REPORT TO THE PLANNING REGULATORY BOARD TO BE HELD ON THE 7TH DECEMBER 2017

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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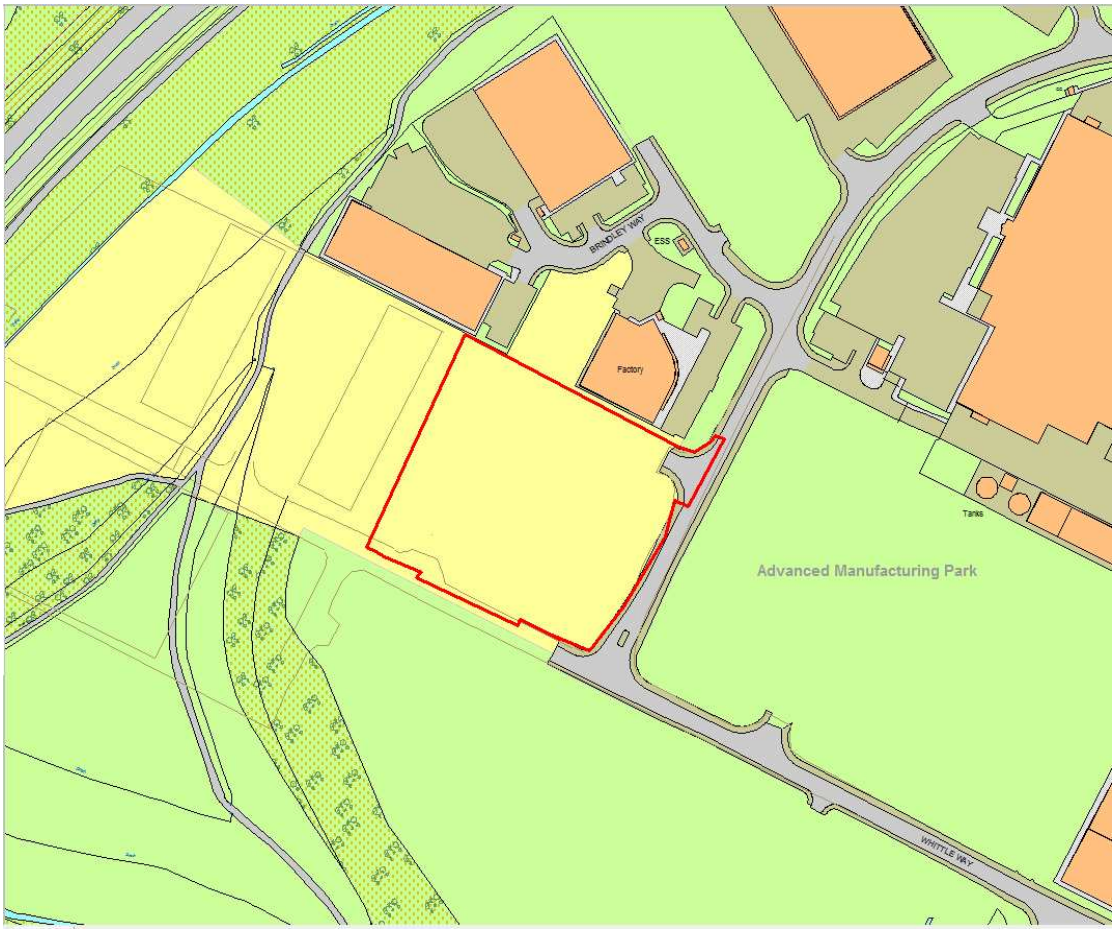
RB2017/1257 **Erection of units No. 5 & No. 6, 5178 sq m of flexible floorspace covering use classes B1 (a, b and c), B2 and B8 along with associated access, parking, servicing, landscaping and other infrastructure at land west of Brunel Way Catcliffe for Harworth Estates Investments Limited.**	**Page 9**
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REPORT TO THE PLANNING REGULATORY BOARD
TO BE HELD ON THE 7 DECEMBER 2017

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	**RB2017/1257**
Proposal and Location	Erection of units No. 5 & No. 6, comprising of 5,178 sq m of flexible floorspace covering use classes B1 (a, b and c), B2 and B8 along with associated access, parking, servicing, landscaping and other infrastructure at land to the west of Brunel Way, Advanced Manufacturing Park, Waverley
Recommendation	Grant subject to conditions

This application is being presented to Planning Board as it does not fall within the Scheme of Delegation for minor operations.



