

**REPORT TO THE PLANNING REGULATORY BOARD TO BE HELD ON THE
8TH OCTOBER, 2015**

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

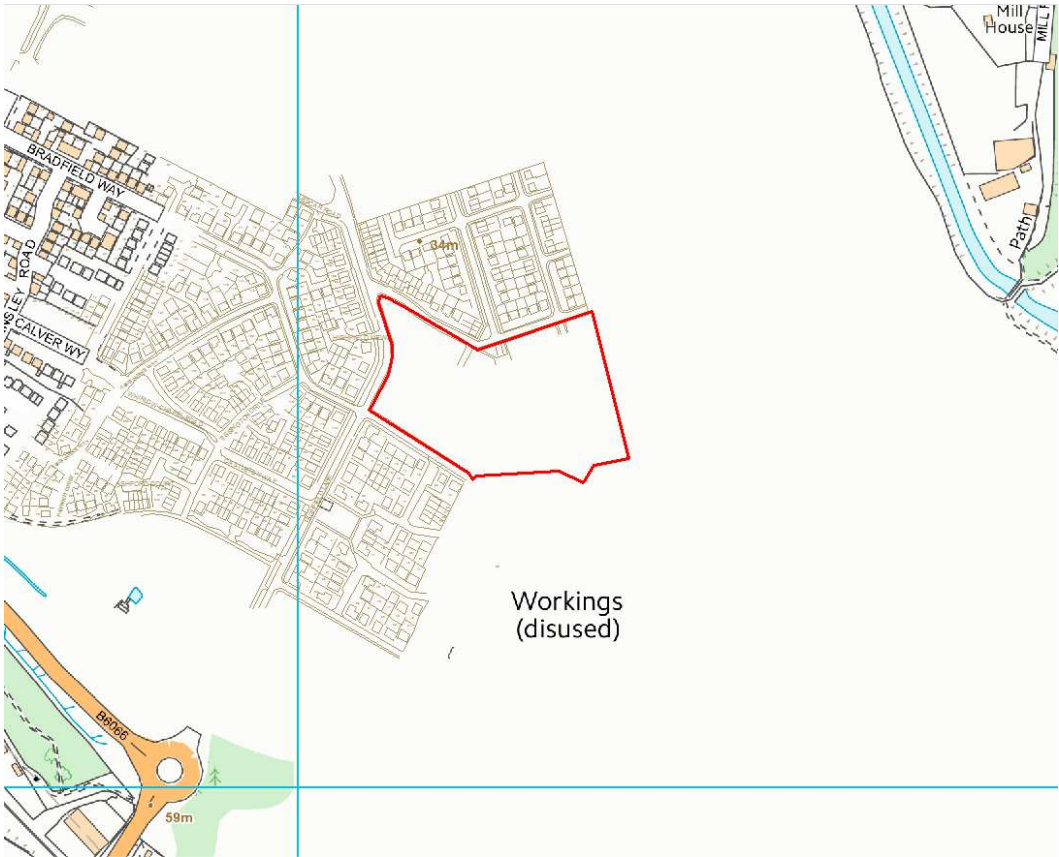
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REPORT TO THE PLANNING REGULATORY BOARD TO BE HELD ON THE 8TH OCTOBER, 2015

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

Application Number	RB2015/0960
Proposal and Location	Details of the erection of 126 No. dwellinghouses (reserved by outline RB2014/0775) at Waverley New Community, Highfield Spring, Waverley for Barratt and David Wilson Homes
Recommendation	Grant subject to conditions



Site Description & Location

The site forms part of the wider Waverley New Community and comprises of a parcel of land known as Phase 1E. It is located off the recently constructed Highfield Lane, between an earlier Barratt’s development to the south (Phase 1D) and the recently approved Harron Homes development to the north (Phase 1F), both of which are still under construction and comprises of 2, 2.5 and 3 storey dwellings. The site has an irregular shape and extends to approximately 2.74 ha in size. Existing road infrastructure, albeit in part, exists to the north, south and west.

Development immediately west of the development comprises of two and three storey detached and semi-detached dwellings, all of which are now occupied.

A number of residential estates surround the wider site including Orgreave, Catcliffe, Treeton and Handsworth and the Advanced Manufacturing Park (AMP) lies to the north-west of the site, beyond Highfield Spring. Other nearby development along Highfield Spring includes a public house and Sheffield University's training centre.

Background

The site has an extensive history of coal mining and associated industrial activity dating back over 200 years. In conjunction with coal mining taking place, a coke works and bio product plant was built in 1919 and operated until its closure in 1990. Since then a number of planning applications have been submitted for the reclamation and remediation of the site.

Following completion of the remediation works, a number of applications were submitted relating to a new community, the relevant ones are listed below:

- RB2008/1372: Outline application with all matters reserved except for the means of access for a new community comprising residential (3890 units) commercial development (including office, live/work, retail, financial and professional services, restaurants, snack bars and cafes, drinking establishments, hot food takeaways, entertainment and leisure uses and a hotel) and open space (including parkland and public realm, sport and recreation facilities), together with 2 no. 2 form entry primary schools, health, cultural and community facilities, public transport routes, footpaths, cycleways and bridleways, landscaping, waste facilities and all related infrastructure (including roads, car and cycle parking, gas or biofuel combined heat and power generation plant and equipment, gas facilities, water supply, electricity, district heating, telecommunications, foul and surface water drainage systems and lighting). - GRANTED CONDITIONALLY on 16/03/2011
- RB2011/1296: Application under S73 with variation to Conditions 5, 6, 17, 18, 29 (imposed by RB2008/1372) - GRANTED CONDITIONALLY on 30/11/2011
- RB2012/1428: Application under S73 with variation to Condition 26 of RB2011/1296 to increase the trigger point for the implementation of improvements to the A630 Parkway/B6533 Poplar Way/Europa Way junction including details of the works to be undertaken. - GRANTED CONDITIONALLY ON 26/04/2013
- RB2013/0584: Non-material amendment to application RB2012/1428 to include amendments to Conditions 03, 04, 26 and 48 - GRANTED CONDITIONALLY on 26/09/2013
- RB2013/1496: Non-material amendment to RB2012/1428 to change wording of Condition 48 to allow Masterplan Parameters to be updated – GRANTED CONDITIONALLY on 27/11/2013
- RB2014/0775: Application under Section 73 for a minor material amendment to vary conditions 01-06, 08, 12-15, 18, 19, 25, 33, 35, 43, 44, 47 and 48 imposed by RB2012/1428 (Outline application for Waverley New Community) including alterations to the Design & Access Statement & Parameter Plans, the Surface Water Strategy, and with an increase in the trigger points for the submission of an alternative transport scheme to the Bus Rapid Transit and for improvements

to the B6066 High Field Spring/Brunel Way – GRANTED CONDITIONALLY on 29/09/2014

Proposal

The application is for the approval of reserved matters for part of the scheme approved under outline permission RB2014/0775, for Phase 1E of the wider Waverley development. The design of this phase of development is subject to the design code approved for the Waverley Central Character Area. All matters were reserved at the outline stage and this application seeks approval for details relating to access, appearance, landscaping, layout and scale.

