

# ROTHERHAM METROPOLITAN BOROUGH COUNCIL

## PLANNING REGULATORY BOARD

### VISIT OF INSPECTION – THURSDAY, 26<sup>TH</sup> OCTOBER, 2017

1. **RB2017/0550** – Demolition of conservatory and triple garage, conversion and extension of outbuilding to create dwellinghouse and formation of new access drive at Newcroft 19 Woodsetts Road, Gildingwells for Mr. Standfield

Requested by:- Members of the Planning Board

Reason:- To enable Members to view the overall layout of the site and the likely impact of the proposed development upon neighbouring properties and the area in general.

<u>No.</u>	<u>Application</u>	<u>Area</u>	<u>Arrival</u>	<u>Departure</u>
1.	RB2017/0550	Gildingwells	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.)

<b>Application Number</b>	<b>RB2017/0550</b>
<b>Proposal and Location</b>	Demolition of conservatory and triple garage, conversion and extension of outbuilding to create dwellinghouse and formation of new access drive at Newcroft 19 Woodsetts Road, Gildingwells, Worksop S81 8AU
<b>Recommendation</b>	Grant subject to conditions



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

### Site Description & Location

The application site is situated to the rear of a large detached two storey dwelling, No. 19 Woodsetts Road, Gildingwells. The site includes part of the property's rear garden and is accessed from a separate access to the host property from between Nos. 5 & 7 Woodsetts Road. The site is approximately 0.23 hectares in area. The current main access to the site is to the side of No. 19 Woodsetts Road.

To the north eastern corner near the access point there is a stable block which was erected in 2009 and is unaffected by the proposals. To the south eastern corner there is a large triple garage which is proposed to be demolished and a large summerhouse with a conservatory which is proposed to be extended and converted into a single dwelling.

### Background

The site has the following planning history:

RB1980/1676: Residential development - GRANTED CONDITIONALLY 24/07/80

RB1983/0992: Details of dwelling with integral garage (reserved by r80/1676p)

- GRANTED CONDITIONALLY 22/09/83

RB1991/0066: Detached garage - GRANTED CONDITIONALLY 25/03/91

RB1992/0259: Conservation Area consent for demolition of steel framed asbestos clad workshop - GRANTED 16/04/92

RB1992/0350: Replacement of existing steel framed asbestos clad workshop with stone built structure - GRANTED CONDITIONALLY 16/04/92

RB1992/0671: Conservatory - GRANTED CONDITIONALLY 01/07/92

RB2007/1243: Conversion of bungalow to two storey dwellinghouse  
- REFUSED 20/08/07

RB2007/2329: Increase in roof height to form new first floor  
- GRANTED CONDITIONALLY 04/02/08

RB2009/0210: Erection of building to form two stables  
GRANTED CONDITIONALLY 24/04/09.

The development is Community Infrastructure Levy (CIL) liable. CIL is generally payable on the commencement of development though there are certain exemptions, such as for self-build developments. The payment of CIL is not material to the determination of the planning application. Accordingly, this information is presented simply for information.

## **Proposal**

The proposal is for the conversion and extension of the existing summer house to form a separate dwelling house. The proposals include the demolition of the existing conservatory on the building and the demolition of the nearby triple garage. The summer house would then be extended and altered to form a dwelling house utilising a contemporary design with extensive use of glazing. The building would be faced in a mixture of local natural stone and timber cladding. The property would have a combination of flat sedum roofs and a standing seam zinc mono-pitched roof.

During the consideration of the proposals an open carport area situated underneath the property has been removed. The dwelling is to be single storey only. The scale of the existing built form on the site is as follows:

Existing Building Volumes (approximate):

Summer house = 250m<sup>3</sup>

Triple Garage = 204m<sup>3</sup>

Conservatory = 120m<sup>3</sup>

Total Existing Volume = 574m<sup>3</sup>

Proposed Volumes:

Kitchen & Living Area = 320m<sup>3</sup>

Bedrooms 2 & 3, Bathroom & Passage = 145m<sup>3</sup>

Master Bedroom, En-suite & Dressing = 75m<sup>3</sup>

Entrance Lobby & WC = 27m<sup>3</sup>  
Total proposed volume = 567m<sup>3</sup>

The submitted Design and Access Statement states that; “the building is designed to resemble a cluster of barn-like buildings wrapping around an external courtyard.” The Design and Access Statement goes on to state that the design and materials “give the building an unashamedly contemporary appearance but within a building that sits comfortably in its context.”

