

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

PLANNING REGULATORY BOARD

VISIT OF INSPECTION – THURSDAY, 17TH SEPTEMBER, 2015

1. **RB2015/0174** – Erection of a church, formation of 144 car parking spaces and means of access, formation of earth bund and boundary fencing, balancing pond and landscaping at Land off Common Road, North Anston for Elsworth Acres Ltd.

Requested by:- Members of the Planning Board

Reason:- To enable Members to consider the merits of this proposed development on land which was formerly used as a scrap-metal enterprise and is land within the Green Belt; in addition, Members wish to consider the impact of the proposed development upon the surrounding highway network.

<u>No.</u>	<u>Application</u>	<u>Area</u>	<u>Arrival</u>	<u>Departure</u>
1.	RB2015/0174	North Anston	9.25 a.m.	9.45 a.m.

Return to the Town Hall for approximately 10.15 a.m.

SITE VISIT NO. 1 (Approximate time on site - 9.25 a.m.)

Application Number	RB2015/0174
Proposal and Location	Erection of a church, formation of 144 car parking spaces and means of access, formation of earth bund and boundary fencing, balancing pond, and landscaping at land off Common Road, North Anston, S25 4UJ for Elsworth Acres Ltd
Recommendation	Refuse



Site Description & Location

The application site is located to the north of Common Road in North Anston. Common Road is a long rural road that goes to North Anston village in the east and Brampton-en-le-Morthen to the west. Between the two settlements there are a number of agricultural fields with very few dwellings. To the north of the site is a dense strip of mature trees; beyond is North Anston Trading Estate. Directly opposite the site is a single dwelling – ‘Brickhouse Cottage’. The rest of the site is surrounded by open fields.

The site itself is a relatively flat triangular piece of land and is approximately 2.0ha in size. The majority of the site (approximately 1.3ha) is formed by part of an uncultivated field, with a smaller part (approximately 0.3 ha) being the woodland strip to its northern boundary. There is an area to the south eastern corner which has up until recently been used for industrial and business purposes as a scrap yard site. This area is approximately 0.4ha and is hardstanding with a palisade fence around its perimeter (the scrap yard activities no longer take place from the site).

Background

There has been a number of planning applications submitted relating to this site:

KP1960/1084 – Car dismantling premises – Granted conditionally

RB2000/1137 - Change of use from scrap yard to building supplies yard and erection of office/reception and store buildings – Refused (Allowed on appeal)

RB2004/2282 – Erection of building for depolluting end of life vehicles and erection of security fencing – Granted conditionally

A recent application by the same applicant was recently determined on land to the west of the application site which is also within the applicant's ownership:

RB2012/1623 - Erection of 2 No. buildings to form independent school, convention centre and gospel hall including associated car parking, landscaping and surface water retention pond – Refused at Planning Board on 31 January 2013 for the following reason:

01

The proposed development represents inappropriate development in the Green Belt and no very special circumstances have been demonstrated to overcome the harm caused by the inappropriate development, and other harm caused, and consequently the proposal is in conflict with Policy ENV1 'Green Belt' of the Unitary Development

Plan and the NPPF.

02

It is considered that by way of its size and location the proposed development would have a materially adverse effect on the openness and visual amenity of the Green Belt and would thereby be in conflict with Policy ENV1 'Green Belts' of the Unitary Development Plan and the NPPF.

The school is no longer part of this current proposal.

There is also an existing Gospel Hall located at Carter Knowle Road in Sheffield. This has the capacity to hold a 500 person congregation. Information provided with the application states that "the existing hall is located in a built up residential area with narrow streets and is difficult to access. The existing hall requires refurbishment and its grounds are too small to safely provide for the number of cars and coaches currently attending larger events".

Screening Opinion

The proposed development falls within the description contained at paragraph 10(b) of Schedule 2 to the 2011 Regulations and meets the criteria set out in column 2 of the table in that Schedule. However the Local Planning Authority, having taken into account the criteria set out in Schedule 3 to the 2011 Regulations, is of the opinion that

the development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Accordingly the Local Planning Authority has adopted the opinion that the development referred to above for which planning permission is sought is not EIA development as defined in the 2011 Regulations.

Proposal

The application is seeking permission for the erection of a Church Hall with associated car parking, replacement and enhanced landscaping, formation of new boundary hedgerows, boundary fence, balancing pond and means of access.

The proposed Hall would provide the following facilities:

- Main Hall
- Socialising area and family gathering point
- Toilet facilities
- External meeting / communal areas

The single storey building would have the following dimensions:

- Length of building 57.4m
- Width of building 34.4m
- Height of building 8m

The building would be single-storey with a low pitched roof profile, and is to be constructed in a mix of cladding and block work to emulate an agricultural type building in a rural setting. The building would be sited adjacent to the site's eastern boundary in the southern corner of the site with its rear elevation close to the North Anston Trading Estate.

The building is orientated to face south and the plaza in front of the main entrance is to ensure there are no conflicts between pedestrians and vehicles.

An acoustic earth bund and acoustic fence 4 metres overall in height are proposed along the boundary of the site with Common Road. In addition, 3m high security fencing is proposed around the perimeter of the site.

The proposal will include 144 car parking spaces. This has been altered from 125 spaces and 5 coach parking spaces as originally submitted as the Plymouth Brethren congregation do not travel in coaches to services.

The applicant states that the balancing pond proposed is to allow for the suitable and sustainable drainage facilities at the site and ensure increased surface water is appropriately addressed. It is proposed to install the pond to the north-west of the site.

This will allow surface water to be collected and stored at times of higher rainfall and subsequently released at an agreed rate into the adjoining Cramfit Brook. The balancing pond is also intended to offer some enhanced ecological benefit by providing an enhanced wildlife habitat.

The use of the proposed Church would be between the following hours:

Sunday 5.30am - 7.00pm, Monday - Friday 7.00am - 9.30pm, Saturday 7.00am - 6.00pm.

All subject to the fact that the Transport Assessment says persons may arrive up to one hour before the meeting time.

The early opening on a Sunday is for the celebration of the Lord's Supper (Holy Communion) which is central to the function of the faith of the Plymouth Brethren. The celebration of the Holy Communion occurs universally at the same time in each time zone across the world for the Plymouth Brethren. It is therefore sacrosanct to their gatherings and the time of this church activity is somewhat "fixed".

The applicant confirms that the early morning Holy Communion is very small scale. The meeting commences at 6.00 am with a caretaker arriving at approximately 5.30am to allow the building to be opened up:

- A maximum of 15 cars in total will be entering the site before 7:30am on a Sunday morning
- The cars will park at the extreme south eastern corner of the site furthest away from Brickyard Cottage.
- Car speed will be restricted to 10mph within the car park.
- Main car park lighting will not be switched on before 7:30am on a Sunday

The number of persons allowed in attendance at any one time to be as follows:

- Sunday prior to 8.00 am - 50 people.
- With the exception of "special gatherings" and/or public holidays services for more than 500 not to commence before 10.00 am on weekdays.
- On only five special gathering days per year up to full capacity (500).

It is envisaged that the site would be open for use not more than 20 hours in any one week, except in weeks when special gatherings up to capacity occur. On those weeks it would operate up to 30 hours. It would remain closed at all other times.

The existing access to the field is to be improved and used as the main access / egress to the car park. Two existing accesses further south-east along Common Road are to be removed, while the most south-eastern access at present is to be retained for emergency access.

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

Design and Access Statement:

The statement provides information on the layout and scale of proposal; appearance of the proposal; access issues and sustainability of the site.