Site Description & Location

The application site forms part of the Phase 2 development at the Advanced Manufacturing Park (AMP) at Waverley and is approximately 1.31 hectares in area.

The site is accessed off a new access road form Whittle Way. It is bounded by the A630 (Sheffield Parkway) to the west, existing employment development to the north and north east, and vacant development platforms and a railway line to the south.

The site has previously been prepared as a development plateau, and is flat.

Background

The following applications are relevant to the application site –

RB2003/0046 - Outline application for development of an advanced manufacturing park including business uses in Class B1 & B2 with related infrastructure and landscaping. - Granted conditionally, subject to a legal agreement 06/04/2005

RB2012/1416 - Engineering works to form level development plateau - Granted Conditionally 17/12/2012

RB2013/1039 - Formation of access road - Granted conditionally 26/09/2013

RB2013/1365 - Outline application to erect 3 No. units (use classes B1(b and c), B2 & B8) with all matters reserved – Granted Conditionally 13/12/2013

RB2013/1568 - Details of layout, landscaping, scale, appearance and internal access for Units 3 and 4 (reserved by outline RB2013/1365) – Granted Conditionally 31/01/2014

RB2014/0903 - Details of layout, landscaping, scale and appearance of Unit 2 (reserved by outline RB2013/1365) – Granted Conditionally 23/09/2014

RB2015/1408 - Outline application with all matters reserved for the creation of up to 2311sqm of class B1 (B and C) , B2 and B8 floorspace (Plot 5) – Granted Conditionally 12/01/16

RB2016/0129 - Erection of 3 No. employment units (incorporating use classes B1, B2 & B8) with a total floorspace of 6,782 sqm along with associated substation, access, servicing, parking, landscaping & other infrastructure =- Granted Conditionally 11/04/16

Proposal

This is a full application submitted by Harworth Estates seeking planning permission for the erection of 2 No. employment units (incorporating use classes B1, B2 & B8) with a total floorspace of 5,178 sqm along with an associated substation, access, servicing, parking and landscaping.

The proposal represents the next stage of development at the AMP known as 'R-evolution Phase II' and follows on from the recent development of the first phase of R-evolution, which includes Plots 2, 3 and 4 directly to the north of the application site and Plots 7 and 8 immediately to the west.

Plots 5 and 6 already benefit from planning consent through separate applications. Outline planning permission for Plot 5 was granted in January 2016 (application reference: RB2015/1408). This was for a building of up to 2,311 sq m incorporating

Class B1(a, b and c), B2 and B8 uses. Plot 6 was granted full planning permission in April 2016 (application reference: RB2016/0129) for a 1,954 sq m building incorporating Class B1, B2 and B8 uses (with up to 50% of the floorspace to be used as Class B1 offices).

The total floor area proposed as part of this application is 5,178 sq m. This is to be provided in two buildings. Plot 5 incorporates 2,786 sq m, whilst Plot 6 spans 2,392 sq m. The submitted floorplan that accompanies the application shows Plot 5 subdivided into two units measuring 1,579 sq m and 1,207 sq m respectively and Plot 6 split into four units measuring 669 sq m, 557 sq m, 455 sq m and 711 sq m.

The units are shown to be sited horizontal to Brunel Way with entrances positioned in the corners of each building, replicating the design of the buildings on the adjacent R-evolution development. A substation is also proposed adjacent to plot 6.

A total of 65 car parking spaces and 16 bicycle hoops are proposed.

The application has been supported by the following documents –

Flood Risk Assessment
This concludes that the proposals are in accordance with existing planning approvals and will not have an adverse impact on flood risk.

Transport Assessment
The AMP roundabout has sufficient capacity to accommodate demand from the development and it concludes that there are no highway reasons why the proposed development should not proceed.

Geo-Environmental Assessment
This looks at ground contaminants at the site, and makes recommendations to render the development acceptable.