The proposed dwelling would be accessed via the existing access that runs between 5 and 7 Woodsetts Road, and which currently serves No. 5 itself as well as land to the rear of Nos. 7, 13, 15 and 17 Woodsetts Road that is owned by the applicant. This land contains the stable building approved in 2009. The access would be constructed on Grasscrete and would run in a south westerly route to the property. Further to requests from the Council the width of the driveway has been reduced from 5m to 3m.

The applicant has submitted a Tree Survey which identifies which trees would have to be removed as part of the scheme and concludes that they are of low value. The Tree Survey recommends suitable replacement planting at the site.

### **Development Plan Allocation and Policy**

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

The application site is located in the Gildingwells Conservation Area and is washed over Green Belt and an Area of High Landscape Value. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):  
CS4 ‘Green Belt’  
CS23 Valuing the Historic Environment  
CS28 ‘Sustainable Design’

Unitary Development Plan ‘saved’ policy(s):  
ENV1.1 Development in Areas of High Landscape Value  
ENV2.11 ‘Development in Conservation Areas’  
HG4.4 ‘Backland and Tandem Development’

### **Other Material Considerations**

South Yorkshire Residential Design Guide.

Interim Planning Guidance - ‘Development in the Green Belt’. This has been subject to public consultation and adopted by the Council on 3rd March 2014 and replaces the adopted Supplementary Planning Guidance ‘Environment Guidance 1 – ‘Extensions to dwellings in the Green Belt’ of the UDP.

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 27<sup>th</sup> 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 site notice, press notice, (Dinnington Guardian) and letters to neighbouring properties as affecting the setting of Gildingwells Conservation Area. The Council received 15 objections to the proposals as originally submitted. The comments received are summarised below:

- Noise and disturbance from the new access drive to the new dwelling.
- Loss of privacy from the new access drive.
- Object to the use of a shared drive for the access to this property.
- Consent from a neighbour would not be granted for use of the shared access drive.
- The new dwelling could cause drainage and potential flooding issues.
- Concerns about the additional sewage from the new property as the houses in this area all have septic tanks.
- Concerns about noise and disturbance during the construction process.
- Not informed about the application.
- Potential devaluation of neighbouring properties.
- Object to a new dwelling in this Green Belt location.
- This is over development of the land and the site has been overdeveloped over the years.
- This is not for a residential property but is for commercial and industrial purpose.
- There are protected species on the site including hedgehogs.
- The design of the dwelling would be out of keeping with the Gildingwells Conservation Area with its futuristic appearance and would harm its character and appearance.
- The new dwelling would clearly be seen within the surrounding area.
- The site will look like an industrial estate.
- Loss of peace and quiet in this rural location.
- The plans need checking in terms of volumes being accurate.
- The Design and Access Statement states that there would be public benefit to the scheme. However, there would not be any benefit to the village unless it was for a starter home or for an agricultural worker.
- It is inappropriate development in the Green Belt and is not infill development and it exceeds the 33% volume increase limit.

- This is inappropriate backland development in this ribbon village.
- This new development would be dangerous in highway safety terms.
- The development harms the openness of the area including the new walls.
- This would be overly urbanising the village.
- This would set a precedent for other forms of similar development in the village.

Further publicity has taken place in respect of the revised plans, removing the underground car port element. The Council has received one additional representation from a neighbouring household. The additional comments raised are summarised below:

- If this application is approved concerns are raised that the conditions would not be complied with. As other developments at the site have not had their conditions complied with and a workshop granted at the site has changed into a summer house without planning permission.
- The access road and turning area would lead to a significant increase in urbanisation of the site.
- It is a new build dressed up as a conversion.
- The buildings at the site should be used for domestic purposes. At the present time 3 businesses are registered at the property.

At the time of preparing the report, four Right to Speak requests have been received from neighbouring residents who wish to object to the application.