Planning Statement:

The statement sets out details about the proposed development site and locality; details of the development proposal; the existing Gospel Hall facility; the planning history of the site; details of relevant planning policy and sets out a case for development of the site.

The statement summarises the following as very special circumstances to allow the inappropriate development of land within the Green Belt:

- The existing Gospel Hall in Sheffield is at capacity and there is no opportunity to extend the premises and car park due to physical and policy constraints in the area;
- The site at Carter Knowle Road represents a more suitable location in which to accommodate residential development.
- Many members of the Brethren congregation are locating closer to the Anston area, primarily as a result of the location of the existing school site at Hellaby. The application proposal is also proposing to develop over 55% of the overall proposed built form within an employment land allocation.
- The applicant is also proposing to locate the remaining new build forms within the Green belt, albeit on the site of a former scrapyard which previously occupied the site and represents a significantly harmful visual and environmental intrusion into the countryside.
- Utilising brownfield land is clearly supported by national planning policy which is again a significant material benefit of the project overall.
- The siting of the proposed built form and characteristic of the application site suggest that purposes of the Green Belt are not compromised to any harmful extent. The only new development on Greenfield land is the car park and balancing pond, which in themselves are not visually intrusive, nor do they adversely impact upon the openness of the land.
- It has been demonstrated that the land is considered to be visually inert with very little visual relief. The applicant's proposal will offer the opportunity to enhance the overall visual appearance of the site through the delivery of an architecturally attractive built form and introducing considerable amounts of new landscaping both within the site and along the site frontage with Common Road where the hedgerow have been destroyed by previous land uses. This is again considered to be a significant visual enhancement of the overall site on one which should be welcomed.
- It is also evident that the site is ecologically barren and the application can again offer the opportunity to enhance this value through the introduction of a range of feature, including the balancing pond, additional tree planting, hedgerows to Common Road and green corridors through the site. This again represents a significant lift to the ecological value of the site and weight should be afforded to such an enhancement.
- The applicant is also alert to the presence of contamination on the site and will undertake all appropriate measures to mitigate this factor as part of the development package. Removing and treating known contaminants is significant material benefit for this particular site and one which will further positively contribute to the overall environmental enhancement of the locality.
- In order to assist in demonstrating that very special circumstances exist, the applicant has also commissioned a further assessment of potential alternative

sites throughout the identified area of search which encapsulates the applicant's area of need and appropriate accessibility. It is clear following an extensive investigation, that no suitable alternative locations which meet need and comply with client objectives are available. Equally, sites which may have appeared appropriate are either constrained by wider policy requirements, economic objectives or are unviable for the nature of use as proposed. Despite there being a perception that a range of sites and land exists, research reveals otherwise and therefore assists in supporting the case for the application site to be supported given the significant benefits the project can deliver.

- It is therefore anticipated that support for the application is justified as a range of environmental enhancements, sustainability advantages, wider planning policy objectives and lack of significant and demonstrable harm is evident. In the absence of such harm, the application should be approved.

Sequential Site Assessment

The site assessment covers a wide area of South Yorkshire and North Derbyshire and considered the existing location of Gospel Halls and how the local congregation attend their nearest local facility.

It states 167 sites were identified, 11 were ranked as amber and 10 ranked as green. The 10 green sites offered the potential to adequately accommodate the Church and car parking. All the sites were discounted on the basis of one or more of the following reasons:

- Sites too small
- Inappropriate land use
- Existing land values too high
- Alternative development plan objectives being promoted
- Land has been sold or sold subject to contract
- LPA will not support a non-employment use

Transport Assessment:

The Assessment looks to investigate and report upon the anticipated transport issues associated with the proposed development of a Gospel Hall.

The Assessment states that while the crossroads of Common Road / Todwick Road have historically been subject to a number of accidents, safety improvements implemented by the Council at this junction have significantly reduced the risk of accidents and the proposal will not add traffic to the crossroads during the identified highway peak hours and is therefore unlikely to have a material impact on highway safety.

In addition, the Assessment further states that the proposed development will have a negligible effect on the operation of the highway network.

Landscape Visual Impact Assessment:

This report concludes that the topography and well screened nature of the site lends itself favourably toward the siting of the church. Its open character and absence of internal significant landscape features will mean that little will be lost. However, due to

the flatness and openness of the local landscape it is appropriate that the proposed building consists of a single-storey.

Views into the site are partially screened along all boundaries by vegetation. The boundary to the north will benefit from significant landscape intervention.

It further states that the appraisal has demonstrated that the development site is well screened from key viewpoints located around the site. Therefore, the proposal is likely to cause minimal impact on the overall character landscape.

Preliminary Ecological Appraisal:

The appraisal states that the site is dominated by improved grassland with areas of scrub, scattered trees, hedgerows, a watercourse and hard-standing. It provides a number of recommendations in respect of various species and when the best time is before or during the construction to carry out the recommendations.

Biodiversity Management Plan:

The report outlines the recommended habitat management procedures of ecological features that are to be retained, along with newly provided features which will be enhanced and created for the site.

Tree Survey:

The survey assessed 3 individual trees, 5 tree groups and 3 sections of hedgerows with a total of 1 individual tree and 1 tree group attaining a Category 'B' assessment value. Category B trees are those of moderate quality and value: those in such a condition as to make a significant contribution (a minimum of 20 years is suggested).

It notes that the proposed layout does not require the removal of any Category 'B' trees, whilst 2 category 'C' trees, 3 category 'C' groups, and a small section of a hedgerow will require removal in order to directly implement the proposals. Category C trees are those of low quality and value: currently in adequate condition to remain until new planting could be established (a minimum of 10 years is suggested), or young trees with a stem diameter below 150mm.

It further states that tree removals along with necessary facilitation tree works are considered to provide a design layout that provides for future tree growth and maintenance, whilst also lessening the likelihood of future pruning pressures.

It concludes that the loss of trees is not considered to be significant due to their limited species range and diversity, and that the overall tree loss can be mitigated by adopting a considered landscaping scheme.

Geo-environmental site assessment:

The assessment carried out recommends that a ground investigation and a programme of gas and groundwater monitoring is carried out, in order to establish the presence and extent of contamination, risk posed by ground gasses and shallow unrecorded coal mining.

Noise Impact Assessment:

The assessment carried out predicts that sound level received at the first floor windows of the nearest dwelling to the Church (being Brickyard Cottage across Common Road to the south), caused by sound sources associated with the 6am service on Sundays, will be 27dB. The existing background sound level at this time is 33dB. After adding a correction of 6dB for the impulsive nature of the sound from the church car park it is rated equal to the background. It concludes that there will be a “low impact” at the dwelling.

It further states that the predicted indoor sound levels inside the dwelling with windows open for ventilation are predicted well below the thresholds of sleep disturbance. In addition the sound levels at other proposed service times are also predicted to have a low impact at the dwelling.

The above predictions and conclusions include the sound reducing effect of an earth bund with an acoustic fence along its ridge. The proposed overall height of the bund and fence is 4m above ground level.

Drainage and Flood Risk:

The report outlines where the nearest drainage system is located in proximity to the site and that the car park would be permeable and that the building would be drained to a surface attenuation pond on site.

In respect of flooding it states the building will be safe from flooding and that the site is not currently prone to flooding from neighbouring developments. Notwithstanding the above it recommends that the road side ditches are regraded and maintained to ensure proper management.