Extended Phase 1 Habitat Survey and Preliminary Impact Assessment
This looks at the ecological implications at the site and highlights any recommendations requires to make the proposed development acceptable.

Design and Access Statement
This explains how the proposal is accessed and designed to take into account the site characteristics.

Planning Statement
This includes details about the planning merits of the proposal and includes details of the Community Consultation.

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) (noted in Appendix B of the Core Strategy). The Rotherham Local Plan 'Publication Sites and Policies' was published in September 2015.

The application site is allocated for 'Industrial and Business' purposes in the UDP. In addition, the Rotherham Local Plan 'Publication Sites and Policies' identifies the site as 'Waverley Advanced Manufacturing Park' on the Policies Map. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

- CS9 'Transforming Rotherham's Economy'
- CS14 'Accessible Places and Managing Demand for Travel'
- CS21 'Landscape'
- CS28 'Sustainable Design'

Unitary Development Plan 'saved' policy(s):

- EC3.1 'Land Identified for Industrial and Business Uses'

The Rotherham Local Plan 'Publication Sites and Policies - September 2015':

- SP19 'Waverley Advanced Manufacturing Park'

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 Core Strategy/Unitary Development Plan/Rotherham Local Plan 'Publication Sites and Policies - September 2015' policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application. The emerging policies within the Sites and Policies document (September 2015) have been drafted in accordance with both the NPPF and the Core Strategy but await testing during Examination in Public. As such the weight given to these policies is limited in scope depending on the number and nature of objections that have been received.

Publicity

The proposal was advertised in the press, on site and via letters to adjacent occupants. No representations have been received.

Consultations

RMBC - Transportation and Highways Design – have reviewed the submitted Transport Assessment and confirm that the development traffic is unlikely to have a material adverse impact on the adjacent highway network. The proposed refuse store on the left hand side of the internal access road into the site may restrict inter-visibility for drivers; however this is not in itself a reason for refusal.

RMBC - Landscape Design - No objections subject to conditions.

RMBC – Ecology - There is little scope for biodiversity enhancement or mitigation on this site. As a result it would be appropriate for the developer to undertake something through the Outline Biodiversity Action Plan approved on the wider Waverley site.

RMBC – Drainage – originally raised concerns regarding the allocation of surface water discharge capacity from each site and overland flow routes, however following the submission of additional inf9ormation, these concerns have been addressed.

RMBC - Environmental Health (land contamination) – No objections subject to conditions

RMBC – Environmental Health – Noise – No objections subject to conditions.

Environment Agency – No objections

South Yorkshire Mining Advisory Service – No objections

Appraisal

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

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

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

The main considerations in the determination of this application are:

- The principle of the development
- Design and Layout
- Transportation Issues
- Drainage and Flood Issues
- Landscape and Ecology
- General Amenity Issues
- Geotechnical Issues

The principle of the development

The application site is allocated for industrial and business use within the adopted Rotherham Unitary Development Plan. In this instance the applicant is seeking full permission to erect 2 new units for the purposes of B1 (a, b & c), B2 and B8 uses. It is acknowledged that an element of B1(a) office use is proposed as part of the application, however this will not exceed 10% of the total floorspace for each unit, accordingly this is considered to be ancillary to the main use of the unit and would not in itself require assessment against relevant paragraphs in the NPPF relating to town centre uses. The proposal is therefore considered to be acceptable in land use terms and is in accordance with policy CS9 'Transforming Rotherham's Economy' and UDP Policy EC3.1 `Land identified for Industrial and Business Use`. The proposal is also in accordance with the policies contained within the NPPF which has a presumption in favor of sustainable development, and aims to build strong, competitive economies. In this regard the proposal is considered to be acceptable in principle.

Additionally and under Part 3 Class V of the Town and Country Planning (General Permitted Development) Order, as amended an application can be submitted for a flexible permission which allows the unit to be changed to another use under the same permission without the need for a further application within 10 years from the date of the permission. The applicant could therefore use the unit for any of the uses outlined above within 10 years from the grant of planning permission, however following its continuous use for any single one of the uses for a period of 10 years or more, planning permission would be required for a change of use.