### **Consultations**

RMBC - Transportation and Highways Design – No objections subject to conditions.

### **Appraisal**

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

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

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

The main considerations in the determination of the application are:

- Principle of development in the Green Belt, including impact on openness.
- Design, scale and appearance and impact on Gildingwells Conservation Area.
- Impact on neighbouring amenity.
- Highway safety.
- Other issues raised by objectors.

## **Principle of the development in the Green Belt, including impact on openness.**

The site is allocated as Green Belt in the adopted Unitary Development Plan and is also allocated as Green Belt in the emerging Sites and Policies Document (September 2015) and there is no intention to designate this as a potential housing site.

In respect of residential development of the site the Council's Core Strategy Policy CS4 Green Belt states the following: "Land within the Rotherham Green Belt will be protected from inappropriate development as set out in national planning policy."

The National Planning Policy Framework (NPPF) advocates a presumption in favour of sustainable development and sets out what could make a development unsustainable with regard to economic, social and environmental considerations.

Paragraph 90 of the NPPF states that the re-use of buildings may not represent inappropriate development in the Green Belt provided the buildings are of permanent and substantial construction and that the conversion preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.

The Council's Interim Planning Guidance 'Development in the Green Belt' gives the following advice in regards to converting existing buildings:

"The conversion of an existing building is acceptable in principle providing the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, the re-use of buildings is not inappropriate development, provided that the buildings are of permanent and substantial construction.

For a building to be of permanent and substantial construction it must have walls and a roof, be structurally sound and not require significant re-building, cladding or significant external alterations. This would also include a building that would require significant internal alterations to bring it up to habitable standards unless it is desirable to retain the building because of the historic value or visual amenity that it provides.

Whilst the conversion of a rural building is acceptable in principle, it is important that certain design principles and other issues are considered. This supplementary design guidance reviews the conservation and technical issues that arise when traditional vernacular buildings are re-used. Most buildings in this category are agricultural but this guidance applies overall."

In respect of extensions, Paragraph 89 of the NPPF states the following:

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

- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan”

The Council’s Interim Planning Guidance ‘Development in the Green Belt’ further states that: “an extension should not exceed more than 33% of the volume of the original building. This section gives guidance to extensions to all types of buildings, including outbuildings such as residential garages. If you want to extend a building in the Green Belt, you should follow the principles laid out in this guidance note.

The NPPF states that limited extensions of existing buildings can be acceptable if they do not result in ‘disproportionate additions over and above the size of the original building’. The NPPF defines ‘Original building’ as: “A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built.”

We will take account of the degree to which your building has already been extended, and the effect of any further extension. You will need to consider several factors, such as the design, form and size of your extension.”

The building that would be extended is the original summer house which has a volume of approximately 250 m<sup>3</sup>. This building has already been extended by the addition of a conservatory which has a volume of approximately 120 m<sup>3</sup>, which represents a volume increase over and above the original building of approximately 48%. As such, the building has already been extended in excess of 33% of its original volume.

As the proposed extensions would be way in excess of the 33% volume increase of the original building, the development is therefore inappropriate development in the Green Belt and very special circumstances need to be demonstrated to justify this proposal.

It is noted that the applicant proposes to demolish the existing conservatory and triple garage on the site and extend the existing summer house to form a larger building comprising a single dwelling. The proposal is to form a dwelling that would have a total volume no greater than the existing total volume on the site of 574 m<sup>3</sup>. In addition, permitted development rights are to be removed from the proposed dwelling and the host property preventing the construction of extensions and future outbuildings for both, and in combination these are considered to represent the very special circumstances required to justify the inappropriate development in the Green Belt.

In terms of the impact on openness, paragraph 79 to the NPPF notes: “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 86 adds that: “If it is necessary to prevent development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt.” The village is indeed within the Green Belt and the importance of retaining the open character of the village therefore needs to be considered.