Development Plan Allocation and Policy

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

The application site is split in terms of its allocation. The majority of the site (approximately 1.8ha of the overall site area of 2.1ha) is allocated for Green Belt purposes in the UDP and the remainder of the site, being an elongated strip to the east (0.3ha), is allocated for Industrial and Business purposes in the UDP. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

- CS4 ‘Green Belt’
- CS20 ‘Biodiversity and Geodiversity’
- CS21 ‘Landscapes’
- CS28 ‘Sustainable Design’
- CS33 ‘Presumption in Favour of Sustainable Development’

Unitary Development Plan 'saved' policy(s):

EC3.1 'Land Identified for Industrial and Business Use'
EC3.3 'Other Development within Industrial and Business Areas'
ENV3.4 'Trees, Woodlands and Hedgerows'
ENV3.7 'Control of Pollution'

Other Material Considerations

Supplementary Planning Guidance – The Council's Car Parking Standards (adopted June 2011).

National Planning Policy Framework: The NPPF came into effect on March 27th 2012 and replaced all previous Government Planning Policy Guidance (PPGs) and most of the Planning Policy Statements (PPSs) that existed. It states that "Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.

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

The Core Strategy/Unitary Development Plan policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

Publicity

The application has been advertised by way of press, and site notice along with individual neighbour notification letters to adjacent properties. 16 letters of representation have been received.

10 letters were received in objection to the proposal and the issues raised are summarised below:

- The application does not comply with the UDP, as it is in the Green Belt.
- The surrounding roads will not support the additional traffic generated.
- This church is of no use to the local community.
- Common Road is in poor condition and most vehicles given the chance drive down the centre to avoid the potholes and disintegrating areas at the edges of the road surface.
- Issues during construction work as any large vehicles will only be able to access the site via Common Road as there is a 7.5 ton weight limit on the road bridges at Mill Lane and Cramfit Road.
- We have air pollution from the industrial estate and this proposal with additional traffic will add to this.
- The crossroad at Common Road / Monksbridge Road is already a black spot.
- The traffic using Cramfit Road is already far more than any other road in Anston due to the Dumpsite, Trading Estate, Post office collection, visitors to Bluebell Wood Hospice.

- With a little more forethought most of the above could have been accessed via the main road leaving residents on this road with less traffic passing our front door.
- The existing road network serving the site area is extremely narrow, in poor condition and unable to accommodate increased traffic.
- The site boundary edged in red on page 5 of the application document – Item 2.0 Development Site and Locality is misleading as it gives an incorrect impression of the area of the site making it look smaller when in actual fact the site boundary is further to the west along Common Road and further into the Green Belt.
- If granted it will lead to further ones for the remainder of the site which is all in the applicant's ownership.
- The development is totally isolated from the nearest community and will bring no benefit to it or be part of it.
- The search for alternative sites read much as the previous application.
- According to the application the existing gospel hall in Sheffield holds 500 people and the car park can accommodate 115 vehicles. This is the same number of attendees proposed at the new one and only some ten cars less. Why is there an urgent need to relocate the existing facility on to Rotherham's green belt?
- The proposed development will dramatically alter the existing landscape / ground levels by proposing to build earth mounds around the site to enclose it and also opening up the adjacent industrial estate by the removal of the existing railway embankment.
- The application states that most attendees live locally but then goes on to say that there will be many that travel from a 30 mile radius.
- The development will affect the wildlife in the area.
- The proposed building has no architectural merit and is drab and industrial in appearance.
- The application fails to prove the very special circumstances required in relation to building on the Green Belt.
- There are vacant brownfield sites in the Borough and local area that would serve the needs of the developers.
- The increased traffic and associated noise would impinge on our amenity living opposite the site.
- Anston is not a principal settlement as stated in the application.
- In the House of Commons on 5th March 2015, Minister Brandon Lewis said "The Government attach the highest importance to the protection of the green belt...So green belt should be redesignated only in exceptional circumstances and as a last resort. Furthermore, the NPPF notes Green Belt as one of the environmental constraints on development in the framework and local planning process."

7 letters were received in support of the proposal and the comments are summarised below:

- The new tree planting, hedges and pond will benefit the wildlife in the area and will compensate for the encroachment into the green belt.
- The proposal will remove the eyesore of the old builder's yard as you enter the village from Common Road.

- The proposal would be beneficial to redevelop the brownfield site by landscaping and up grading considerably the appearance, as well as pre-empting previous similar uses such as car dismantler, waste and surplus building supplier having total disregard for neighbours and local appearances.
- A positive influence for Advanced Alloy Services would be an elimination of criminal elements trying to gain access to our property via the current application site.
- Will result in a large improvement to the landscape of the area by planting of trees, hedges and shrubs on the site.
- Having the church community as neighbours, with the increase in people to the local area will help us engage more people in our work, which will in turn help us reach and help more children and families, as well as help us maintain and increase the support and funding needed to keep the hospice open.
- The proposal will be more sympathetic to the surrounding countryside than the previous use of the land and indeed more in-keeping with the countryside environment than the previous use.
- The new facility will be a useful addition to the social fabric of the area.

Those making representation have been informed of the amendments to the scheme (alterations to parking provisions) and 10 further letters have been received objecting to the scheme at the time of writing this report. The comments raised are summarised below:

- The amended plans indicate extra car parking spaces but no provision for coach parking. Therefore the Brethren has not shown where coaches will park.
- Furthermore I posit that this should have been a fresh planning application and not just an amendment to be put before the Planning Committee. I believe there is a case for citing Procedural Impropriety by the Planning Committee if a decision is made on the basis of the amendments.
- The applicants have not put forward any convincing facts nor arguments why they should be allowed to build on greenbelt land nor have they explained how and why the existing road can cope with the extra traffic that will be generated if this application succeeds.
- They have not demonstrated 'Special Circumstances'.
- The Transport Plan included in the application is I believe flawed and does not address the main issues of congestion and amount of vehicular traffic at all times. The Todwick Road / Common Lane crossroads is well known locally as a major traffic hazard and traffic is often backed up on both roads for up to five minutes during daylight hours as drivers wait for other vehicles to turn or exit both roads.
- Common Road is unsuitable for any increase in vehicular traffic particularly coaches and people carriers which the applicant admits will form a percentage of the vehicles travelling to the site.
- Anston is being urbanised by stealth and our open spaces are community assets which must be preserved.
- Traffic volumes already an issue in the area.
- Increased traffic at an accident blackspot at the crossroads on Todwick Road and Common Road.
- The amended plan makes no effort to address the issue of the majority of the site being in green belt land.