Design and Visual Amenity

Core Strategy Policy CS28 '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 NPPF at paragraph 17 states that as one of its core planning principles that: "planning should always seek to secure a high quality design." Paragraph 56 further states: "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people." In addition, 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, and further goes on to note that: "Local planning authorities are required to take design into consideration and should refuse permission for development of poor design."

The proposed units have been designed to reflect the recently constructed Units 7 and 8 and will adopt the same design principles in terms of layout. Access into the site is proposed to be from the recently constructed road leading to Units 7 and 8, with the

existing junction into the site being closed off. The main entrances have been positioned in the corners of each unit to provide greater emphasis on design and the siting of the blocks at each end of the plot creates a courtyard effect, ensuring they are overlooked from each building.

The heights of the buildings are dictated by the operational requirements of the units and are of similar heights to the adjacent buildings already established along Brunel Way. They range between 8.2m to 8.5m from the external ground level to the top of the building wall parapet. The height of the buildings from the external ground level to the apex of the roof ranges from 8m to circa 10m.

The design of the buildings incorporates a similar palette of materials to those of the existing buildings already constructed along Brunel Way which are adjacent to the development. The main body of the warehouses will be constructed in horizontally laid sinusoidal metal cladding panels in metallic silver. The main entrances of units 7 and 8 are located on the corners while the entrance for unit 6 is located at the centre. The construction of these main entrances will consist of contrasting materials in order to provide identification of the entrance and help break up the massing of the elevation treatment.

The entrance corners will be in polyester powder coated aluminium glazing and doors at ground floor level with a contrasting cladding material at high level. This material has been proposed to be vertically laid Kalwall cladding. The Kalwall cladding is proposed to be framed with a feature beam edge trim in anthracite providing the entrance corner with greater prominence. The bottom of the buildings will be constructed on a brickwork plinth course in a smooth black facing brick. The proposed service doors and fire exit doors are proposed to be in polyester powder coated steel in metallic silver.

Overall, it is considered that the scheme has been sympathetically designed taking account of the characteristics and constraints of the site and the character of the surrounding area. Therefore the scheme is considered to be of an appropriate size, scale, form, design and siting that would ensure it would enhance the quality, character, distinctiveness and amenity value of the borough's landscapes and will be visually attractive in the surrounding area.

In light of the above it is considered that the design of the proposal is one that is acceptable and would satisfy the relevant design policies and guidance of the NPPF and Core Strategy policy CS28 'Sustainable Design'.

Transportation Issues

Having regard to transportation issues, it is first important to recognise the proposals are in line with existing planning conditions attached to recent approvals on the wider AMP site. These state that not more than 47,480m2 of gross floor area within AMP2 shall be occupied until both improvements to Highfield Spring and the Poplar Way/ Morrisons roundabout are provided. It has been calculated that the proposals associated with this application will exceed the 47,480m2 trigger and require delivery of the specified highway improvements. However, Harworth Estates have recently completed these works, accordingly the necessary works are completed and the imposition of the condition is therefore unnecessary in this instance.

The application is accompanied by a Transport Assessment which confirms that vehicular trip rates and anticipated distribution profiles for AMP2 were established as part of the Waverley New Community (WNC) application. An assessment of various junctions has been carried out using existing and projected data which concludes the AMP (south) roundabout has sufficient capacity to accommodate demand from development of Plots 5 & 6 both today and in 2021. The impact of new demand associated with Plots 5 & 6 will therefore have a negligible impact on flow through the Poplar Way/Highfield Spring/Morrisons roundabout junction.

Turning to the proposed access arrangements, access to the site will be from the AMP (south) roundabout junction on Highfield Spring, and then via Whittle Way which is a newly built road within the AMP site, designed to accommodate access to later phases of the AMP. This access road is considered suitable to accommodate a development of this nature.

There are 65 car parking spaces associated with the development, and 16 bicycle hoops providing 32 bicycle spaces. The Council's Transportation Unit have been consulted on the application and confirm that they raise no objections to the siting of the access and level of car parking as it complies with the Council's maximum parking standards for B1, B2 and B8 uses. Concerns were raised regarding the siting of the proposed refuse store on the left hand side of the internal access road into the site, in that it has the potential to restrict inter-visibility for drivers; however when asked to re-site the store, the applicant did not consider this to be an option as a similar arrangement has worked well on adjacent plots without interfering with road safety. The Council's Transportation department have considered this point and whilst it is disappointing that it cannot be re-sited, it's inclusion is not in itself a reason for refusal.

