham. The Masterplan has been funded through the IDP Steering Group by Objective 1 Priority 4b monies at a cost of £80,000. A substantial part of the cost has involved the investigation of the railway lines and the option to divert or remove one of these lines. This concluded that that this was not feasible in terms of cost and delivery timing. Whilst the Masterplanning process has been community led it has been supported by Economic and Development Services' officers (particularly from RIDO, Transportation and Forward Planning) through the IDP process.

The purpose of the Masterplan is to

- Establish the development potential of the area
- Maximise the benefits to the area and the local communities
- Provide a coherent planning framework for the area
- Identify key environmental engineering issues that may affect the proposed development, and
- Change the image and perceptions of the area

The Masterplan area covers some 50 ha of land which is in three principal ownerships, namely Yorkshire Water, Stadium Developments and Ernest V Waddington Ltd. Stadium Developments' land (adjacent to Retail World and north west of the railway line) is allocated for mixed use purposes in the UDP (which identifies Business and Industrial uses, non-residential institutions and assembly and leisure uses as being acceptable in principle). The remainder of the Masterplan area is allocated for Industrial and Business Use.

Over recent years EV Waddington have undertaken piecemeal development to create Wharf Business Park. They have estimated there to be approximately 500-600,000 sq.ft of development land remaining which could potentially be developed out over a 5 -10 year build programme.

Yorkshire Water own Aldwarke Waste Water Treatment Works. Whilst recent works have been undertaken to remove the sewage drying beds all of Yorkshire Water's land is considered operational and at the time of writing Yorkshire Water are not able to confirm when any land on site will become surplus to requirements.

Stadium Developments have long term aspirations for the development of land adjacent to Retail World. The Council is currently considering a planning application on part of this land for a JJB Soccerdome and a number of food and drink outlets. The Council is promoting a link road through this area and over the railway line to Beale Way at Parkgate (for which planning permission has recently been granted) with a view to, amongst other things, improving access for buses on this Quality Bus Corridor.

### **Issues**

The Masterplan approach and support for a comprehensive form of development has been taken in response to a number of issues and concerns evident within Aldwarke.

Historically development within the Masterplan area has been piecemeal in nature and has generally delivered a lower quality of development and landscaping than would be desired. In addition, whilst Aldwarke is identified as a Strategic Regeneration Area it does not benefit from inclusion within one of the Objective 1 targeted Strategic Economic Zones. This has meant the area does not benefit from Objective 1 economic funds for capital investment compounding the stagnation in regeneration activity within Aldwarke. This has been compounded by the split ownership which to date has not promoted a comprehensive, strategic approach to development. As a result there is an inefficient use of the land within the Masterplan area and consequently the site does not live up to its potential in terms of contribution to the local economy.

A number of road, access and other transportation issues have been identified as constraints to further development. Whilst Aldwarke is well placed to provide significant employment opportunities to nearby residential areas, it is perceived as inaccessible and remote. This key issue of accessibility can be addressed by encouraging more effective links with the wider area and would be most appropriately addressed at a comprehensive level.

Two sub standard railway bridges with low headroom on the A6123 Aldwarke Lane limit potential development of sites at Aldwarke. The Transportation Unit Manager indicates that further significant development on land owned by Waddingtons, including improved site access/circulation could not be contemplated without providing alternative access arrangements for land owned by Stadium developments. In conjunction with the new link road being promoted by the Council from Stadium Developments' land to Beale Way and the Quality Bus Corridor, the Masterplan approach and a planning brief at Aldwarke has the potential to provide

a comprehensive, strategic solution to many of the transportation issues by bridging the second of the two rail lines.

The potential strategic role of the Aldwarke link in the transport network may be enhanced by the completion of two new rail bridges - removing the current height restrictions on Aldwarke Lane. One of the Town Centre Strategic Development Framework issues will require an examination of the highway network around the northern part of the town and improving the A6123 Outer Orbital Corridor capacity may offer significant help to the town centre aspirations.