On the test of whether the current development represents a “greater impact” on openness it is considered that a greater impact is most likely to be represented by a significantly larger resultant volume than the existing built form on the site. As noted above the proposed development represents a modest overall reduction in volume of

the existing built form on the site and condenses the development into one single building, as opposed to two separate buildings forming a triple garage and a summer house and conservatory. It is considered that the resultant development would not harm the openness of the Green Belt owing to the building having a similar volume to that which it is replacing and the low level single storey flat roofed form of the building. With the above in mind, it is considered that the proposed dwelling would not lead to a greater impact on the openness of the Green Belt.

In conclusion, as the scale of the extensions have been reduced to a volume of no greater than the total volume of the existing buildings on site, namely the summerhouse, conservatory and triple garage, then it is considered that the proposed development would not have a greater impact on the openness of the Green Belt in this location. In addition, it is also recommended that permitted development rights for both extensions and outbuildings to both the host property and the proposed dwelling are removed, such that planning permission would be required for any subsequent building work which could assess any additional impact on the openness of the Green Belt in this location. These are considered to amount to the very special circumstances to justify the inappropriate development in this instance.

### **Design, scale and appearance and impact on Gildingwells Conservation Area**

The site is within Gildingwells Conservation Area and 'saved' UDP Policy ENV2.11 'Development in Conservation Areas' states: "In respect of designated Conservation Areas, the Council:

- (i) will not permit development, demolition and work to trees which would adversely affect their architectural or historic character or visual amenity, except that very limited exceptions to this policy may be accepted when compelling justification exists.
- (ii) Will have regard to the degree to which proposals are compatible with their vernacular style, materials, scale, fenestration or other matters relevant to the preservation or enhancement of their character."

Core Strategy Policy CS23 'Valuing the Historic Environment' states that Rotherham's historic environment will be conserved, enhanced and managed, in accordance with the principles set out below (amongst other things):

- (i) Proposals and initiatives will be supported which conserve and enhance the heritage significance and setting of the borough's heritage assets, specifically those elements which contribute to the distinct identity of the borough.
- (ii) The historic grain of the town centre and historic village cores, including street layout and plot sizes.

In this respect the National Planning Policy Framework (NPPF) states at paragraph 132: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

Core Strategy CS28 'Sustainable Design' requires development to make a positive contribution to the environment by achieving an acceptable standard of design. In addition, paragraph 56 of the NPPF states that: "Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people."

The proposed dwelling would be formed by extending an existing outbuilding on the site. However, it would be unrecognisable in appearance after the extensions to convert the building into a dwelling house are completed. The design of the proposed dwelling is contemporary in appearance with a largely flat sedum and zinc roof and large areas of glazing facing west overlooking the garden and open fields.

The proposed dwelling is of a unique design and is not vernacular in appearance other than the use of a locally sourced natural stone for the walls. The building would not match neighbouring properties in design terms or form. However, owing to the location of the dwelling it would not be readily visible within public views within the Conservation Area. The dwelling would not be readily visible from Woodsetts Road, being obscured by other dwellings and vegetation. There is a public footpath located approximately 400 metres to the west of the site and it is considered that the proposed dwelling would not be readily visible from it, particularly owing to its low profile.

It is noted that the design of the property would be completely different from any other dwellings in the Gildingwells Conservation Area, however, it is considered to be of a high quality design. The test for new developments in Conservation Areas is whether or not the development would preserve or enhance the designated heritage asset. In this instance it is considered that the design of the dwelling would enhance the character and appearance of Gildingwells Conservation Area though would at the same time have a fairly low visual impact upon it as it is not clearly visible within public views.

It is therefore considered that in spite of its highly contemporary design the proposed dwelling is acceptable in design terms, mainly on the basis that it would have very little visual impact on the Conservation Area though would at the same time provide a high quality designed new dwelling.

The dwelling would have a very long driveway that would wind its way through the site across the edge of a former paddock area. Whilst this is not ideal it is noted that the surfacing of the driveway would be grasscrete and therefore would not have a significantly urbanising impact on the surrounding area and is not considered to harm the Conservation Area or the rural nature of the surrounding area.

Overall it is considered that the proposed development is of a high quality and is of an appropriate scale and design which will comply with the general advice within the NPPF and Core Strategy Policies CS23 'Valuing the Historic Environment' and CS28 'Sustainable Design' along with UDP Policy ENV2.11 'Development in Conservation Areas.'