Having regard to all of the above, it considered that the proposal is in accordance with UDP Policy T6 `Location and Layout of Development` and Core Strategy Policy CS14 'Accessible Places and Managing Demand for Travel', and is acceptable in Transportation terms, subject to appropriate conditions

Drainage and Flood Issues

The application site is shown on the Environment Agency's flood risk map as being within Flood Zone 1 (ie land assessed as having less than a 1 in 1000 year annual probability of river flooding, and there are no other significant flood risks that will adversely impact on the development.

The application site is to be provided with a surface water drainage system designed to prevent surface flooding on all events up to 1 in 30 year severity, exceedance flows up to 1 in 10 year events will be stored within the car parks and service yards of the individual units.

It is therefore considered that the proposals would not have an adverse impact on flood risk areas adjacent to and downstream of the site. Conditions should be attached to any approval to require the submission of detailed foul and surface water drainage with the reserved matters applications.

Landscape and Ecology

With regard to Landscape and Ecology matters, Policy CS21 'Landscapes,' states new development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the borough's landscapes by ensuring that landscape works are appropriate to the scale of the development, and that developers will be required to put in place effective landscape management mechanisms including long term landscape maintenance for the lifetime of the development.

The application is supported by a Landscape Plan which shows the vast majority of proposed landscaping concentrated around the perimeter of the development along Brunel Way and the new access road off Whittle Way. It is proposed to plant ornamental shrub, groundcover planting and formal hedgerows along the south-eastern boundary, continuing up towards Units 6 parallel with the proposed new access road, broken only by the siting of the required new substation. This level and type of planting is consistent with that previously approved on the adjacent R-evolution site and as such is considered to be acceptable and in accordance with the provisions of Policy CS21 'Landscape'

Turning to ecology, the application includes an Extended Phase 1 Habitat Assessment Survey and Preliminary Impact Assessment, Breeding Bird Survey, Reptile Survey and Orchid Translocation. The assessment notes that whilst the potential ecological impact of the proposals is generally low, there is the need for some mitigation; specifically in relation to birds, foraging areas for bats and disturbance of adjacent habitats. Chapter 7 of the report summarises these as being:

- Future developers and site owners within the application site should be encouraged to become 'stakeholders' of the SBAP;
- If any portion of the site remains undeveloped for a period of approximately 12 months, a site walkover survey will be undertaken to determine if habitats and management of the site remains unchanged to ensure there is no risk of protected/notable species being adversely affected by the proposals;
- A walkover/checking survey will be undertaken by a suitably qualified ecologist prior to any further clearance disturbance work being undertaken during bird breeding period;
- In order to minimise the potential ecological effects of the proposals appropriate measure will be undertaken to control dust, noise and site lighting;
- Appropriate working and material storage methods will be implemented throughout the construction period to ensure adjacent habitats are not adversely affected by the proposals; and
- Consideration is to be given to low level lighting of the development as well as consideration to minimise light pollution to reduce impact on any retained habitat.
- Biodiversity gains will be realised through the provision of green infrastructure and roosting/nesting for birds/bats.

Having regard to this, it is considered that in terms of ecological implications the application is acceptable and in accordance with Policy CS21 'Landscape', and the above issues raised can be secured via planning conditions.

General Amenity

The closest residential properties are those recently constructed on the Waverley site, approximately 650 metres from the site. It is also acknowledged that there are other commercial premises already on the AMP, and that the site is also in close proximity to

a number of major arterial traffic routes, namely the A630 Sheffield Parkway and the M1 Motorway. Having regard to this, it is acknowledged that there is the potential for neighbouring business or residential housing to be affected by noise and vibration depending on the type of industrial machinery installed and on the acoustic insulation provided to the buildings. On this basis it is considered that this potential disturbance can be adequately controlled by an appropriately worded condition.