The application seeks permission for 126 residential units consisting of a mixture of 2 bed apartments and 3 and 4 bed houses which are 2, 2.5 and 4 storeys in height. In accordance with the outline permission, 10% affordable housing is provided which equates to 13 no. units, comprising of 8no. 2 bed dwellings, 4 no. 3 bed dwellings and 1no 2 bed flat over a garage. Vehicular access will be provided from Highfield Lane. A number of secondary and tertiary roads will feed off Highfield Lane into the development itself.

The layout can be summarised as follows:

- 42 no. 2 bed apartments, 8no. 2 bedroom dwellings, 58 no. 3 bedroom dwellings and 18 no. 4 bedroom dwellings;
- Mixture of 2, 2.5 and 4 storeys in height;
- The inclusion of a strong street-side edge comprising a continuous frontage and enclosure along the perimeter of the character area.
- The creation of a key street that links the main components of the new community comprising of high quality public realm with a distinct semi-detached/detached built form.
- Materials include red and buff brick with white render along Waverley Walk.
- Car parking will be provided via rear car parking courts for dwellings fronting Highfield Lane, rear and front parking bays on 'internal streets' together with on plot driveways with integral garages.

In support of the application, the following documents have been submitted:

Design and Access Statement provides information relating to the design evolution and rationale behind the development and how it complies with the Waverley Central Design Code taking account of the relevant national and local planning guidance and policy.

Ecological Checklist confirms that disturbance/displacement of ground nesting birds, reptiles and brown hare are the main biodiversity implications however an ecological clerk of works will be appointed to undertake checking surveys prior to commencement and during peak breeding/dispersal periods.

Flood Risk Assessment Addendum has been prepared in relation to the original FRA dated Oct 2009 and its May 2014 update. It concludes by stating

'The extent of Plot 1E is identified, by the Environment Agency's Statutory Flood maps, as being within Flood Zone 1. The risks of flooding to the site and those arising from the proposed development have not changed from those identified within the original FRA.'

Based on the proposed surface water drainage provision for Plot 1E it is considered that the proposed layout and drainage provision does not affect the flood risk to the development.'

Noise Statement concludes by stating 'The findings of the assessment identified that no noise control measures, such as enhanced glazing or alternative ventilation, were required throughout the Phase 1a site. This was also concluded for Phases 1b – 1d and 1f - h. As the Phase 1e area is located further away from existing and reasonably foreseeable future noise sources, it is therefore considered that no noise control measures will be required. In terms of the wider WNC development, specific details relating to the proposed uses in these areas may change in the future. However, based on an indicative scheme masterplan, the immediate area surrounding the Phase 1e site is likely to principally comprise residential properties and an internal road. Therefore, no specific regard to the detailed scheme masterplan for the Phase 1e area is required.'

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 unallocated in the UDP. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

CS21 'Landscape'
CS28 'Sustainable Design'

Unitary Development Plan 'saved' policy(s):

HG5 'The Residential Environment'
T8 'Access'

Other Material Considerations

National Planning Practice Guidance (NPPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when this site was launched.

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

The application has also been assessed against the requirements of the:

South Yorkshire Residential Design Guide.

Rotherham's Interim Planning Statement on Affordable Housing.

The Council's Parking Standards (approved in June 2011).

Publicity

The application was advertised in the press and by individual letters to neighbours. Site notices were also erected on site. A total of 12 representations have been received which are summarised as follows:

- Insufficient parking provision for 42 apartments. A minimum of 1 space per apartment plus 0.5 space for visitors should be provided;
- Public transport provision in this area is non-existence and does not outweigh the need for the Council's Minimum Car Parking Standards to be applied;
- The 3no. additional spaces provided after the public consultation event are located in inappropriate places and are an afterthought;
- Entrances to the rear parking courtyards are too narrow for the numbers of vehicles they are supposed to serve;
- A block of 4 storey apartments will not fit in with the surrounding houses and will ruin the appearance of the streetscene;
- Lack of on plot car parking provision will increase on street parking;
- The overall height of the apartments is too high for the width of the road;
- The proposals are not in accordance with the approved Design Code;
- A 3 storey block of apartments would still achieve the desired effect of the streetside edge;
- The overall height of the apartments will severely reduce the amount of natural daylight into adjacent dwellings;
- The provision of apartments wouldn't contribute to a family society;
- The apartments do not have any planned private amenity space;
- If apartments are to be built they should be built further down near the lakes or right on the bottom of the boundary, not towering over and penning in family homes;
- Loss of privacy;
- Overbearing impact;
- Increase in noise;
- The garage to the rear of the houses will encourage crime as insufficient space is available for lighting as well as pedestrian access;
- Between 30-40 people objected to the provision of apartments at the public consultation event, these concerns have not been taken into account;
- Surrounding residents were told future dwellings would not exceed 3 storeys in height;
- The density is not in keeping with the rest of the development;
- Lack of Green space; and

- How in the event of a fire will the Fire Service be able to reach stranded occupants on the upper floors of the? Fire tenders will not be able to access all areas of the site as rear courtyards will have a limited access via low passage ways, & will not be high enough to facilitate Fire tenders.

During the consideration of the proposal, an amended site layout plan was submitted providing an additional 14 car parking spaces. A further round of consultation was carried out resulting in a further 10 letters of representation from 8 separate households which are summarised as follows:

- A further fourteen spaces for parking still remains totally inadequate for such a proposed oversized block of flats;
- There is still insufficient dedicated parking provision for the proposed apartment blocks and it still fails to conform to the councils own minimum standards;
- Four of these spaces have been created by disregarding the (woefully) inadequate green space gesture that Barratt proposes within this development packet, by snatching this green space away, and replacing it with parking spaces;
- Barratt's are trying to create further parking by eating into their limited land packet without reducing the number of flats to maximise their income;
- The proposed location for the 10 parking bays to the north of the site is disjointed from the apartment blocks by distance, therefore the bays will provide overspill parking for cars from Oak Dene Way and Highfield Lane and will not alleviate the lack of parking proposed for the apartments themselves;
- The already small amount of green amenity space provided for these apartments will be decreased by having parking built over it;
- The Ecology document fails to specify in detail the birds, reptiles & hare genus present within the proposed development area;
- The current biodiversity information supplied in their document suggests this is incomplete at present, and also specifies that further surveys are planned later in 2015. If these surveys have not been completed, I would strongly advise from a legal perspective, that no further planning consideration should be given, without ecological completion;
- There is very little green infrastructure within this, and I am not aware of any previous bird/bat boxes ever being put in place by any of the developers. It is also rather alarming that what little green infrastructure that has been proposed in this development, has now been part-utilised as tarmac/paving for parking spaces;
- The current planning proposal submitted has inadequate greenspace. Also, there is no clarification where the nesting and roosting facilities will be. Though acknowledgment of such facilities suggests there will be implications to incumbent wildlife;
- Barratts have gone against the masterplan for Waverley and proposed 4 story flats instead of the 2-3 story maximum as stated in the masterplan.