### **Opportunities**

As outlined above the Masterplan approach is commendable in terms of promoting a comprehensive approach to future development. The work by GVA Grimley and other consultants in producing the Masterplan, including the establishment of a dialogue with land owners, represents an opportunity to take forward a comprehensive solution for future development.

The initial Masterplan work has been community led. However, there is now a need for Council involvement in order to ensure that this opportunity is taken forward, preferably through adoption of a Masterplan as part of the LDF. Given continuing pressure for development within Aldwarke, should this initial momentum be lost the result is likely to be a continuation of piecemeal, low quality development to the detriment of the area.

### **Masterplan Report**

Following an economic overview of Aldwarke and the surrounding local economy the Masterplan report addresses quality of the environment and transport issues. It then goes on to undertake a site appraisal and identify constraints. The primary constraints to development being:

- The railway lines which dissect the site and limit the developable area
- The two sub standard low headroom bridges on A6123 Aldwarke Lane
- The Yorkshire Water Treatment Works which may result in odour
- The 100 year indicative fluvial flood plain which may require flood risk assessment and/or flood mitigation works
- The presence of contaminated and geo-technically unsuitable material may constrain built development. Historical spoil heaps on Waddingtons' and Stadium land may also act as constraints.
- Further investigation to assess the suitability of made ground, contamination and the need for remediation prior to further development.

In addition the Transportation Unit Manager identifies poor accessibility, particularly by non-car modes of travel, as an issue within the Masterplan area.

An assessment of transport options identifies five means of achieving a link road to serve development and improve linkages with the surrounding area. Following assessment, options one and two are suggested as most appropriate as they build on existing planned infrastructure, provide an alternative route to bypass the sub standard bridges, minimise the number of new crossings required and provide flexibility of alignment and the most permeable solutions for site access. The recommended options create a link from Aldwarke Lane to the planned new link

road to Beale Way, Retail World,. Option one sets out the configuration if co-operation between Waddingtons' and Yorkshire Water can be achieved whilst option two sets out the link road accommodated wholly on Waddingtons' land.

The Masterplan report then undertakes a market and development potential analysis of Aldwarke. This assesses the potential for commercial development within Aldwarke. GVA Grimley have engaged with land owners in terms of identifying future aspirations for the development of land and along with the market assessment this informs the composition of uses set out in the Masterplan options.

**Options**

Taking account of potential constraints, aspirations and market assessment the consultants' Masterplan report identifies three Masterplan options which take account of various scenarios.

Masterplan Option A, Scenario 1

Scenario 1 consists of 380,590 total gross floorspace to be developed in two phases, the second phase being undertaken as units are taken up and become established

Phase 1	Phase 2
35,295 sq ft gross of hybrid workspace consisting of high quality business units to attract hi-tech companies requiring flexible office/light industrial floor space on 2 floors. The scheme will target new and expanding businesses.	35,295 sq ft gross of hybrid workspace consisting of high quality business units to attract hi-tech companies requiring flexible office/light industrial floor space on 2 floors. The scheme will target new and expanding businesses.
34,705 sq.ft gross of incubator space consisting of high quality workspace units ranging from 250-1,500 sq.ft.	Factory workspace consisting of 100,000 sq.ft. gross of high quality industrial and distribution floorspace with units ranging from 2,500-5,000 sq ft and including two units of 20,000 sq.ft.
Factory workspace consisting of 100,000 sq.ft. gross of high quality industrial and distribution floorspace including two units of 20,000 sq.ft.	35,295 sq ft gross of incubator office accommodation consisting of high quality accomodation for new start-up and expanding businesses with units from 250-1500 sq ft.
35,295 sq.ft gross of incubator office accommodation consisting of a two storey high quality office unit capable of sub-division for multiple occupancy or a single user.	

Masterplan Option A, Scenario 2

Scenario 2 consists of 480,590 sq ft total gross floorspace. This comprises the same schedule of development and phasing as for Scenario 1 but includes 100,000 sq ft gross of retail warehousing floorspace in phase 1.

Masterplan Option B

This option comprises two phases of development comprising 350,590 sq ft total gross floorspace. Land owned by Yorkshire Water is not included in phase 1; however in acknowledgement that land may come forward for development in the future Yorkshire Water land is included in phase 2.