Geotechnical Issues

A Geo Environmental Assessment and a Coal Mining Risk Assessment were submitted in support of the planning application. The site is in an area previously occupied by the former Orgreave Colliery and Coking Works, and other associated facilities and chemical works and has been subject to opencast coal extraction. As part of the initial surface mining operations all the former buildings and coking works were demolished and significant volumes of contaminated soils were removed and placed within a purpose designed engineered landfill, known as Orgreave Reclamation Landfill. The remaining opencast mine was subsequently infilled.

Remediation and validation works have been undertaken in the past to a satisfactory standard therefore the site is considered to be fit for use in terms of both geotechnical stability and contamination risks. Chemical analysis indicated that the relevant contamination thresholds were not exceeded.

Additional Site Investigation works were undertaken at the site during 2013 and 2015 and the results of these investigations were used to inform the above preliminary risk assessment. Once again the results of chemical testing reconfirmed there is no significant risk to human health from contamination. The site however has been classified as a gas characteristic 2 situation and all new builds will require a gas protection membrane.

Previous site investigations revealed a number of phytotoxic contaminants (e.g. zinc, lead, cadmium) that were found to be above the recommended guideline values and which may have the potential to impact on plant growth. Further testing may be required for any proposed landscaped areas to determine if additional growth material will be required.

Previous site investigations also revealed elevated soluble sulphate concentrations across the site which has the potential to attack below ground concrete. An appropriate design sulphate class will be required for this site.

The construction material for water supply pipes will need further consideration as criteria for polyethylene and polyvinyl chloride pipes were exceeded in some parts of the site.

Based on the above information it is considered that the site is acceptable with respect to contamination subject to the imposition of conditions on any permission granted.

Conclusion

Having regard to the above it is considered that the proposed development would represent an acceptable and appropriate form of development on this vacant sustainable site that would be in compliance with the requirements detailed within the

UDP, Core Strategy and the NPPF. As such, it is recommended that planning permission be granted subject to conditions.

Conditions

The Development Management Procedure Order 2015 requires that planning authorities provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start. Conditions numbered 14 & 21 of this permission require matters to be approved before development works begin; however, in this instance the conditions are justified because:

i. In the interests of the expedient determination of the application it was considered to be appropriate to reserve certain matters of detail for approval by planning condition rather than unnecessarily extending the application determination process to allow these matters of detail to be addressed pre-determination.

ii. The details required under condition numbers 14 & 21 are fundamental to the acceptability of the development and the nature of the further information required to satisfy these conditions is such that it would be inappropriate to allow the development to proceed until the necessary approvals have been secured.'

General

01
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

02
The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below)

- Proposed Masterplan Dwg No. 12491D-122 Rev G
- Proposed Detailed Site Plan Dwg No. 12491D-123 Rev H
- Proposed Unit 5 Dwg No. 12491D-124 Rev D
- Proposed Unit 6 Dwg No. 12491D-125 Rev B
- Existing / Proposed Site Sections Dwg No. 12491D-127 Rev B
- Proposed Cycle Shelter and Stands Dwg No. 12491D-110 Rev A
- Proposed Bin Stores Dwg No. 12491D-111 Rev A
- Sub-Station Ga Plan And Elevations Dwg No. 12491D-112 Rev A
- Landscape Plan Dwg No. V12491D-L01 Rev A
- Lighting Assessment Dwg No. D29455/LKM/A

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

03

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

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

Transportation

04
Before the development is brought into use the car parking area shown on the Proposed Detailed Site Plan Dwg No. 12491D-123 Rev H 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.

05
Before the proposed development is brought into use, a Travel Plan shall have been submitted to and approved by the Local Planning Authority. The plan shall include clear and unambiguous objectives, modal split targets together with a programme of implementation, monitoring, validation and regular review and improvement. The Local Planning Authority shall be informed of and give prior approval in writing to any subsequent improvements or modifications to the Travel Plan following submission of progress performance reports as time tabled in the monitoring programme. For further information please contact the Transportation Unit (01709) 822186.

Reason
In order to promote sustainable transport choices

06
The existing vehicular access to Brunel Way shall be permanently closed and the kerbline/footway reinstated before the development is brought into use.