Consultations

Streetpride (Transportation and Highways): acknowledge that the apartment element of the layout is deficient in parking terms by 2 No. spaces if the minimum standard is to be achieved, however it is not considered that a refusal of planning permission on highway grounds could be justified in this instance subject to the imposition of conditions and the

implementation of waiting restrictions along Highfield Lane in the form of a Traffic Regulation Order.

Neighbourhoods (Housing) accepts that the Affordable Housing requirement will either be met by the delivery of 13 units (10%) on site, or a commuted sum equivalent to 40% of the open market value if the S106 are not purchased by a social housing provider. This 40% of open market value represents the average level of Developer discount offered in this locality. It may be necessary to negotiate a commuted sum in lieu of all of some of the affordable housing units at the time of completion.

Neighbourhoods (Land Contamination) raise no objections to the proposed development subject to the imposition of conditions.

Streetpride (Green Spaces) have confirmed that this submission does not affect previously discussed and agreed open space proposals for Waverley. The D&A Statement confirms that public realm open space will be maintained by a management company to an agreed standard. This is satisfactory.

Streetpride (Landscape Design): raise no objections to the amended layout and landscape plans subject to the imposition of conditions requiring full landscaping details prior to the commencement of development.

Neighbourhoods (Urban Design Officer): has liaised with the applicant throughout the application process and raises no objections to the proposed development following submission of amended plans.

Yorkshire Water confirm that the drainage layout drawing included within the FRA Addendum Report, is the same plan that has been recently agreed in principle in Yorkshire Water's letter dated 20 August 2015, under discharge of conditions application RB2015/1003.

The Environment Agency raises no objections to the proposed development on flood risk grounds provided that Rotherham Drainage Section of RMBC are satisfied with the details submitted for this application.

The Coal Authority confirm that the application site does fall within the defined Development High Risk Area; however, the planning application is for an application type (Reserved Matters) which is listed as exempt from the requirement (under Section 3.3 of The Coal Authority's *Guidance for English Local Planning Authorities*, version 3, 2014).

Sport England raise 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 site has planning permission for residential development as part of a wider mixed use outline planning permission that was originally approved in March 2011 under outline application RB2008/1372 and has been renewed in April 2013 under application RB2012/1428 and again in September 2014 under RB2014/0775. The principle of residential development has therefore been established and is considered to be acceptable.

The main issues in the determination of the current application therefore are the following –

- Design and layout
- Compliance with the Design Code
- Impact on neighbouring amenity
- Highway Safety and Transportation Issues
- Flood Risk and drainage
- Landscaping, Green infrastructure provision and Ecology
- Affordable Housing
- Planning Obligations

Design and Layout

Policy HG5 of the adopted UDP encourages the use of best practice in housing layout and design in order to provide high quality developments. This approach is also echoed in National Planning Policy in the NPPF.

The NPPF at paragraph 17 requires development to always seek a high quality of design, while paragraph 56 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 for making places better for people.” In addition paragraph 57 states: “It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.”

In addition, CS policy 21 ‘Landscapes’ states new development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the borough’s landscapes. Furthermore, CS policy 28 ‘Sustainable Design’ indicates that proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well designed buildings within a clear framework of routes and spaces. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping. Moreover it states design should take all opportunities to improve the character and quality of an area and the way it functions.

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

The application site forms Phase 1E of the wider Waverley development and is located to the east of the previously consented sites which are now partially complete. The layout comprises a mix of apartments, flats over garages, town houses, semi-detached and detached dwellings. The properties are proposed to be 2, 2.5 and 4 storeys in height.

The layout of this phase of development follows the general principles set out in the masterplan in that it incorporates the second section of the 'Streetside Edge' adjacent to Highfield Lane and 'Waverley Walk' which is an important street linking the local centre with the 'Waterside'. The Streetside Edge incorporates 2 no. blocks of 4 storey apartments, interspersed with two and two and a half storey dwellings to create a rhythm to the streetscene. This along with minimal gaps will assist in providing a continuous street enclosure. The use of 2 no. four storey apartment blocks to the Highfield Lane frontage helps to define the outer edge of the Waverley Central character area, creating a strong perimeter structure in accordance with the requirement of the Design Code. The Streetside Edge continues along the southern boundary of the site which provides additional 2.5 storey terraced properties which have been designed and sited as a recurring pattern and with limited variation to give the appearance of the strong perimeter streetscene synonymous with this character area. The Streetside Edge also fronts onto a piece of open space which separates the built development from Highfield Lane and whilst an element of visitor parking has been incorporated into its northernmost edge, remaining space exists to provide a functional area of green space, which will be designed to integrate well into the wider development. All car parking is located to the rear of the dwellings within private parking courts or allocated spaces to allow prominence to the built form. The parking courts are accessed via Highfield Lane and internal estate roads.

Having regard to Waverley Walk, this area is considered to be a key street that links the main components of the new community, passing through the centre of the Waverley Central character area connecting the school to the north with Central Park to the south and eventually the Waterside. The proposed dwellings along this street follow a regular building line and are set back from the footpath to allow for larger front gardens that will be enclosed by a horizontal metal railing. The dwellings themselves have a uniform appearance and comprise typically of white rendered detached units, with the exception of a row of 3 terraced properties on the intersection with the northern access road. Strong avenue tree planting is also proposed. The design and siting of these dwellings, along with the proposed landscaping reflect those previously approved on the northern 'arm' of Waverley Walk and as such will provide the required uniformity to this key street.

The remainder of the development i.e. 'The Internal Streets' are less formal than the Streetside Edge and Waverley Walk and comprise of a mix of building types at 2 and 2.5 storey's in height, including 10.no 2 bedroom flats over garages. A variety of materials, detailing and soft landscaped front gardens without any formal means of enclosure are proposed.

Rear gardens onto internal streets which result from outward facing development benefit from robust boundary treatments comprising 1500 wall with 300 railings.

Having regard to all of the above, it is considered that the layout and design of the proposed development offers an acceptable balance between achieving an efficient use of the land available whilst safeguarding a satisfactory provision of individual private

amenity space for each dwelling. Furthermore, it is considered to accord with the general principles and goals set out in the NPPF and the applicants have demonstrated a concerted effort to achieve a well-designed scheme that creates a differing character that that previously approved on earlier sites as required by the outline consent.

Impact on neighbouring amenity

The NPPF notes at paragraph 17 that: “Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning (amongst others) should:

- always seek... a good standard of amenity.”

The SYRDG further advocates that a common minimum rear garden or amenity space distance of about 10 metres in depth.

The proposed residential units on this phase of development comprise of a mixture of 2 bed apartments and 3 and 4 bed houses which are 2, 2.5 and 4 storeys in height. The site is located to the east of properties along Highfield Lane, which consist of 2, 2.5 and 3 storey dwellings, to the south of Phase 1G which consists of 2.5 and 3 storey dwellings and to the north of Phase 1D, comprising 2 storey detached dwellings. Concerns have been raised by local residents that the overall height of the apartment blocks (4 storey) will severely reduce the amount of natural daylight into adjacent dwellings. These blocks are proposed along the streetside edge and separated from existing dwellings by Highfield Lane, other tertiary roads or planned areas of open space. Properties along the opposite side of Highfield Lane are currently occupied and consist of 2 and 3 storey dwellings, these dwellings are located a minimum of 22m from the proposed apartment blocks and due to the siting of this building, are sited at an oblique angle to individual dwellings on Highfield Lane. This separation distance, together with the siting of the proposed apartment block is considered to be acceptable in this instance and will not have an unacceptable impact on the living conditions of existing residents along Highfield Lane. Any loss of natural daylight into these dwellings is considered to be minimal and would not warrant a reason for refusal.