Phase 1	Phase 2
35,295 sq ft gross of hybrid workspace consisting of high quality business units to attract hi-tech companies requiring flexible office/light industrial floor space on 2 floors. The scheme will target new and expanding businesses.	35,295 sq ft gross of hybrid workspace consisting of high quality business units to attract hi-tech companies requiring flexible office/light industrial floor space on 2 floors. The scheme will target new and expanding businesses.
34,705 sq.ft gross of incubator space consisting of high quality workspace units ranging from 250-1,500 sq.ft.	34,705 sq.ft gross of incubator space consisting of high quality workspace units ranging from 250-1,500 sq.ft.
Factory workspace consisting of 100,000 sq.ft. gross of high quality industrial and distribution floorspace including two units of 20,000 sq.ft.	Factory workspace consisting of 40,000 sq.ft. gross of high quality industrial and distribution floorspace in two units of 20,000 sq.ft.
35,295 sq.ft gross of incubator office accommodation consisting of a two storey high quality office unit capable of sub-division for multiple occupancy or a single user.	35,295 sq ft gross of incubator office accommodation consisting of high quality accommodation for new start-up and expanding businesses with units from 250-1500 sq ft.

Indicative financial appraisals indicate that a profit is only realised under option A Scenario 2 where the retail warehouse unit raises land values. Under the alternative options there is a gap of around £11.4m for both phases of option A scenario 1 and around £10.6m for both phases of option B.

The Masterplan recognises the importance of incorporating the Masterplan into the statutory development plan for Rotherham and recommends adoption as a Supplementary Planning Document within the Local Development Framework.

**Proposed RMBC response**

It is suggested that the Council acknowledge the work which has been undertaken to date and recognises the need to build upon the momentum established by this community led work. In broad terms the Masterplan approach is to be welcomed and Objective 1 has a forum for debate which we want to engage with.

Whilst the incorporation of a Masterplan for Aldwarke within the Local Development Framework is supported in principle there are a number of concerns which limit the potential to take the Masterplan forward in its present form. These are considered below.

*Retail use*

National and local retail policy sets out a sequential approach to site selection, favouring town centre, edge of centre and then out of centre locations. The retail

unit suggested in Masterplan option A scenario 2 is considered to be in an out of centre location. As such at this point in time the Council is not in a position to endorse this location for retail use as part of the Masterplan. Where proposals for retail use in out of centre locations come forward they may be acceptable where the established policy tests set out in the UDP and in national Government guidance can be met.

Whilst the need for retail floorspace has been identified to raise land value and provide a viable scheme, Planning Policy Guidance Note 6 (town centres and retail developments) indicates that “Retail development should not be used simply as a mechanism to bring vacant or derelict sites into development, unless it would help to support the vitality and viability of existing centres. Developments, especially those out of centre, may compete with town centres which may need investment for their own regeneration.” (paragraph 3.24).

However the Local Planning Authority will be considering the need for further retail floorspace in preparing the Local Development Framework, along with an assessment of the suitability of sites for allocation for retail use. The Aldwarke Masterplan report’s findings regarding retail issues may be taken into account by the Local Planning Authority in informing this review. Any decision relating to retail development will also need to take into account the findings of the borough-wide Retail and Leisure Study recently prepared for the Council. However this Study has yet to be approved by Members for use in making planning decisions.

#### *B1 office use*

Whilst the current UDP allocation supports industrial and business use there are some concerns regarding the siting of B1 office locations in out of centre locations. Planning Policy Guidance Note 13 (transport) identifies that “local authorities should adopt a positive, plan-led approach to identifying preferred areas and sites for B1 uses which are (or will be) as far as possible highly accessible by public transport, walking, and cycling” (para 32).