In terms of the impact on the Area of High Landscape Value, Policy ENV1.1 Development in Areas of High Landscape Value of the UDP states that: "In Areas of High Landscape Value, development other than for agriculture will only be allowed where it will not result in a significant and permanent adverse impact on the landscape." It is noted that the proposed dwelling would condense the volume on the

site into a single dwelling of a high quality design. It is considered that as such, it would have a reduced impact on the Area of High Landscape Value and would not have a significant impact on the landscape in this built up location within the village.

### **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 should (amongst others):

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.”

‘Saved’ UDP Policy HG4.4 ‘Backland and Tandem Development’ is supplemented by ‘Saved’ Housing Guidance 3: Residential infill plots.” The Council’s inter-house spacing standards outlined within this Guidance indicate that there should be a minimum of 20 metres between habitable room windows, 12 metres minimum between a habitable room window and an elevation with no windows, and no elevation containing habitable room windows at first floor should be located within 10 metres of a boundary with another property.

The guidance goes on to state that “where there is potential for loss of amenity to the adjacent dwellings, the dwelling should be either single-storey with a double pitched roof or should only have rooms in the roof with roof lights.”

Furthermore the South Yorkshire Residential Design Guide (SYRDG) is considered to be of relevance in assessing the appropriateness of this development, in particular Chapter 4A, section A.1, paragraph A.1.1 states “Back gardens of houses should be appropriate to the size of the property, its orientation and likely number of inhabitants. Private gardens of two bedroom houses / bungalows should be at least 50 sq. metres; for three or more bedroom houses / bungalows, 60 sq. metres. Smaller gardens may be acceptable in corner zones or blocks if privacy and day lighting can be maintained.”

It is noted that the proposed dwelling would accord with the aforementioned distances and spacing standards and is considered that owing to the location of the proposed dwelling in relation to neighbouring properties, it would not appear overbearing or harm the outlook or overshadow neighbouring residents. Furthermore, it is considered that owing to the design of the dwelling it would not overlook neighbouring properties.

It is noted that the site is reasonably close to other residential properties and that neighbouring residents have raised concerns about noise and disturbance from the increased use of the access drive and that this would negatively impact on their residential amenity. Whilst this is noted it is considered that the level of traffic likely to be generated from a 3 bedroom dwelling would not be so great as to cause material harm to the amenity of neighbouring residents. It is further noted that neighbouring residents have raised concerns about the impact on the general peace and quiet of this rural area. Whilst this is noted it is considered that the dwelling is converting ancillary residential accommodation which can be used for residential purposes at the current time. Though it is accepted that the proposal is likely to increase the level of activity at the site, it is considered that this would not lead to harm to neighbouring residents in

terms of noise and disturbance to lead to any significant harm to their residential amenity.

As such, taking account of the above, it is considered that the proposed development would be in accordance with the advice contained in paragraph 17 of the NPPF and would not significantly harm the amenity of neighbouring occupants.

### **Highway safety**

Turning to the issue of highway safety, it is noted that neighbouring residents have raised concerns about the proposed access in highway safety terms. However, the Council's Transportation Unit raise no objections to the proposals in highway safety terms subject to a recommended condition relating to the parking areas being suitably hard surfaced. It is noted that they raise no objections in terms of highway safety during the construction phase and as the proposal would use an existing access and only serve one additional dwelling it is very unlikely to create any harm to highway safety.

### **Other issues raised by objectors**

A number of other issues were raised by objectors which included loss of value to neighbouring properties and concerns over the use of a shared driveway which they did not want the applicants to use. Whilst these are noted they are not material planning considerations and cannot be taken into account in the consideration of the application. However, the applicant has confirmed that they own the access road to the site in question.

It is noted that neighbouring residents have raised concerns that the applicant would be using the property for commercial purposes in relation to running a business from home. Whilst this is noted, the application is for residential development and that is all that is being considered as part of this application. The applicant has confirmed that the site would not be used for commercial purposes and if it was, at a level that constituted a material change of use, then this could be dealt with as an enforcement matter.