- It is not in accordance with the councils adopted Core Strategy nor the proposed Local Development Plan/Sites and Policies Document.
- 3. The number of car parking spaces has now increased from 125 vehicles to 144 with no parking provision on the site for coaches as originally indicated.
- The number of vehicles that use the Magilla recycling centre on weekly basis (excluding Tuesday when is closed) has been counted in April of this year. This indicates that there are 3.172 visits which equates to 6, 344 round trips. This number of users will increase year on year as further planned house building takes place in the centres catchment area. The existing road network is not capable of accepting the additional volume of traffic that the development would bring.
- There is an existing footpath from Dinnington through to the A57 at Todwick but there is no pedestrian route proposed along Common Road to link in with that nor for any street lighting which would be required as the building would be in use at night time. This would be crucial in winter months given the amount of vehicles that will be entering and leaving site during the hours of darkness.
- The amended proposals will further alter the existing landscape with the addition of an acoustic fence along the Common Road boundary. The additional changes to the existing ground levels which will create a 'bunker' like appearance to the site and buildings and the existing green corridor along Common Road will be irrevocably harmed.
- The existing road network is no capable of accommodating the site traffic that would be generated should the application be granted and this would have a serious impact on the existing environment
- This is now the third application by the same applicant with regard to this site and they have been given every opportunity to prove their case. The proposed amendments to the scheme have yet again failed to demonstrate the very special circumstances that are required for the proposal to be approved and as such they would cause significant harm to the openness of the Green Belt.
- The Applicant has made no "Special circumstances" case for development in the Green Belt. This is a legal requirement before an application can be passed for approval. The amended car spaces increases the development inside the green belt zone and increases the number of movements on and off the site. The increase in movements increases air pollution around the area. The issue of movements by coach has not been addressed, nor has the issue of the number of "events" been sufficiently explained.
- The amendment to the proposal makes no attempt to improve the access or minimise the inevitable increase in traffic volume on an already busy B road and dangerous crossroad.
- Encroaching onto the green belt to this extent should be avoided wherever possible as there are many brownfield sites available locally which could more suitable.
- The application now indicates an increase in car parking spaces from 125 to 144 which will only exacerbate existing traffic problems on Todwick Road. There is also no provision for coach parking, which was included in the original scheme.
- The roads around the site are struggling to cope with the amount of traffic that uses them at present. The proposal is for a 144 space car park for users of this Church. The applicant obviously doesn't think that this will be enough as there is also space allocated for an "overspill" car park. Maybe this is where they will park the coaches that were in the previous application? The roads

around the site were not built for, and are not capable, of taking the amount of traffic increase that this would incur.

- The planning document states that reduced pollution would occur on the local sections of the M1 and M18 motorways due to Churchgoers travelling to and from Anston (despite the same document stating that a large amount of worshippers have moved to the Anston area, yet it also goes on to say that worshippers travel from a 30 mile radius). They seem to want it all ways.
- If this goes ahead there is a real probability of local traffic gridlock on a regular basis, possibly daily.
- The law on building on greenbelt land is clear. There must be shown "very special circumstances". So, do the Plymouth Brethrens relocation needs come under this umbrella? I think not. South Yorkshire is awash with derelict buildings and land. The remains of lost industry. There must be numerous other sites for them to re-locate to. To pass these plans to build on Anstons (and Rotherhams) greenbelt, causing massive and permanent disruption would not only be unlawful but would be a health and safety risk to the people of Rotherham who live or work in the Anston/Dinnington area.
- Why is such a large car park required for the church unless they want to build a school as in the original proposals.

4 right to speak requests has been received.

Consultations

Streetpride (Transportation Unit): Have no objections subject to conditions.

Streetpride (Drainage): - Have stated that the principle of surface water drainage is satisfactory but there are more details required which can form conditions.

Streetpride (Trees and Woodlands): - Have stated that not all of their previous concerns regarding the full impact of this development on local amenity have been overcome.

Streetpride (Landscape): Have no objections on landscape grounds.

Neighbourhoods (Environmental Health): The development will introduce new sound sources so there is potential for noise disamenity especially if the earth bund and the acoustic fence are not provided on site as all the predictions in the noise assessment include the sound attenuation that the barrier will provide. The site will also have floodlights in the car park so there is also potential for light disamenity. In light of the above, they have recommended that if planning permission is granted in relation to this application suggested conditions should be incorporated.

Streetpride (Ecologist): Have stated that the ecological information submitted raises a number of issues. A condition has been recommended to support the detailed delivery of the necessary biodiversity mitigation and the recommended biodiversity gain.

Neighbourhoods (Land contamination): Have indicated that there may be some potential for contamination to exist within the surface soils at the site. It is considered there may be a risk to human health and controlled water receptors from contamination at the site. For this reason site intrusive investigation works should be undertaken to assess for the presence and extent of contamination along with the risks posed by

ground gases. Remediation works may be required to bring the site to a suitable condition to be protective of human health for its proposed end use.

South Yorkshire Archaeology Service: There is potential for important remains relating to the prehistoric period to exist on this site and groundworks associated with the development could destroy finds and features of potential archaeological importance. As such, a scheme of archaeological work is required to ensure any remains present on this site are recorded, as mitigation.

Severn Trent: Have no objections.

Appraisal

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

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

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

The main considerations in the determination of this application are:

- The principle of development and the impact on the visual amenity and openness of the Green Belt
- Design of the proposals
- Landscaping of the site
- Impact on residential amenity
- Highways Issues
- Other Considerations

The principle of development and the impact on the visual amenity and openness of the Green Belt

Although part of the site (approximately 14%) is located within an Industrial and Business use allocation in the UDP the majority (approximately 86%) of the site is in the Green Belt.

It is of note that in respect of developing the land allocated for Industrial and Business use the requirements of UDP Policies EC3.1 'Land Identified for Industrial and Business Use' and EC3.3 'Other Development within Industrial and Business Areas' are relevant.

EC3.1 states: "Within areas allocated on the Proposals Map for industrial and business use, development proposals falling within Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order, 1987 (as amended) will be acceptable, subject to no adverse effect on the character of the area or on residential amenity, adequate arrangements for the parking and manoeuvring of vehicles associated with the

proposed development and compatibility with adjacent existing and proposed land uses.”

The current proposal is seeking to develop the site for a Gospel Hall whose use falls outside of B1, B2 and B8 use classes. However, policy EC3.3 states: “Within the sites allocated for industrial and business use on the Proposals Map, other development will be accepted, subject to no adverse effect on the character of the area or on residential amenity, adequate arrangements for the parking and manoeuvring of vehicles associated with the proposed development and compatibility with adjacent existing and proposed land uses, where such development can be shown to be ancillary to the primary use of the area, or would provide significant employment and it can be shown that:

- (i) there are no suitable alternative locations available for the proposed development,
- (ii) no land-use conflicts are likely to arise from the proposed development, and
- (iii) the proposal significantly increases the range and quality of employment opportunities in the area.”

In this instance it is considered that the development of the land allocated for Industrial and Business use would be in direct conflict with the requirements detailed above. This is due to the fact that the development of the land allocated for Industrial and Business would not provide adequate arrangements for the parking and manoeuvring of vehicles associated with the development of the Industrial and Business allocated land. Furthermore, the development of the Industrial and Business allocated land would have an adverse effect on the character of the area and would not be compatible with adjacent existing and proposed land uses. Additionally, the proposed development of the Industrial and Business allocated land would not provide significant employment opportunities within the area. As such the proposal is considered to be in conflict with ‘saved’ UDP Policy EC3.3.

It is further noted that the land to the east of the application site is identified as part of the Local Green Infrastructure Corridor (9 – Anston Brook/Sandbeck) in the Core Strategy. Despite not being located specifically within this Corridor, the former railway line which has naturally regenerated does perform a Green Infrastructure Corridor function and Core Strategy Policy CS19 ‘Green Infrastructure’ states that Green Infrastructure assets can include, amongst other things, disused railway lines. It is, therefore, considered that to develop part of the former railway line for the Gospel Hall will impact on the Green Infrastructure asset, and the adjoining Local Green Infrastructure Corridor. It will also remove a buffer that currently acts as a strong Green Belt boundary / buffer to the adjacent North Anston Trading Estate, thus enabling views of the Trading Estate to be seen from Common Road within the Green Belt. The loss of this strong buffer / boundary to the adjacent Green Belt is not supported. Such development would be in conflict with Policy CS19 ‘Green Infrastructure’ of Rotherham’s Core Strategy.