Policy E4 of Regional Planning Guidance sets out employment site selection and development criteria. This makes particular reference to business parks, offices and high tech uses:

“Development plans should ensure that wherever possible pure offices should be located in town and city centres in accordance with Policy E2. Where needs are anticipated for such uses that could not be accommodated in commercial centres under Policy E2, alternative locations within premium sites (E3c) or general industrial (E3d) land should be assessed against the following criteria (as part of the Sustainability Appraisal encouraged under Policy S1):-

- i) the likely effect on future private investment in town centres;
- ii) the extent to which such development would put at risk the strategy for the town centre set out in the local plan;
- iii) the accessibility of such sites to the workforce by a range of transport modes;
- iv) the impact of such development on travel patterns, including minimising journey distances and protecting the function of the strategic highway network.



Business parks containing a mix of B1 uses will only be supported if they fall into the terms of Policy E3 and can be justified against the same locational criteria as for pure office uses above.”

Draft Planning Policy Statement 6 (planning for town centres) also identifies that such offices should be subject to its policy tests. Essentially these are the tests of need for the development, that development is of an appropriate scale, that a sequential approach to site selection has been undertaken, that the impact of development on existing centres has been assessed, and that proposed locations are accessible. PPS6 has yet to be finalised by the government.

In light of the above policy context the approach taken in relation to other recent proposals has been to limit the initial amount of B1 office floorspace at out of centre locations. Permission for redevelopment of Dinnington colliery has limited B1 office floorspace to around 10% with a plan monitor manage approach being adopted for future proposals. It is suggested that a similar approach be taken with respect to the Aldwarke Masterplan.

B1 office space accounts for around 18% of gross floorspace in Masterplan A option 1, and around 15% in option 2. In Masterplan B around 17% of gross floorspace is identified for offices. This quantum of B1 office space is likely to be considered acceptable in light of the plan monitor manage approach adopted in other similar cases and particularly in view of the suggested phased approach to development. However further consideration should be given to articulating this approach within the Masterplan.

#### *Stadium Land*

Finally the Masterplan lacks detail in terms of Stadium Developments' future aspirations for their land. Should permission for a JJB Soccerdome be approved on part of Stadium Developments' land then the developer will be required to significantly contribute to the costs of the link road (which has planning permission). The Council is also pressing for Industrial Development Act (IDA) funding to contribute towards the cost of this road, which is likely to require the remaining land within Stadium Developments' ownership to contribute towards providing industrial and business employment. A submission to Government Office has been made seeking initial approval in principle to bid for IDA grant. Their response is expected in the near future. If this is successful then a full application for funding may be submitted. Further work to establish the likely composition of uses which would be acceptable in this location will therefore be required.

#### **Next steps**

In securing this comprehensive approach the most appropriate solution would be for the Masterplan to be taken forward as part of the Local Development Framework (LDF) which is to replace the Unitary Development Plan. Following changes to planning legislation and in line with Government targets Rotherham will need to have its first LDF in place by March 2007. A Local Development Scheme setting out the content of this Framework has recently been published for consultation. In view of Government advice regarding the scope and content of the LDF it is unlikely that any document relating to Aldwarke could be included as part of the first submission. However the first submission will be informed by a review of

employment sites (including the Masterplan area) and the brief would be taken forward in the context of this review.

In view of the above and earlier comments it is suggested that the Council take forward this work through preparation of a planning brief by Forward Planning, building on the Masterplanning work, with a view to this forming part of the Local Development Framework as a Supplementary Planning Document (SPD). The brief would be developed in consultation with the IDP Steering Group which commissioned the Masterplan along with the surrounding community and other interested parties. A vital element of this would be to take the brief forward in conjunction with the principal land owners. This would seek to build on the valuable dialogue established by consultants through the Masterplan work. It provides an opportunity to address the concerns raised with some elements of the Masterplan options and ensure that the momentum towards a comprehensive solution for the area is capitalised upon. The work would also be useful in informing the preparation of the next (and future) Local Transport Plan.

The new planning legislation requires SPD to incorporate sustainability appraisals and statements of compliance with the Statement of Community Involvement (which will form part of the LDF) and therefore the brief cannot be adopted as SPD until the Local Development Framework is in place. However the brief, once prepared, would be adopted by the Council as an interim planning statement which would still enable it to be taken into account in planning decisions, with a view to incorporating it into the LDF at a future date. Preparation of the planning brief would follow the new SPD preparation process as closely as possible to minimise the amount of additional work required in future in order to incorporate the brief into the LDF.