Turning to concerns that the proposed apartment blocks have insufficient private amenity space, this plot of land forms part of the wider new community which has a planned green infrastructure strategy aimed to deliver many recreational and ecological benefits. The first phase of open space regeneration within Waverley Park (land to the south of the wider site) has already commenced and within the new community, open space provision will complement and enhance the built form. In excess of 105ha of the site is located within the Green Belt and together with Highwall Park, planned to be located to the east of the site, the total area dedicated to open space exceeds 116ha. All of these areas are or will be within an acceptable walking distance to this proposed plot of land and as such it is considered to be a sufficient amount and nature to negate the need for planned allocated amenity space for the residents of the proposed apartments.

Having regard to concerns raised that the proposed incorporation of apartment blocks will increase noise levels within the area, it is acknowledged that the development of further residential development in this area will increase noise levels to those currently experienced, however it is not considered that the development of apartments will

increase these levels over and beyond what has previously been assessed during the consideration of the original outline planning application.

With regard to the impact of the proposal on the amenity of future residents of the development, it is noted that the South Yorkshire Residential Design Guide (SYRDG) provides minimum standards for internal spaces which includes 62sqm for 2 bed properties, 77sqm for 3 bed properties and 93sqm for 4 bed properties. All of the house types proposed have been designed to adhere to these space standards and each dwelling will have private rear gardens with the exception of the flats over garages and the apartments. Adequate space about dwelling distances have been achieved in line with the guidance in order to ensure that amenity value is high for residents with no potential for overshadowing or loss of privacy

Having regard to all of the above and on balance, it is considered that the amended layout and proposed dwellings would conform with the advice guidance set out in the SYRDG and paragraph 17 of the NPPF.

Compliance with the Master Plan Development Framework and Principles Document and Design Code

The Master Plan Development Framework and Principles Document was submitted and subsequently approved to replace the previously approved Design and Access Statement under ref: RB2014/0775. This document clarifies the changes proposed to the next phase of development and explains how it ties in with the wider new community scheme. Included within this document is a chapter providing details of land use, which states that *'the development will provide a mix of dwellings in terms of size and tenure to meet local needs. The overall indicative mix for private market dwellings will include 1 and 2 bed apartments through to 4 and 5 bed family houses. The mix responds to local market conditions as well as achieving a development appropriate and responsive to the immediate context'*. The proposed development at Phase 1E includes a mix of house types in accordance with this requirement, including 2 bed apartments and 3 and 4 bed houses.

Other chapters include details on 'Massing' and 'Character Areas'. This Phase of development falls within the Waverley Central character area which identifies the density of this area to be between 30 to 60 dwellings per hectare and confirms that *'The buildings will be a mix of 2 and 3 storey, but more importantly, the three storey element (and occasional 4) will be arranged around the outer edges to form a defining edge characteristic'*.

The development proposes a total of 126 residential units on a site extending to 2.74 ha, which equates to 46 dwellings per hectare, well within the density range defined in the Masterplan Framework Document. The height of the proposed units range from 2 to 4 storeys in height, with the 4 storey apartment blocks being located on the Highfield Lane frontage, along the streetside edge. The use of these blocks to the Highfield Lane frontage assists in defining the outer edge of the Waverley Central character area as required by the Masterplan Framework document and as such creates a strong perimeter structure. The use of two and two and a half storey dwellings between these blocks also falls within the remit of the masterplan framework document.

The design code for this phase of development was submitted in response to the requirement of Condition 3 of the outline approval (RB2014/0775). This document provides a set of parameters which any detailed design proposal within these phases must adhere to. It sets out essential elements that must be delivered to implement the masterplan and are intended to be a mechanism to coordinate the implementation of different elements within the development and provide a framework for the entire site.

The applicants have prepared a design and access statement which amongst other things sets out how the development accords with the rules and parameters set out in the Design Code. As previously stated the density of Phase 1E equates to 46 dwellings per hectare and the proposed layout incorporates a section of the Streetside Edge and Waverley Walk which is shown in the overriding masterplan for the wider Waverley New Community and articulated in detail within the Waverley Central Design Code. These areas each have a distinctive character incorporating strong continuous frontages along the Streetside Edge and white rendered detached and semi-detached buildings with green avenue planting along Waverley Walk. The layout also responds to the requirements in the code with respect to building lines, scale, architectural style, materials, boundary treatment and street widths.

Additionally, the layout identifies different street types including the use of strong landscaping features and rear parking courts as identified in the Design Code. The street scenes and separation distances between residential dwellings accord with the parameters of the approved Design Code and the inclusion of Waverley Walk through the site and use of strong frontages along the Streetside Edge ensure that the proposed development is in full compliance with the rules and parameters of the approved Design Code for this Phase of development and the overriding Master Plan Development Framework and Principles Document.

Highway Safety and Transportation Issues

The Transportation Statement which supplements the previously approved Transport Assessment demonstrates that all existing and proposed junctions will operate safely whilst there is sufficient capacity within the network to accommodate any traffic generated by the proposals and these findings are accepted. It is therefore considered that the proposals would not result in harm to highway safety, subject to conditions.

A Travel Plan was submitted and subsequently approved as part of the outline planning application. This includes a range of measures to be incorporated into the overall design to encourage the use of sustainable modes of transport. It seeks to:

- Employment of a Travel Plan Coordinator
- Provision of Real Time Information Systems in apartment blocks and strategic locations across the site.
- Provision of Car Club facilities (min 2 cars) within the site and free membership for all occupants for the first year of their occupation.
- Prior to the completion of 600 dwellings provision of a scheme enabling residents to book use of free bicycles. A minimum of 20 bicycles will be provided in the first instance.
- Travel Packs shall be issued to residents on the purchase of homes at the site.
- Subsidised Bus Fares - On first occupation each household to receive free an annual SYPTE Developers Travel Mastercard

It is considered that these proposals are acceptable, and should be subject to monitoring and review, in order to ensure their effectiveness and identify any further action/measures.

Turning to the issue of car parking provision, the apartment blocks (Plots 2 to 17 & 27 to 42.) front, in part, Highfield Lane with access to rear car parking areas from the adjacent side roads. The applicant is now proposing parking spaces at a ratio of 1 per apartment in the rear courtyards and an additional 14 No spaces on land to the front. These will be managed and maintained privately. The Council's minimum standard for apartments is usually 1 per apartment plus 50% visitor provision. Accordingly, the apartment element of the layout is deficient in parking terms by 2 No. spaces if the minimum standard is to be achieved. In this respect, Highfield Lane is intended to be a bus route and spine road running through the core of the New Community and has therefore been designed and constructed to cater for the anticipated nature and volume of traffic

Having regard to Plots 44 to 64 & 71 to 77, whilst these plots conform with the Council's minimum car parking standards, it is acknowledged that the parking provision is to be located to the rear of the houses. This type of parking layout can result in cars being parked in the highway fronting the dwellings as a matter of convenience and these concerns have been discussed during meetings with the applicant who now intend to provide 7 No. adoptable visitor parking bays within the future highway verge within this site. These spaces will not be assigned to any individual property. Furthermore, it should be noted that the highway fronting plots 44 to 59 will be a bus route and has therefore been designed with a 6m wide carriageway.