Notwithstanding the above, and as noted previously, the majority of the site is within the Green Belt. Therefore the remainder of this section will assess the development’s appropriateness within the Green Belt, any harm likely to arise from the development, and whether the applicant demonstrates very special circumstances that will enable officers to support a grant of planning permission for this a scheme that lies predominantly within the Green Belt.

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

Paragraph 79 of the NPPF sets out the Government's approach to the Green Belt and states: "The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belts are their openness and their permanence."

Paragraph 89 states "A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are (amongst other things):

limited infilling or the partial or complete redevelopment or previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."

It is noted that part of the application is on the site of a former scrap yard and builder's storage yard within the Green Belt. Detailed consideration has been given in the assessment of the application as to whether this land should be classed as previously developed land.

The Glossary in the NPPF states: "Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure This excludes land that ...was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time."

Whilst there is a concrete hard standing associated with the former scrap yard uses on part of the application site, this hard standing is not "associated fixed surface infrastructure" i.e. it is not associated to any buildings, and there have been no 'permanent' buildings located on this part of the overall site. As such, there is doubt as to whether it should be classified as previously developed land given its location within the Green Belt and the lack of any buildings within the curtilage of the hard standing.

A detailed search of the previously developed land issue has provided one Appeal Decision: APP/K3415/A/13/2195724: Olde Corner House Hotel, Walsall Road, Muckley Corner, Lichfield, WS14 0BG. This appeal decision relates to a proposal for development within the Green Belt and is of importance to the consideration of the current application. Paragraph 5 of the decision states: The appeal site forms part of a much larger car parking area which previously served the adjacent hotel/restaurant...in this instance the Inspector considered that the site was indeed previously developed land, presumably as it was associated with the permanent building, being the hotel/restaurant.

Notwithstanding the view that the former scrap yard site is not previously developed land, in order to assess whether or not it is inappropriate development, it is necessary to assess its impact on the openness of the Green Belt and the purpose of including land within it compared to the existing development. In paragraph 6 the Inspector in the Lichfield decision considered paragraph 79 of the NPPF and one of the essential

characteristics of the Green Belt is its openness. This is a matter of physical presence rather than its visual qualities. The site does not contain any buildings. Even if it were used for longer term parking in the future, the land would have a more open character than if there was a building on it. The Inspector stated that whilst the purpose of including land within the Green Belt would not be harmed the proposed dwelling would inevitably reduce and harm the openness of the Green Belt to a modest degree by reason of its additional bulk and its siting on land which is free from buildings. In paragraph 9 the Inspector concluded that the proposed development would result in a modest harm to the openness of the Green Belt than the existing development. It follows then that it would be inappropriate development within the Green Belt and would conflict with national guidance. The resultant harm is given substantial weight in determining the appeal.

It is considered that this appeal provides clear guidance in considering the application for a Gospel Hall and associated car parking (144 spaces) predominantly within the Green Belt.

The applicant asserts that the majority of the Gospel Hall will be on previously developed land that is within an Industrial and Business allocation on the adopted Unitary Development Plan. Whilst part of the building is on land allocated for Industry and Business use on the UDP, a significant part of it (approximately 45%) would be in the Green Belt. It would be located on that part of the site that was formerly used for commercial purposes, though is currently vacant and contains no buildings.

A review of the former scrap yard reveals that it was originally granted planning permission (KP1960/1084) in 1960 prior to the current detailed boundary of the Rotherham Green Belt being adopted in 1990. The adoption of the Green Belt followed extensive consultation and Examination by an independently appointed Planning Inspector and in full awareness of this extant planning permission and active use on site, the Council determined that the former scrap yard site should be included within the Green Belt. No buildings were developed within the scrap yard at that time, however following the grant of planning permission (on Appeal), for a builders' yard including sales to the public, on part of the site (RB2000/1137), temporary portacabin type structures are visible from the aerial photographs and Google Earth photographs associated with the use of the land at that time. These structures are no longer on site.

In determining this Appeal, the Inspector at paragraph 10 states "...the other works proposed to the site boundary would significantly improve its appearance, and provide an opportunity to reduce the impact of the appeal site on the visual amenities of the Green Belt." Further in paragraph 13 the Inspector states: "However the Council accepts that little can be done about the permitted use as a scrap yard. Since this use could be resumed, I do not consider that the appeal would perpetuate inappropriate development on this Green Belt site...but this does not amount to a positive factor in favour of the proposal. It has been explained that it is considered that the builders' supplies yard has no greater impact on the openness of the Green Belt than the previous use: this though indicates an absence of actual harm rather than benefit."

A subsequent planning permission RB2004/2282 was granted for a building for depolluting end of life vehicles and for the erection of security fencing around the scrap yard. This permission was not implemented and the building not constructed, however the permission was associated with the long term established use relating to end of life motor vehicles/ scrap yard activity. This search of historical planning permissions and

in-depth review of the aerial photographs confirms that there have been limited built structures on this site and that even though one building was granted permission to support the extant scrap yard activity on site, this permission was not implemented and the openness of the Green Belt has been maintained.

It is considered that the building as a whole (which whilst not wholly within the Green Belt would still have an impact on its openness) would have a greater impact on the openness of the Green Belt in this location than the former commercial use (currently vacant). As such, in accordance with paragraph 89 of the NPPF, the proposal represents inappropriate development in the Green Belt.

In respect of the remainder of the site, the current planning application proposes to provide the majority of its car parking (tarmac and block paving), on Green Belt land - currently in agricultural use. Paragraph 90 of the NPPF notes that certain other forms of development are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt, and include engineering operations (such as the formation of the car parking / access road areas). It is considered that the provision of such a large parking area (total 144 spaces) would indeed have an adverse impact on openness, particularly when fully parked up. In addition, such development would result in an urban feel to this currently open site, thereby conflicting with two of the purposes of the Green Belt as set out in paragraph 80 of the NPPF, being the checking of the unrestricted sprawl of large built up areas and assisting in safeguarding the countryside from encroachment.

With regards to the bund, fence and security fence it is noted that the bund would constitute engineering operations and the fence and security fence would constitute a building operation. It is considered that the bund together with the fence, given its height at four metres would indeed have an adverse impact on the openness, in particular the fence which would have an urban appearance, thereby conflicting with the same two purposes of the Green Belt as detailed in the previous paragraph. It is further considered that the security fence at almost 3 metres in height along the front boundary of the site would also impact on the openness of the Green Belt.

With regards to the balancing pond this would constitute an engineering operation. However, it is considered it would not have an adverse impact on the openness of the Green Belt and would not conflict with any of the purposes for including land within the Green Belt.

It is therefore considered that this planning application would, by virtue of the scale and massing/ bulk of the proposed building, level of parking provision and the bund and fencing would lead to significant harm to the openness of the Green Belt when considered against the policy framework provided in the National Planning Policy Framework.

It is also of note that the site is not proposed to be released from the Green Belt in the emerging Sites and Policies Document. The Council is proposing to undertake Pre-Submission consultation commencing late July 2015.