Ryan Shepherd, Forward Planning  
Greg Lindley, RIDO  
Steve Smith, RIDO

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>EDS Delegated Powers Meeting</b>
<b>2.</b>	<b>Date:</b>	<b>24 January 2005</b>
<b>3.</b>	<b>Title:</b>	<b>Search for Flat Roofing Partners</b>
<b>4.</b>	<b>Programme Area:</b>	<b>Economic and Development Services</b>

### **5. Summary**

With six months' experience of the Rotherham Construction Partnership now under our belts, it is apparent that we need one more category of strategic partners – flat roofing contractors.

There continues to be a small but regular number of flat roofing repairs needed each summer, but none of our present partners undertake this with their own workforce. Procuring the work through our partners has meant that they have been forced to sub-contract the work to specialist firms and that we have had to pay additional costs to the main contractors for their supervision. Our partners agree that it would be more cost-effective to engage specialist firms direct and we would like to incorporate them within the existing partnership.

### **6. Recommendations**

**That approval be given for an advertisement to be placed in the technical press, seeking expressions of interest from specialist flat roofing contractors.**

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## **7. Proposals and Details**

In the summer of 2004, several flat roof repair contracts were awarded to our strategic building contractor partners and these were all wholly sub-contracted to specialist roofing firms – generally those that the Council had engaged direct in previous years.

Under the terms of the Engineering and Construction Contract (Option C), which we have adopted for partnering schemes, we have paid our partners' tendered overhead and profit margins based on their sub-contractors' costs, as normal. However, in view of the fact that our partners have relatively little involvement on contracts such as these, which are largely managed by a single sub-contractor, it was agreed to negotiate a lower fee margin.

Subsequent discussions with partners have led to an agreement that in future such work will be issued direct to specialist roofing firms, this being a more cost-effective arrangement.

The quantity of flat roofing work to be issued in 2005 and subsequent years is not yet known, but may be in the order of £200,000 per annum. At this level, the work may be advertised in the UK technical press, not the OJEU.

## **8. Finance**

Procuring work directly from specialist roofing contractors in circumstances such as above is estimated to save the Council in the order of £30,000 per annum.

## **9. Risks and Uncertainties**

Providing the tender evaluation process for the specialist firms is based on the same quality and price criteria as used for the original partners, with a scoring ratio of 70:30 respectively, there should be no additional risk in employing them direct.

## **10. Policy and Performance Agenda Implications**

More effective use of our clients' limited funding sources.

## **11. Background Papers and Consultation**

None.

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**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>Delegated Powers</b>
<b>2.</b>	<b>Date:</b>	<b>24<sup>th</sup> January 2005</b>
<b>3.</b>	<b>Title:</b>	<b>Changes to the Development Control System</b>
<b>4.</b>	<b>Programme Area:</b>	<b>Economic and Development Services</b>

**5. Summary**

This report summarises the Government consultation paper on changes to the Development Control system and sets out our suggested response.

**6. Recommendations**

That the Office of the Deputy Prime Minister be informed of our views as set out in this report.

That the report be referred to Planning Board for information.

## 7. Proposals and details.

Consultation is now taking place on a number of the provisions of the new planning act :-

1. Power to decline to determine repeat applications
2. Duration of permission/consent.
3. Duty to respond to consultation.
4. Regional Planning Bodies as statutory consultees.
5. Major Infrastructure Projects – economic impact report.

### 1. Power to decline to determine applications

New powers are intended to prohibit the use of repeated applications that are intended to reduce opposition to undesirable developments over time.

We currently have powers to decline to determine an application which is the same as one within the previous two years which was called in and refused or dismissed on appeal. Section 43 of the new Act extends this power to decline to determine an application which is similar to one refused within the preceding two years. There are three scenarios:-

1. If an application is submitted which has been refused on appeal or call in, an LPA can decline to determine any similar application within the following 2 years unless there has been a significant change in relevant considerations.
2. If an application is submitted similar to one refused by the LPA within the last 2 years, the LPA may decline to determine it if the applicant has appealed against the original refusal and it has been dismissed. Where there is no appeal it should be determined.
3. If a third similar application is submitted within 2 years of the second one being refused and the 2 previous ones have been refused by the LPA, they may decline to determine it if there has been no appeal on previous ones.