In general, the site will, in time, have good access to public transport and local facilities and residents could benefit from measures within the Waverley Travel Plan which seeks to promote more sustainable travel.

Having regard to all of the above and on balance, it is acknowledged that the layout of this part of the estate is far from ideal in terms of car parking convenience, however it is not considered that a refusal of planning permission on highway grounds could be justified in this instance subject to the imposition of conditions and the implementation of waiting restrictions along Highfield Lane in the form of a Traffic Regulation Order to address issues resulting from on street parking.

Taking all of the above into consideration, it is considered that this proposed reserved matters application has had regard to the principles approved as part of the outline permission and the proposed layout has been designed in accordance with the guidance set out in the South Yorkshire Residential Design Guide and Manual for Streets. For these reasons it is considered that the proposed development will not have a detrimental impact upon highway safety and the proposal complies with UDP Policy T6 and policies with the NPPF.

Flood Risk and drainage

An Outline Surface Water Strategy Report was submitted as part of the outline application for the entire Waverley site and a Flood Risk addendum has been submitted in support of the Reserved Matters application.

The addendum has been prepared to address a condition of the outline permission which requires the development to be carried out in accordance with the approved Outline Surface Water Strategy. The addendum confirms this and that the risks of flooding to the site have not changed from those identified within the original FRA. All new properties within Phase 1E will be set a minimum of 150mm above adjacent finished ground levels as stated within the approved FRA and required by a condition of the outline approval.

Having had regard to the above, it is considered that the reserved matters proposal satisfactorily conforms with the detail set out in the original Outline Surface Water Strategy and its later addendums as well as advice contained within the NPPF.

Landscaping, Green infrastructure provision and Ecology

The landscape proposal for the development has been designed in accordance with the content of the Design Code which identifies Waverley Walk as a key street with strong symmetrical avenue planting. Rear car parking areas and courtyards have also been designed with an element of tree and hedge planting to assist in softening these areas, alongside the use of higher quality boundary treatments and tree planting is also proposed with certain front garden areas to add greenness to the development as a whole.

There is a requirement under the outline permission (Condition 16 of RB2014/0775) to provide advance and structure planting along access roads and associated key entrances and junctions. Relating this requirement to this particular application, it is considered that Waverley Walk falls within that requirement, however in this instance it is considered that the planting of larger semi-mature trees at 20-25cm or 25 – 30cm following completion of the construction works in lieu of advanced planting will provide the desired effect at the earliest opportunity.

The Council's landscape architect has assessed the proposals in line with the requirements of the Design Code and is happy that the proposal is in accordance with the document. It is therefore considered that the proposal is acceptable in terms of landscaping.

Having regard to the green space along the Highfield Lane frontage, detailed design will be secured via condition; however it is considered that the space will be multi-functional, in that it will provide an area of open space for residents of the apartments who will be without any private space and provide a point of rest for people walking through Waverley. The parking bays have been integrated into the boundary of the space and suitable pathways will be incorporated into the area that respect the surrounding network of paths and crossings. The area is considered to be a key area on this important intersection and its detailed design will ensure that it per within forms a key function within the wider development.

Turning to the issue of management and maintenance, there is a requirement under the outline S106 agreement to establish a management company to maintain all areas of open space within Waverley New Community. This has been established by Harworth Estates as the main landowner and will fund a maintenance regime for the landscaping features spaces within Phase 1E.

Having regard to the above, it is considered that sufficient landscaping and green infrastructure has been proposed within Phase 1E of the development to contribute to the appearance of the proposed development and its appearance within the Waverley development as a whole.

Turning now to the ecological impact of the proposed development, concerns have been raised by local residents that breeding hares, lapwings and sky larks have inhabited the site and that the development proposed will have a detrimental impact on these. The original outline application was accompanied by an Environmental Statement and a full Environmental Impact Assessment was carried out. The report considered the key environmental impacts including the impact of development on ecology and biodiversity. In addition to the Ecology Assessment, the applicant also submitted a Biodiversity Action Plan and an Ecological Management Strategy. The Ecological Assessment described those habitats and species present on and adjacent to site and assessed the impacts on those habitats to be created through the restoration proposals. The baseline conditions relating to habitats and species were identified through desktop surveys of national and local databases and from field surveys.

The checklist accompanying the reserved matters application is a validation requirement and has been completed by the same consultant who prepared the ecological information for the outline application. This checklist confirms that breeding bird and reptile surveys have been carried out on an annual basis since 2012 and monitoring surveys for breeding birds, bats, brown hare and wintering birds are currently underway. Furthermore, an ecological clerk of works will be appointed to undertake checking surveys prior to commencement and during peak breeding/dispersal periods.

Having regard to the above, it is considered that adequate safeguards are to be put in place and sufficient information is available in the form of annual surveys which review species and habitat and as such the development is not considered to have an unacceptable impact on ecology in accordance with guidance contained within the NPPF.

Affordable Housing

The application includes the provision of 10% affordable housing, which is consistent with the outline consent and equates to 13 units consisting of 8 no. 2 bedroom dwellings, 4 no. 3 bedroom dwellings and 1 no. 2 bedroom flat over a garage. All of the units will in the first instance be offered to a Registered Social Landlord for social rent, however if it is the case that the Registered Social Landlords are unwilling to take the apartments then a commuted sum can be paid instead which would be set at 40% open market value. The size, siting and tenure of the housing is acceptable and is considered to be in accordance with the Councils Affordable Housing IPS.

Planning Obligations

Paragraph 204 of the NPPF notes that: "Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms
- directly related to the development and
- fairly and reasonably related in scale and kind to the development.

In this instance the planning obligations and their associated trigger points for their delivery were set as part of the approved outline permission (ref: RB2008/1372). These included the affordable housing provision, financial contributions towards education provision, delivery of green infrastructure and play areas, public transport and sustainable methods of travel.

The trigger points for many of the obligations are not met by the delivery of Phase 1E of this development and in accordance with clause 7.11 of the original agreement, the legal agreement attached is to proportion as appropriate the obligations, covenants and rights equitably between the Land and the area disposed of and requires the provision of 10% affordable housing provision and the provision of a Travel Card for each household. These obligations are in full compliance with the original S106 which were considered acceptable when the application was presented to Members of the Planning Board in January 2010.

Having regard to the above it is considered that the above obligations meet the criteria set out in a Paragraph 204 of the NPPF and are therefore considered to be acceptable and in full compliance with the requirements of the original S106 Agreement.