Concerns were raised by a neighbouring resident who thought that the applicant would not comply with conditions attached to any planning permission granted in this respect, as they have not previously adhered to conditions. Whilst this is noted there is no reason to assume that this will be the case. The neighbouring resident also raised concerns about a change of use from a workshop on the site to a summer house without planning permission. Whilst this is noted the accommodation was ancillary outbuildings and the change from a workshop to a summer house would not constitute a material change of use.

It is noted that a neighbouring resident raised concerns that they had not been consulted on the application by letter. This was an error and the neighbour was notified in writing to rectify this.

Concerns were raised about the impact on the septic tank at the site and whether it could cope with an additional dwelling. The applicants have responded to this and have stated that the applicant has recently installed a separate septic tank system which is designed to accommodate a 12 person capacity, therefore should not overload the neighbour's septic system.

It is noted that neighbouring residents raised concerns about the harm to wildlife at the site. Whilst this is noted the land in question for the new dwelling is currently a private garden area and therefore the ecological impact of the development is likely to be very low. In addition, concerns have been raised that the development would set a precedent for other similar developments though it is considered that the unique nature of this application would not set a precedent for similar developments within the locality, and in any event, each application has to be considered on its own merits..

## **Conclusion**

In conclusion, whilst the extensions proposed to the existing building exceeds the 33% limit, there are very special circumstances in this instance to justify the inappropriate development, being the demolition of existing structures on site and the removal of permitted development rights.

It is considered that the siting and design of the property would not harm the outlook of neighbouring residents or lead to any overlooking. It is also considered that the development is acceptable in appearance and would not harm the character and appearance of the Gildingwells Conservation area owing to its design and private location, not being clearly visible from public views. Furthermore, it is considered to be acceptable in drainage, ecology and highway terms subject to the recommended conditions.

As such, Members are requested to grant planning permission in line with the recommendations in this report.

## **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) (Drawing numbers, (PL) 001Rev PL3)(Received 18/09/2017) (PL) 005 Rev D/(PL) 006 Rev A / (PL) 007 Rev A)(Received 05/09/2017)

Reason

To define the permission and for the avoidance of doubt.

03

Before the development is brought into use, the access track and parking/turning areas shall be constructed with grasscrete, unless otherwise agreed in writing with the Local Planning Authority, and 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', and to reduce the impact on the character and appearance of the Green Belt in accordance with Core Strategy Policy CS4 'Green Belt.'

04

Details of the proposed means of disposal of foul and surface water drainage, including details of any off-site work, shall be submitted to and approved by the Local Planning Authority and the development shall not be brought into use until such approved details are implemented.

#### Reason

To ensure that the development can be properly drained in accordance with UDP policies ENV3.2 'Minimising the Impact of Development' and ENV3.7 'Control of Pollution'.

05

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

#### Reason

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

06

Prior to the occupation of the dwelling hereby approved a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority of. The approved boundary treatments shall be completed before the dwelling is first occupied and shall thereafter be retained and maintained for the lifetime of the development.

#### Reason

In the interests of the visual amenity and to prevent overlooking in accordance with Core Strategy Policies CS21 'Landscaping,' and CS28 'Sustainable Design,' and the advice within the NPPF.

07

Before the development is brought into use, a Landscape scheme, showing location and types of landscape treatment, shall be submitted for approval by the Local Planning Authority. The Landscape scheme should be prepared in accordance with RMBC Landscape Design Guide (April 2014) and shall be implemented in the next available planting season and maintained to ensure healthy establishment. Any plants dying, removed or destroyed within five years of planting shall be replaced the following planting season.

#### 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', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

08

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions or enlargements shall be made to the property hereby approved and no outbuildings shall be constructed within its defined garden area without the written consent of the Local Planning Authority.

#### Reason

To protect the openness of the Green Belt in accordance with Core Strategy Policy CS4 'Green Belts'.

09

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions or enlargements shall be constructed to the property known as Newcroft, 19 Woodsetts Road, and no outbuildings shall be constructed within its newly defined garden area without the written consent of the Local Planning Authority.

#### Reason

To protect the openness of the Green Belt in accordance with Core Strategy Policy CS4 'Green Belts'.

### **Informatives**

01

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

### **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.