The power to decline also covers applications for Listed Building Consent, Conservation Area Consent and applications for prior approval.

LPA's should only use these powers where they believe the applicant is trying to wear them down and not where a genuine attempt has been made to make it more acceptable. Judicial review is available to applicants if they consider the LPA is acting unreasonably.

Guidance is provided on the meaning of "Similar" and "Significant".

Where an LPA decline to determine an application they should notify the applicant in writing that it has exercised it's power under section 70A or 81A and return it to the applicant. It should then be treated as withdrawn.

Applicants have a right of appeal against non-determination of a second application providing they have not appealed against the first. This provision comes into effect on the date the new section 70A takes effect, even if the previous proposal was turned down before that date.

2. Duration of permission and consent

Section 51 of the new Act amends time period for works to begin to 3 years. All permissions consents should have this time period unless otherwise agreed. LPA's can agree shorter or longer periods where appropriate to size and nature of the development.

The time period for which development granted outline permission has to be begun within 2 years of date of final reserved matters approval rather than 5 years from outline permission date.

This section of the Act also prevents an extension to the agreed period of validity without submission of a new application.

This time period has been introduced to encourage development to take place at an early stage and for most schemes such time will be adequate.

In some cases this can be substituted under section 91(1)(b) depending on size and nature.

Also, time limits can be flexibly applied to phasing of major schemes, but any condition must be applied at outline stage.

The effect of the time limit for commencement is to prohibit development to be begun after that date. A further application must be made, the time period cannot be varied.

3. Duty to respond to consultation

Statutory consultees will be required to respond to consultation within a set time period under the provisions of section 54 and article 6 of the GPDO. The Sec. of State is also empowered to require statutory consultees to submit a report to him on their performance against the statutory deadline.

Article 11A of the GDPO sets the time period at 21 days and introduces the requirement to report annually on performance against this target.

These powers are intended to assist with the speedier submission of the information necessary to enable a planning application to be determined.

The duty to respond also applies to pre application advice from applicants.

Obviously sufficient information must be provided to consultees for them to achieve this. i.e. all relevant information must be sent. 21 day period does not begin until they have received this.

A holding reply is not a substantive response.

Where other legislation sets a different time period e.g. English Nature under Wildlife and Countryside Act 1981, that time limit is not superseded.

Time extensions may be agreed in certain cases with both parties.

Determination of applications should not take place until the 21 day period has lapsed.

Comments are requested on the alignment of the period after which LPA's can determine an application within which statutory consultees are required to respond as 21 days, (or less if the consultee responds earlier).

4. Consultation with Regional Planning Bodies

Para. 16(4) of Sched. 6 of the new Act relates to a provision to make the Regional Planning Body a statutory consultee on certain types of applications with a 21 day

response period. These are likely to be applications of major importance for the implementation of the Regional Spatial Strategy or policies because of its scale, nature or location. They may also notify LPA's of other applications on which they wish to be consulted.

5. Major Infrastructure Projects

Section 76A of the new Act requires the preparation of an economic impact report, (EIR), in relation to major infrastructure projects, (MIPs), referred to the Secretary of State.

If he calls in an application there will therefore be a need to produce such a report. Consultation is on the form and content of such a report contained in draft guidance.

In many cases an economic feasibility study of some sort will have been carried out, e.g. on airports and runways, ports, trunk roads, rail schemes, power stations etc. Comments are requested on the extra cost to the developer, whether this already occurs for large projects and the usefulness of this proposal.

**8. Finance**

No implications

**9. Risks and Uncertainties**

None identified

**10. Policy and Performance Agenda Implications**

These changes will impact on BV109 (Speed of application decision), which impacts on the Council's CPA rating.

**11. Background Papers and Consultation**

Change to the Development Control system, a consultation paper - November 2004. Planning and Compulsory Purchase Act 2004.

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