Conclusion

The principle of residential development on this site has been established under outline permission RB2008/1372, and renewed under RB2014/0775 and is considered to be acceptable.

The overall layout of the site offers an acceptable balance between achieving an efficient use of the land available as recommended in the NPPF whilst safeguarding a satisfactory provision of individual private amenity space for each dwelling. The design of the proposed scheme as a whole is considered to have regard to the approved Masterplan Framework and Principles Document and the Waverley Central Design Code whilst taking account of later phases of development.

A variety of house types and sizes have been provided with an appropriate level of affordable housing provision. The applicant's have also specifically designed certain areas to create a varied street scene and utilised the use of effective boundary planting where appropriate.

There are no objections to the proposals from the Council's Transportation Unit. Internal layout geometries have been set out in accordance with the South Yorkshire Residential Design Guide and Manual for Streets. The provision of Travel Master Passes and the implementation of a Travel Plan will ensure varied means of non car mode travel is available to future residents.

The application site is not located within a Flood Zone. A comprehensive Flood Risk Assessment and Surface Water Drainage Strategy were submitted and approved as part of the outline approval and an addendum was submitted in support of these current applications. A number of conditions regarding the submission of further details of foul and surface water drainage are to be attached to any permission.

In terms of the landscaping within the site, the applicant's have submitted a landscaping proposal to accompany the application. There are no objections to the proposed planting schemes.

The applicant's have indicated that they intend to provide 10% affordable housing units (13 in total) across this phase of the development and have indicated that these will be in the form of 2 and 3 bed units. This is in line with the approved percentage for the first phase of the wider development.

Recommendation

- A. That the Council enter into an agreement with the developer under Section 106 of the Town and Country Planning Act 1990 for the purposes of defining the legal responsibilities of the developer in respect of the following:
- 10% Affordable Housing within each application site
 - Provision of Travel Card for each household
- B To approve the reserved matters for the proposed development subject to the following reasons for approval and conditions:

Conditions

01

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

Reason

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

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below) except as shall be otherwise agreed in writing by the Local Planning Authority.

- Planning Layout P14:4891-01 Rev D
- Location Plan P4891-02
- Boundary Treatments Sheet 1 P4891-03
- Boundary Treatments Sheet 2 P4891-04 Rev A
- Garage Details P4891-07
- Site Sections P4891-08
- Streetscenes P4891-09

House Types

- Alcester (AS) P4891-15
- Alcester (OP) P4891-16
- Alcester Bin Store (AS) P4891-17
- Alcester Bin Store (OP) P4891-18
- Alcester Bin Store Render (AS) P4891-19
- Alcester Bin Store Render (OP) P4891-20
- Alcester Drive Through Render (AS) P4891-21
- Alcester Drive Through Render (OP) P4891-22

- Alcester Special (AS-OP) P4891-23
 - Alcester Special (AS) P4891-24
 - Alcester Special (OP) P4891-25
 - Alcester Special Drive Through (AS) P4891-26
 - Alcester Special Drive Through (OP) P4891-27
 - Newton AS-OP) P4891-28 Rev A
 - Finchley (AS-OP) P4891-29 Rev A
 - Enford (AS) P4891-30
 - Enford (OP) P4891-31
 - Padstow 3 Block (AS-AS-OP) P4891-32
 - Padstow 3 Block (AS-OP-OP) P4891-33
 - Padstow 3 Block (AS-OP-AS) & Brentwood (OP) P4891-34
 - Brentwood (AS) & Padstow 2 Block (OP-OP) P4891-35
 - Brentwood (AS) & Padstow 3 Block (OP-AS-OP) P4891-36 Rev A
 - Brentwood (AS) & Padstow (OP) P4891-37
 - Hensley 3 Block P4891-38
 - Hensley 3 Block & Farringdon P4891-39
 - Hensley 4 Block P4891-40
 - Hensley 2 Block & Brentwood P4891-41
 - Padstow – Hensley 2 Block & Alcester Plans P4891-42
 - Padstow – Hensley 2 Block & Alcester Elevation P4891-43
 - Somerton (AS) P4891-44 Rev A
 - Somerton (OP) P4891-45 Rev A
 - Somerton Render (AS) P4891-46
 - Somerton Render (OP) P4891-47
 - Heathfield (AS) P4891-48 Rev A
 - Heathfield (OP) P4891-49 Rev A
 - Heathfield Render (AS) P4891-50
 - Heathfield Render (OP) P4891-51
 - Guisborough (AS) P4891-52
 - Guisborough (OP) P4891-53
 - Guisborough Render (AS) P4891-54
 - Guisborough Render (OP) P4891-55
 - Ambleside – Buttermere (AS) P4891-56
 - Ambleside – Buttermere (OP) P4891-57
- Landscape Proposals P144891-100 Rev C

Reason

To define the permission and for the avoidance of doubt.

03

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The details shall include the construction of a sample panel on site to include the correct colour mortar and window frames. The development shall be carried out in accordance with the approved details.

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with Policy CS28 'Sustainable Design'

TRANSPORTATION

04

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

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

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and to encourage drivers to make use of the parking spaces and to ensure that the use of the land for this purpose will not give rise to the deposit of mud and other extraneous material on the public highway in the interests of the adequate drainage of the site and road safety.

05

Before the development is brought into use the car parking areas shown on the site layout plan Dwg No P14:4891-01 Rev D shall be provided, marked out and thereafter maintained for car parking.

Reason

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

06

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

Reason

No details having been submitted they are reserved for approval.

DRAINAGE

07

The development hereby approved shall be carried out in accordance with the Flood Risk Assessment Addendum dated 08 June 2015 by White Young Green.

Reason

In the interest of satisfactory and sustainable drainage.

08

The development shall be constructed in accordance with the drainage details submitted and approved by the Local Planning Authority.

Reason

In order that the development can be properly drained

GROUNDWATER / CONTAMINATION AND GROUND CONDITIONS

09

Prior to the commencement of development details of gas protection measures comprising:

- a) a cast in situ floor slab with a lapped and taped minimum 1200g membrane (reinforced); or
- b) a beam and block or pre cast floor slab with a lapped and taped minimum 2000g membrane; and
- c) under floor venting in combination with either of (a) or (b) above
- d) All joints and penetrations should be sealed

Shall be submitted to and approved in writing by the local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that risks from land contamination to the future users of the land and neighboring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with UDP Policy ENV3.7 'Control of Pollution'.

10

Installation of the gas protection measures approved as a result of condition 9, shall be verified by an independent third party and a validation report is to be forwarded to this Local Authority for review and comment.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with UDP Policy ENV3.7 'Control of Pollution'.

11

If subsoil and topsoil imported to site for landscaping works and garden areas, then these soils shall be tested at a rate and frequency to be agreed with the Local Authority to ensure they are free from contamination. If materials are imported to the site then the results shall thereafter be presented to the Local Authority in a Validation Report.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely

without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with UDP Policy ENV3.7 'Control of Pollution'.

12

If during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out in the vicinity of the impact until the development has submitted and obtained written approval from the Local Planning Authority for a strategy detailing how this unsuspected contamination shall be dealt with.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with UDP Policy ENV3.7 'Control of Pollution'.