As it is concluded that the proposal represents inappropriate development in the Green Belt, the applicant should provide the very special circumstances to justify the harm caused by this inappropriate development, and any other harm including the impact it

has on the openness of the Green Belt and the impact on the Green Infrastructure corridor in this location. Paragraph 87 states “As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” Paragraph 88 of the NPPF states: “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

Reference by the consultants is made to NPPF paragraph 28 that supports economic growth in rural areas and the retention and development of local services and facilities including places of worship. The Springvale Gospel Hall is however a sub-regional Church with no direct cultural links to the local communities of Dinnington and North Anston, which are not rural in nature. In their Planning Statement the applicants reference paragraph 37 of the NPPF re: the balance of land uses and minimising journey lengths, the Planning Statement also makes clear that the Brethren have moved out to South Rotherham to be nearer to a school that they have located within the Hellaby Industrial Estate.

The land at Common Road has been purchased by the Brethren and they have submitted previous applications to develop on this land within the Rotherham Green Belt despite the Council’s repeated opposition to such proposals, and the refusal of a previous application. In order to demonstrate very special circumstances, the planning application purports to consider the need for this type of development, and to demonstrate that this use could not be accommodated elsewhere.

In terms of the need for this type of development, it appears that the Brethren are anxious to sell their current Gospel Hall site at Carter Knowle Road in Sheffield. They consider the site to be isolated and it is no longer deemed sustainable in terms of the travel distances undertaken by the Brethren, a number of whom have (as already noted above) moved to be nearer to the Brethren school at Hellaby Industrial Estate. The numbers of the congregation who have moved is not noted. The Planning Statement also notes that a number of the Brethren undertake relatively challenging journeys to access the current Gospel Hall through congested urban areas and residential roads. It is considered that these issues do not demonstrate very special circumstances. Whilst the applicant on behalf of the Brethren claims that the development of a Gospel Hall in South Rotherham is of wider strategic value, it is considered that the benefits to the wider Rotherham economy do not demonstrate the very special circumstances for building on the Green Belt in Rotherham.

It is accepted that the applicants are proposing to deal with any contamination arising from previous activities of the former scrap yard but this too is not considered to be of sufficient substance to grant planning permission for the Gospel Hall and substantial car parking partially within the Green Belt given the significant harm to the openness of the Green Belt.

The applicant has provided details of a number of sites that have been explored, including details of why they were discounted. Asset Management Teams within each Local Authority within the catchment area have been consulted and a sequential assessment of sites has been submitted to support this planning application. The applicants conclude that there are no suitable alternative sites within the specified area of search. Given that the applicants have been seeking permission to develop on this

Green Belt land at Common Road for a number of years, the Council are aware of how committed they are to developing this particular site and there are concerns that within the wider catchment area the applicants have been unable to demonstrate a single suitable alternative location or sites within which to locate a new Gospel Hall. The previous proposal for a Gospel Hall on land adjacent the site to the west also included a new school, and the provision of the Gospel Hall on its own would require less land take up, hopefully increasing the potential number of sites to be assessed.

It is not appropriate to question the thoroughness of the evidence submitted but the application site is relatively small and it is concerning that no alternative site is available that is outside of the Green Belt. The applicants present comprehensive reasons for there being no suitable alternative sites but, given the importance of National Green Belt policy, the Council has to weigh all matters carefully before reaching a final decision.

As already noted it is unclear as to the reasons why the site at Carter Knowle Road is no longer suitable as a sub-regional meeting hall. No information is provided on the growth in the congregation. Whilst the applicant claims that the Carter Knowle Road site is needed to meet Sheffield City Council social and economic objectives (the site has been proposed for residential development by the Brethren in the emerging SCC Local Plan) this is not an issue for Rotherham Council.

The applicants also claim that the Council need to review their recently adopted Core Strategy to accommodate a further 3,000 homes, though at this time this is not the case and is highly unlikely to be so. The applicants claim that there are sustainability advantages for developing a new Gospel Hall in the south Rotherham Green Belt that are outweighed by the lack of sustainability credentials of the current location of the Gospel Hall at Carter Knowle Road, Sheffield, are not supported.

The applicants are promoting the development of a significant building in terms of scale and massing/bulk that is within and immediately adjacent to the Rotherham Green Belt with security fencing around the Gospel Hall and significant agricultural land take to provide a tarmacked and block paved parking area.

It is considered that the proposals presented do not restore the land to an open use but exacerbate the impact of inappropriate development within the Green Belt. Paragraph 7.13 of the Planning Statement states: that this application is justified as a range of environmental enhancements, sustainability advantages, wider planning policy objectives and lack of significant and demonstrable harm is evident. In the absence of such harm, the application should be approved. Having regard to the above it is considered that this is clearly not the case for the following reasons:

- i) The proposals will cause significant harm to the openness of the Green Belt by virtue of their scale and additional bulk and their siting on land which is free from buildings.
- ii) It follows then that the development of the Gospel Hall and associated car parking is inappropriate development within the Green Belt and would conflict with national guidance.
- iii) That very special circumstances have not been demonstrated to the satisfaction of the Local Planning Authority to the extent that they clearly outweigh the significant harm to the openness of the Green Belt arising from bulk and scale of the proposals and the conflict with the Framework.

Therefore it is concluded that having regard to the above no very special circumstances have been demonstrated to overcome the harm caused by the inappropriate development, and other harm caused, and by way of its size and location the proposed development would have a materially adverse effect on the openness and visual amenity of the Green Belt and would thereby be in conflict with Policy CS4 'Green Belt' of Rotherham's adopted Core Strategy and the guidance contained within the National Planning Policy Framework.

Design of the proposals

The NPPF at paragraph 17 details 12 core planning principles, one of which states planning should always seek to secure a high quality of design. Paragraph 56 further states: "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people." Paragraph 64 adds that: "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

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 with 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."

The applicant in their supporting documents state that the Gospel Hall is a relatively simple building constructed in a mixture of metal cladding and brickwork, and the design of the building is of an agricultural barn like appearance. The applicant intends to site the building to the south-east corner of the site a generous distance from Common Road, with a good amount of screening and planting to try and minimise the visual appearance of the building and provide biodiversity gain. However, it is considered that its design and size ensures it looks more like a commercial building. Such a design is considered to be detrimental to the character and appearance of this rural location and is considered to be out of keeping with the open nature of the area. If it was accepted that a building of this nature could be sited in this location, it is considered that it should be more architecturally striking in terms of design and materials, as was proposed on the previous scheme on the land to the west. That application was not refused on design grounds.

As such the design of the building is considered to be in conflict with the guidance contained within the NPPF and policy CS28 of the Council's adopted Core Strategy.

Landscaping of the site

The applicant has provided a landscape and visual appraisal as well as detailed landscaping scheme. The landscape scheme is based on a developed Landscape Strategy that evolved from Design Cues and Coding generated at the early stages of the design development. In particular, due attention was paid to boundary planting, hard surfaces and earth mounding.

The design of the landscape proposals have developed based on the concept of seamlessly integrating the scheme into the landscape character of the broader area of Central Rotherham Coalfield Farmland. A planting palette is suggested that introduces new native planting of trees to replace the ageing structure of the existing tree cover and makes reference to the historic field patterns. Hawthorn hedges will be introduced on newly formed boundaries and will be used to thicken up intermittent existing hedges. A palette of small to medium sized ornamental trees has been selected to provide colour and relief to the hard edges and surfaces within the development. Low hedges are used sparingly within the development to soften edges of the car park and access road. These will be maintained to a maximum height of 1.0m to enable natural surveillance.

There are a number of small shrub beds throughout the car park and adjacent to certain buildings. These will be planted with low growing ground cover shrubs

The main carriageway into the site will be of bitmac. The main car park will also be in light grey bitmac with permeable block paving bays and footpaths leading to the main building. The footpaths will be surfaced with a variety of block paving and every endeavour will be made to incorporate SUDS where practicable.