ENVIRONMENTAL

13

Throughout the construction phases of development and except in cases of emergency, no operation that is likely to give rise to noise nuisance or loss of amenity shall take place on site other than between the hours of 0730 to 1800 Monday to Friday and between 0800 to 1300 on Saturdays.

Operations which give rise to noise nuisance shall not be carried out on Sundays, Public Holidays or outside normal weekday working hours. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Reason

In the interests of the amenity of the locality and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

14

Throughout the construction phases of development all machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the best practicable means shall be employed to prevent or counteract the effects of noise emitted by vehicles, plant, machinery or otherwise arising from on-site activities.

Reason

In the interests of the amenity of the locality and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

15

Prior to the commencement of development a biodiversity mitigation statement, including a schedule for implementation, shall be submitted to and approved by the Local Planning Authority. The statement should include details of all measures given in the Waverley Ecological Checklist – Pre Work Assessment for Housing Development

Phase 1d (14.08.2013) and shall thereafter be implemented in accordance with the agreed statement before the development is brought into use.

Reason

In the interest of biodiversity at the site in accordance with Policies in the NPPF.

LANDSCAPE

16

Landscaping of the site as shown on the approved plan (drawing no. P144891-100 Rev C) shall be carried out during the first available planting season after commencement of the development. Any plants or trees which within a period of 5 years from completion of planting die, are removed or damaged, or that fail to thrive shall be replaced within the next planting season. Assessment of requirements for replacement planting shall be carried out on an annual basis in September of each year and any defective work or materials discovered shall be rectified before 31st December of that year.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.1 'Development and the Environment' and ENV3.4 'Trees, Woodlands and Hedgerows'.

17

No development shall take place until full details of both hard and soft landscaping works for the public open space area to Highfield Lane have been submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate:

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

Soft landscape details shall include:

- Written specifications (including ground preparation, cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers / densities or planting distances
- An implementation programme.
- Maintenance schedules and long term Management plan

Reason

To ensure that the landscape proposals for all external areas of the site form an integral part of the design for the site as a whole.

18

All planting, seeding and/or turfing forming part of the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of that part or phase of development to which it relates, whichever is the sooner. All hard landscaping included in the approved details of landscaping shall be carried out before the completion or first occupation of the part or phase of development to which it relates, whichever is the sooner. Upon completion of installation, the Local Planning Authority shall be given notice to make an inspection.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.1 'Development and the Environment' and ENV3.4 'Trees, Woodlands and Hedgerows'.

Informative

The applicant is reminded of the need to contact the Council's Transportation Service in the near future to instigate Traffic Regulation Order procedures at no expense to the Council.

POSITIVE AND PROACTIVE STATEMENT

The applicant and the Local Planning Authority engaged in pre application discussions to consider the development before the submission of the planning application. The application was submitted on the basis of these discussions, or was amended to accord with them. It was considered to be in accordance with the principles of the National Planning Policy Framework.

Application Number	RB2015/1085
Proposal and Location	Two storey front side & rear extension to form dormer bungalow (amendment to RB2015/0629) at 6 The Hop Inge, Harthill, S26 7UL
Recommendation	Grant subject to conditions



Site Description & Location

The site of application is a bungalow located on The Hop Inge, a residential cul de sac within the village of Harthill. The cul de sac is made up of 6 bungalows, some with basement garaging so appearing two storey when viewed from the road, and all constructed during the 1970s with a mixture of natural and artificial stone.

The dwelling in question is a single storey 2 bedroom bungalow set within a large residential plot 17m wide, with a 25m long rear garden. The application site slopes down from the road level to the rear of the site. The bungalow is constructed in artificial stone with a concrete tiled roof.

To the north of the site are residential properties on Doctor Lane, whilst to the west (rear of the site) are residential properties on Winney Hill.

Background

RB2015/0629 - Two storey front side & rear extension to form dormer bungalow - WITHDRAWN

Proposal

The proposal is to turn the existing two bedroom bungalow into a three bedroom dormer bungalow. The alterations involve increasing the roof height and incorporating dormer windows to the front and rear, and erecting two storey front, side & rear extensions.

The proposed remodelled dwelling will measure 13.7m wide (existing 10m), 13.7m deep (existing 10.5m) and 6.8m high (existing 5.5m). Whilst the application relates to extensions to the existing bungalow, the extended dwelling will appear as a new property, with none of the original dwelling remaining visual. The remodelled dwelling will be constructed in natural stone to the front elevation, with render to the side and rear. The applicant proposes concrete tiles to similar in appearance to the existing.

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 allocated for *residential* purposes in the UDP. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

CS28 '*Sustainable Design*'

Other Material Considerations

Interim Planning Guidance - 'Householder Design Guide'. This has been subject to public consultation and adopted by the Council on 3rd March 2014 and replaces the adopted Supplementary Planning Guidance 'Housing Guidance 1 – Householder development' of the UDP.

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 policy referred to above is consistent with the NPPF and has been given due weight in the determination of this application.

Publicity

The application has been advertised by letters to neighbouring residents. A total of 6 letters of objection have been received as well as a letter of objection from Harthill Parish Council.

The objectors state that:

- The proposal is too big for the site.
- The two storey front extension is not seen on other properties on the street and is out of keeping.
- The extensions, including raising of the roof height, are not subsidiary to the host property and not in accordance with Householder Design Guidance.
- The proposed full height glazing and dormer windows are out of keeping with the other dwellings in the streetscene.
- There is a covenant on site restricting the dwellings to single storey only.

Harthill Parish Council states that:

- The two storey conversion is out of keeping with the locality
- The proposed extended dwelling would overshadow neighbouring properties to an unreasonable degree.
- The proposed new window arrangement will create excessive overlooking.

The Council has received 2 Right to Speak requests from objectors.

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 application seeks full planning permission to extend a residential property within a residentially allocated area. The principle of extending a dwellinghouse is generally supported in the Council's policies and the Interim Planning Guidance.

However all such development needs to accord with the relevant design criteria and should be in keeping with the character and appearance of the host dwelling and the locality and should not have a detrimental impact on residential amenity.

Therefore matters to be considered as amounting to material considerations in the determination of this application include:

- The visual impact on the host dwelling and the locality.
- The impact on adjacent occupiers.
- Highway implications.
- Other issues raised by the objectors.

Visual impact on host dwelling and the locality:

In assessing the proposed design of the extensions in relation to the existing property and the surrounding area, Policy CS28 – Sustainable Design states that; "Proposals for

development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well designed buildings within a clear framework of routes and spaces. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping.”

The NPPF notes at paragraph 56 that: “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.”

The National Planning Policy Guidance (March 2014), notes that “Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations.” The NPPG further goes on to advise that: “Local planning authorities are required to take design into consideration and should refuse permission for development of poor design.”

The Interim Planning Guidance - ‘Householder Design Guide,’ advises that extensions should be constructed in matching materials to match the host property. Bricks and stonework should be coursed and pointed to match the existing details. Tiles should match the existing tiles in terms of material, texture, size and colour.” It adds that:

“It is not the Council’s usual practice to support bungalows being altered to two-storey houses, as in most cases this would have a serious effect on neighbours’ amenity and on the appearance of residential areas. The Council will consider such proposals for “upward extensions” very carefully, having regard to the following guidelines:

Planning permission may be granted for an upward extension on a detached bungalow in certain circumstances (amongst other things):

(i) where the dwellings in an area are of varied types, with little uniformity of design and layout, and there is already a mix of single storey and two-storey dwellings, and

Furthermore, the most appropriate design solution will depend on the design of the property and neighbouring properties. It may be appropriate to create a “dormer bungalow”, by building a more steeply-pitched roof with dormer windows in it.”

In terms of dormer windows the ‘Householder Design Guide’ states: “Dormer cheeks should be clad in tiles or slates to match those on the roof. Pitched roof dormers will normally be preferable on a front elevation and are likely to be more durable than flat-roofed dormers.”

The proposed alterations are very significant alterations to the host property and to in effect the bungalow as extended will appear as a new dwelling within the cul de sac, with only minor internal walls retained. The extensions and alterations cannot be considered subservient, although this does not necessarily mean that the alterations are unacceptable.

The bungalow in question is a small two bedroom bungalow, of little architectural merit. The dwelling dates from the 1970s and the original artificial stone has faded in colour and the dwelling is in need of modernisation and general improvement.

The plot in question is of a significant size, 17m in width and a 25m rear garden. As such the site is suitable to accommodate an extended dwelling. The streetscene on The Hop Inge is made up of a variety of dwelling types, including two storey dwellings, which utilise the change in levels on site.

With this in mind the remodelled dwelling, including a raised roof height, dormer windows and two storey elements, are considered to be acceptable and will not appear out of keeping in the streetscene. The remodelled dwelling will have a modern appearance with triangular feature windows and a Juliet balcony to the rear. The applicant has agreed to use natural stone to the front elevation to improve the visual appearance. The new appearance and materials are considered appropriate for the locality and will be an improvement on the existing dwelling.

With regard to the dormer windows these are proportionate to the host property and will not appear out of keeping in this varied streetscene. In addition a condition has been attached requiring the dormer cheeks to be tile clad to match the roof slope. This will further minimise their visual appearance and avoids poor quality white plastic cladding.

As such, it is considered that the design and appearance of the extensions would not harm the character and appearance of the property or the surrounding area and would comply with Policy CS28 – Sustainable Design,' the guidance in the Interim Planning Guidance on 'Householder Design Guide,' as well as the advice contained within the NPPF and the National Planning Policy Guidance (NPPG).

Residential amenity issues:

The NPPF states that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. Amongst these 12 principles, it states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and building.

In respect of converting bungalows to houses the Interim Planning Guidance - 'Householder Design Guide,' notes that planning permission may be granted for an upward extension on a detached bungalow in certain circumstances, including:

“where new habitable room windows at first-floor level would be more than 21 metres from habitable room windows of existing dwellings to the front, side or rear and more than 10m away from a neighbour’s boundary. Where an upward extension is considered acceptable in principle, it is essential that it be designed to minimise the effect on neighbours’ properties by overshadowing and overlooking.”

The Interim Planning Guidance 'Householder Design Guide' further gives guidance upon overshadowing matters and notes: “Extensions should not overshadow neighbouring properties to an unreasonable degree. The Council will take account of the orientation and position of neighbours' windows in relation to the extension. Where an extension would be likely to significantly reduce the amount of sunlight and/or daylight casting a shadow over private amenity space or entering the window of a

habitable room (such as a kitchen, living room or bedroom) planning permission may not be granted.”

The Guidance further advises on outlook issues and states that: “An extension close to either a habitable room window of a neighbouring property, or to its private garden, should not have an overbearing effect on that property or an unreasonable effect on its outlook.” With regard to the proposed increase in height the guidance states that: “Increased overlooking of neighbours’ properties can be a problem, especially with a bungalow where dormer windows in the loft can overlook previously private areas. The Council will be critical of all proposals which have a significant effect on neighbours’ privacy.”

It is noted that letters of objection have been received raising concerns about overlooking and the overbearing appearance of the property. Firstly in terms of overlooking the proposal involves rear first floor dormer windows and a Juliet balcony. The rear garden is some 25m in length and as such easily meets the Council’s usual 21m separation distance from elevation to elevation. The windows to the front overlook the public cul de sac, with no direct overlooking of private gardens occurring. A condition has also been attached to the approval requiring the first floor side window, which serves a bathroom, to be obscure glazed to prevent overlooking of No.10 Doctor Lane.

In terms of appearing overbearing the proposed new raised side gable will be some 14m off the rear elevation of No.10 Doctor Lane and as such will meet the Council’s minimum 12m distance. Furthermore the applicant has added a Dutch hip to the side gable to minimise the bulk and massing. With regard to the impact upon No.5 The Hop Inge, the overall height of the side gable is 6.7m with a Dutch hip feature minimising the massing. The proposed side gable is therefore considered acceptable.

Taking all of the above into consideration the proposals are not considered to have a significant impact on the residential amenity of adjacent occupiers by way of overbearing impact or loss of privacy and would therefore accord with the advice contained in the NPPF and the Interim Planning Guidance.

Highway issues:

With regard to highway issues, Streetpride (Transportation & Highways) Unit does not consider that the proposal would have any detrimental impact in terms of highway safety as the proposed development allows for adequate vehicle parking provision at the property.

Other issues raised by objectors

A number of objectors have indicated that the original legal covenant on the property restricts the dwelling to single storey only. This is a separate civil legal matter and unrelated to the determination of the planning application.

Conclusion

In conclusion, it is considered that the proposed extensions by virtue of their size, scale, design, height, siting and location would have no significant adverse impact on the character and appearance of either the host dwelling or the existing streetscene, and

would not be detrimental to the residential amenity of adjacent occupiers by being overbearing or over dominant or result in any loss of privacy by way of overlooking.

Accordingly it is recommended that planning permission be granted subject to the suggested conditions as set out below.

Conditions

01

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

Reason

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

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below) (Proposed Elevations and Floor plans)(received 11/08/2015)

Reason

To define the permission and for the avoidance of doubt.

03

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details provided in the submitted application form. The development shall thereafter be carried out in accordance with these details.

Reason

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

04

The window on the first floor side elevation facing north shall be obscurely glazed and fitted with glass to a minimum industry standard of Level 3 obscured glazing and be non-openable, unless the part(s) of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interests of the amenities of the occupiers of adjoining properties.

05

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

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

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and that mud and other extraneous material is not deposited on the public highway and that the dwelling can be reached conveniently from the footway in the interests of the adequate drainage of the site, road safety and residential amenity and in accordance with UDP Policy HG5 'The Residential Environment'.

06

The cheeks to the dormer windows shall be tile clad to match the colour of the roof tiles.

Reason

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

POSITIVE AND PROACTIVE STATEMENT

The applicant and the Local Planning Authority engaged in pre application discussions to consider the development before the submission of the planning application. The application was submitted on the basis of these discussions, or was amended to accord with them. It was considered to be in accordance with the principles of the National Planning Policy Framework.