There is an opportunity to re-grade the ground immediately adjacent to Common Road and the northern boundary. The sculpted bund will assist in providing noise attenuation as well as climatic and visual screening to the site. The earth mound can incorporate native whip planting and relate to the overall nature of the adjacent disused railway embankment.

The Landscape Design department of the Council have confirmed they have considered the landscape and ecological enhancements, which are offered as mitigation for the loss of the former railway embankment vegetation. The scheme is considered to result in minimal narrowing of the former embankment and a reduction in the loss of some vegetation. In regard to the above and the submitted landscape and visual information, the Council's Landscape Design department are generally supportive of the scheme, and would not object to any formal consent on Landscape grounds as the scheme would comply with the requirements outlined within Core Strategy policy CS21 'Landscapes'.

In addition to the above the Council's Trees and Woodlands Service have stated that the amended detail result in a reduction to the loss of some of the existing vegetation towards the former railway embankment and includes further landscape and ecological enhancements, offered as mitigation and, in principle this is welcomed. However, the retention and enhancement of the existing vegetation remains desirable, if possible in order to retain a strong green belt boundary and green infrastructure corridor between the site and the North Anston Trading Estate to the north. Therefore, not all of their previous concerns regarding the full impact of this development on local amenity have been overcome.

Impact on residential amenity

In respect of residential amenity, the NPPF at paragraph 17 states development should achieve a good standard of amenity for all existing and future occupants of land and buildings. Further to this 'saved' UDP policy ENV3.7 'Control of Pollution' states the Council will seek to minimise the adverse effects of nuisance, disturbance and pollution

associated with development and that planning permission will not be granted for new development which is likely to give rise to noise, light pollution, pollution of the atmosphere, soil or surface water and ground water.

The area surrounding the site is commercial / industrial and agricultural fields in nature however there is a residential property approximately 35m away from the proposed site known as Brickyard Cottage. The proposals may therefore have an impact on the nearby residential property and a noise impact assessment was requested and submitted to assess the different types of noise sources from the site which could potentially affect the nearby residential dwelling.

The World Health Organisation: 2000 noise criteria for sleep disturbance inside bedrooms has been used to assess the impact the early morning service on a Sunday will have on the occupiers of Brickyard cottage.

The Church will have outdoor chillers / condensers for air conditioning as the building will have no windows. There will be noise from arrival and departure of cars and voices. The site has 144 car park spaces however it is anticipated that on a Sunday there will be no more than 14 private cars arriving for the 06:00 hours service.

Singing will take place inside the church as part of the service but it will not be accompanied by any musical instruments. There will be no voice amplification or outdoor singing taking place on site and the church will not be used for any purpose other than the services and meetings of the Christian Community and it will not be used by any other organisation or hired as a function venue.

Noise data for vehicles arriving and departing from a site were taken from a busy McDonald's outlet in Leeds as a worst case scenario. Attempts were made to get this noise data from a similar church site in Rotherham but the results obtained measured as being 'too low' to measure against the background due to sound from other road traffic on adjacent roads.

The sound generated by the outdoor air conditioning units is quoted by their supplier as being a sound pressure level of 76 dBA at 1m.

There was no audible or measurable sound outdoors at 1 metre from the outer wall of the Rotherham church caused by voices inside the building. The inaudibility of voices is to be expected when the sound insulation of the building is taken into account. The Rotherham building has double leaf masonry outer walls and a pitched tiles roof with an independent ceiling as is proposed at Common Road, North Anston.

It is predicted that the outdoor sound level at 1 metre from the walls of the building caused by singing inside the building, will not exceed 33dBA at any time.

The applicant is proposing landscape earth mounding along the boundary of the car park with Common road i.e. between the sound sources and the dwelling with a fence to an acoustical standard along its ridge. The overall height of the earth bund and fence is proposed at 4.0 above ground level which will give an overall sound reduction of 10dBA. This barrier reduction has been taken into consideration when calculating the noise levels at the nearest noise sensitive property and so will need to be erected for the assessment to be accurate and valid.

Early morning noise from vehicles has been calculated as 27dB LA_{eq}(5min) and the outdoor maximum sound level at the first floor of the dwelling has been predicted at 44-47dBLA_{max}.

The overall plant sound at the dwelling has been calculated as 16 dBA and sounds from church interior to the dwelling has been calculated as 9dB LA_{eq}(5min). Sounds from within the church will be entirely inaudible at the dwelling against the background sound at any time of day or night.

The BS4142 assessment calculates the rating level as 33 dB i.e. 27dBLA_{eq}(5min) plus 6dB correction for the impulses which will be perceptible at the dwelling and the background noise level at 06.00 hours was measured as being 33dB. The BS4142 assessment concludes that the impact of sound from sources at the church during the service at 06.00 hours on Sundays is predicted equal to the background sound level so there will be "low impact" at the dwelling.

The assessment for sleep disturbance predicts the noise levels inside the bedroom of the dwelling with windows open as 15 dB LA_{eq} and 32-35 dB LA_{max}. The predicted indoors noise levels are well below the thresholds at which sleep is disturbed so the occupiers of the dwelling will not be affected by the proposals.

It is noted that the development will introduce new sound sources so there is potential for noise disamenity especially if the earth bund and the acoustic fence are not provided on site as all the predictions in the noise assessment include the sound attenuation that the barrier will provide.

The site will also have floodlights in the car park so there is also potential for light disamenity.

In light of the above, the Council's Environmental Health department have recommend that if planning permission is granted in relation to this application, conditions should be incorporated in order to ensure;

- the proposed earth bund and fence be provided before the use commences;
- the acoustic fence is constructed to an acceptable standard and maintained for the life of the development; the condensers are installed as stipulated;
- the building is not available for hiring out; no amplified music or singing outdoors;
- the hours of use limited to between 07.00-22.00 hours Monday to Friday, 07.00 - 18.00 hours on a Saturday and 05.30- 19.00hrs on a Sunday; and
- the floodlighting system shall only be in operation / switched on when the church is in use and no direct light from the floodlighting system shall be visible from the highway directly and there shall be no visual light intrusion to neighbouring residential property.

In light of the above it is considered that the proposed use would have no adverse effect on the amenity of the neighbouring property in terms of noise disturbance at unsocial hours or light pollution from cars visiting the site.

In respect of the of the impact of the proposed built form of the church on the amenity of the neighbouring residential property, it is considered that it is of a size, scale, form,

massing and distance from the residential property, that together with the proposed boundary treatment and landscaping would have little impact on the outlook from the property or give rise to any overlooking / privacy issues.

It is therefore considered that the proposed built form and proposed use of the church would be in compliance with the requirements detailed within the NPPF at paragraph 17 and 'saved' UDP policy ENV3.7.

Highway issues

The Council's Transportation Unit have appraised the Transport Assessment submitted in support of the application and they are content that the existing highway network is capable of absorbing the anticipated trips likely to be associated with the development.

They did however query the anticipated number of families attending (138) and the amount of car parking provided (125 spaces). The applicant clarified this mismatch by stating that the figure comes from a questionnaire survey and represents the actual number of families within the catchment of the existing facility. They further state that the design figure of 125 comes from the client and represents the typical maximum level of attendance for the proposed facility. The Transportation Unit also queried the purpose of the coach parking.

The applicant has submitted a revised site layout plan showing the coach parking omitted and the car parking increased to 144 spaces. The Transportation Unit are content with the level of parking on the basis of the revised layout.

The Transportation Unit also stated that the Todwick Road – Common Lane junction does not facilitate large vehicles when turning out of Common Lane towards the A57 or into Common Lane from Dinnington without encroachment into oncoming traffic. Indeed the previous application included measures to improve the junction radius which does not appear to be included in the current application.

The applicant has stated in regard to the above that the junction was considered in some detail in respect of the previous application which included a school as well as the Hall. This application is only for a Hall and it is stated that larger vehicles have not been seen at the existing Hall for over 7 years and thus the applicant considers it to be inappropriate to request any amendments to the junction on this application.

With regard to the submitted supporting information and amended site layout plan the Council's Transportation Unit, subject to conditions are satisfied that the proposal would not have a significantly detrimental impact on the surrounding highway network or the safety of its users.

Other considerations

It is noted that in respect of potential land contamination of the site, the site was predominantly agricultural land comprising of 3 fields until approximately 1928. During 1928 a railway embankment and line was constructed within the north eastern perimeter of the site. By 1958 the railway line is no longer showing on the historical maps and it is assumed to have been dismantled. Historical surrounding land uses have included a brick works with excavations to the south and agricultural land uses to the west.

It is considered there may be some potential for contamination to exist within the surface soils at the site associated with the following sources:

- Presence of naturally occurring metals in the soil.
- Presence of organic substances in the soil associated with the sites agricultural use.
- Presence of total petroleum hydrocarbons (TPHs) and polycyclic aromatic hydrocarbons(PAHs) and asbestos associated with the dismantled railway line.
- The site is also located in an area of moderate susceptibility to methane and carbon dioxide gas from underlying coal measure rocks and a former nearby landfill site.
- Reference has been made to the site having past planning permission for a vehicle dismantling yard. It is not known whether such works were undertaken at the site or not. If so a number of contaminants are likely to be present.

It is also considered there may be a risk to human health and controlled water receptors from contamination at the site. For this reason site intrusive investigation works should be undertaken to assess for the presence and extent of contamination along with the risks posed by ground gases. Remediation works may be required to bring the site to a suitable condition to be protective of human health for its proposed end use.

Further to the above SYAS have acknowledged that there is evidence of the prehistoric agricultural landscape is known from cropmark evidence - features visible under particular crop conditions and recorded in aerial photographs.

A recent project reviewed and plotted all archaeological aerial photographic data from that part of South Yorkshire lying within or adjacent to the Magnesian Limestone area. This study has demonstrated that the application area sits within a wider prehistoric and Roman landscape. In the surrounding fields, a significant number of prehistoric cropmark are known, although the details of the contemporary landscape are not well understood. There is, therefore, potential for important remains relating to the prehistoric period to exist on this site and groundworks associated with the development could destroy finds and features of potential archaeological importance. As such, a scheme of archaeological work is required to ensure any remains present on this site are recorded, as mitigation. SYAS recommends that the necessary archaeological investigation can be secured by attaching a recommended condition.

In respect of ecological issues, the site is known to have a number of habitats of species. The Council's Ecologist has stated that the ecological information submitted raises a number of issues. However, a condition has been recommended to support the detailed delivery of the necessary biodiversity mitigation and the recommended biodiversity gain. Therefore, subject to the condition being satisfied the scheme would comply with the NPPF and Core Strategy policy CS20 'Biodiversity and Geodiversity'. It is also of note that the applicant's during discussions are keen to ensure that the scheme does provide biodiversity enhancements and gains.

In terms of the site drainage, the Council's Drainage Engineer has indicated that the principle for the surface water drainage is satisfactory. There have stated that they also require more details from the applicant, which is listed below:

- All discharges into the adjacent watercourse shall be restricted to a maximum of 5 litres/sec/Ha. Permission to discharge to the watercourse must be obtained from the Drainage Section, Streetpride.
- Details of where the foul drainage will discharge is required.
- Latest Drainage Layout is required.
- Petrol Interceptors required for car park area.
- Some flooding from the watercourse to the north of the development occurs. The applicant should demonstrate how the site will not be affected e.g. will the attenuation pond be adequate, flood route drawings etc.

Some of the above could be informatives while other requirements could form conditions should the application be approved.

Conclusion

In conclusion it is considered that the proposed erection of a Gospel Hall and associated car parking and bund/fencing would constitute inappropriate development within the Green Belt which would have an adverse impact on the openness of the Green Belt in this location. Additionally it is considered that the development of the land allocated for Industrial and Business use would be in conflict with the requirements of the relevant 'saved' UDP policy and will result in the loss of a Green Infrastructure asset in the form of the naturally regenerated former railway line and impact on the adjacent Local Green Infrastructure Corridor (9 – Anston Brook/Sandbeck). In addition, the development would remove a buffer that currently acts as a strong Green Belt boundary / buffer to the adjacent North Anston Trading Estate, thus enabling views of the Trading Estate to be seen from Common Road within the Green Belt. Finally, due to its size and plain design the building looks more like a commercial building that is out of keeping with the character and appearance of the area.

As has been assessed at length above, it is considered that the applicant has not demonstrated that very special circumstances do exist which would outweigh the harm caused to the Green Belt, and the other harm caused as set out above, and as such it is recommended that the application be refused on these grounds.

Reasons for Refusal

01

The proposed development represents inappropriate development in the Green Belt and no very special circumstances have been demonstrated to overcome the harm caused by the inappropriate development, and other harm caused, and consequently the proposal is in conflict with the guidance contained within the National Planning Policy Framework and policy CS4 'Green Belt' of Rotherham's adopted Core Strategy.

02

It is considered that by way of its size and location the proposed development would have a materially adverse effect on the openness and visual amenity of the Green Belt and would thereby be in conflict with the guidance contained within the National Planning Policy Framework and Policy CS4 'Green Belt' of Rotherham's adopted Core Strategy.

03

The development of the land allocated for Industrial and Business use would not provide adequate arrangements for the parking and manoeuvring of vehicles associated with it, would have an adverse effect on the character of the area and would not be compatible with adjacent existing and proposed land uses. Additionally, the proposal would not provide significant employment opportunities within the area. As such the development of the land allocated for Industrial and Business use would be in direct conflict with 'saved' UDP Policy EC3.3 'Other Development within Industrial and Business Areas'.

04

The development of the Gospel Hall on part of the former railway line, which has naturally regenerated and constitutes a Green Infrastructure asset, would have an adverse impact on such asset and would also impact on the adjacent Local Green Infrastructure Corridor (9 – Anston Brook/Sandbeck). In addition, the development would remove a buffer that currently acts as a strong Green Belt boundary / buffer to the adjacent North Anston Trading Estate, thus enabling views of the Trading Estate to be seen from Common Road within the Green Belt. Such development would be in conflict with Policy CS19 'Green Infrastructure' of Rotherham's Core Strategy.

05

It is considered that the design and size of the proposed Gospel Hall would be visually harmful to the rural character and appearance of the site and the surrounding area. As such the design of the building is considered to be in conflict with the guidance contained within policy CS28 of the Council's adopted Core Strategy and the NPPF.

POSITIVE AND PROACTIVE STATEMENT

Whilst the applicant entered into pre application discussions with the Local Planning Authority, these identified that it is not possible to support a scheme of this nature nor would any amendments make it acceptable, due to the issue of inappropriate development in the Green Belt. The application was submitted on the basis of these discussions and it was not considered to be in accordance with the principles of the National Planning Policy Framework resulting in this refusal.