Reason
In the interests of road safety

Landscape and Ecology

07
Landscaping of the site as shown on the approved plan (Vector Design Concepts drawing no. V12491D-L01Rev A) 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', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'

08
Prior to the occupation of the first unit, a biodiversity mitigation & enhancement strategy, including all measures in Paragraph 7 of the AES Ltd. Extended Phase 1 Habitat Survey report (06 February 2017), a schedule for implementation and long-term maintenance plans shall be submitted. The development shall thereafter be carried out in accordance with the approved details.

Reason
To enhance the biodiversity gain in accordance with the NPPF.

Contaminated Land

09
The following gas protection measures shall be incorporated into all of the units hereby approved:

a) Reinforced concrete cast insitu floor slab (suspended, non-suspended or raft) with at least a lapped and taped minimum 1200g membrane
b) a beam and block or pre cast concrete floor slab with a lapped and taped minimum 2000g membrane; and
c) Possibly under floor venting or pressurisation in combination with either of (a) or (b) above depending on use
d) All joints and penetrations should be sealed

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.

10
In the absence of any further testing to delineate phytotoxic contaminated soils previously identified, a clean cover/capping layer comprising of a minimum of 600mm clean suitable growing medium, underlain by a lower geotextile separation layer (in order to prevent mixing of soils), shall be provided in all proposed areas of landscaping.

Reason
To ensure that any potential risks from land contamination to the proposed landscaping scheme are minimised.

11
If subsoil's and topsoil's are required to be imported to site for soft landscaping works 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 site then the results shall thereafter be presented to the Local Authority in the format of 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.

12
A design sulphate classification of DS-4 and the corresponding aggressive chemical environment for concrete (ACEC) AC-4 should be adopted for all sub surface concrete, together with additional protective measures (APMs). The additional protection shall comprise a 50mm layer of sacrificial concrete (as per the specification in RSK Environmental Limited's letter entitled 'AMP Extension Land – Ground Conditions – Gas Risk and Concrete Classification, dated 20 November 2013, ref M321367-L02). This is due to the elevated soluble sulphate content within the soils and made ground across the site.

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.

13
Prior to commencement of development suitable water supply pipes will need to be specified and approved in writing by the Local Planning Authority to ensure resistance from chemical attack from residual contaminants remaining in the ground.

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.

14
In the event that during development works unexpected significant contamination is encountered at any stage of the process, the local planning authority shall be notified in writing immediately. Any requirements for remedial works shall be submitted to and approved in writing by the Local Authority. Works thereafter shall be carried out in accordance with an approved Method Statement. This is to ensure the development will be suitable for use and that identified contamination will not present significant risks to human health or the environment

Reason
To ensure 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.

15
Following completion of any required remedial/ground preparation works a Verification Report should be submitted to the Local Authority for review and comment. The Verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the Local Planning Authority.

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.

Environmental

16
No part of the land other than that occupied by buildings shall be used for the permanent storage of goods, components, parts, waste materials or equipment without the prior written approval of the Local Planning Authority.

Reason
To prevent the land from becoming unsightly in the interests of visual amenity and in accordance with UDP Policy ENV3.1 'Development and the Environment'.

17
For each building contract with the development hereby approved, a Construction Management Plan shall first be submitted to and approved in writing by the Local Planning Authority detailing the following:

- Wheel washing facilities
- Hours of operation
- Methods to control dust emissions
- Noise levels and specifications of reversing alarms fitted to vehicles
- Contact name and telephone number of Officer responsible for immediate investigation of complaints

The construction shall thereafter be carried out at all times in accordance with the approved details.

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

18
Each and every building hereby approved shall be designed to achieve BREEAM Very Good rating as a minimum. Prior to the commencement of the development of each building a BREEAM Assessors report shall be submitted to and approved in writing by the Local Planning Authority. The building shall subsequently be developed in accordance with the approved details.

Reason
To achieve a sustainable form of development in accordance with the NPPF.

Noise

19
Prior to the occupation of each and every building a noise assessment in accordance with BS4142 shall be submitted to and approved in writing by the Local Planning Authority. All conclusions and recommendations contained within the approved assessment shall be implemented prior to the first use of each building.

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

Drainage

20
Development shall not begin until a foul and surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the construction details and shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- The limitation of surface water run-off to 137 litres/second
- The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus 30% climate change, based upon the submission of drainage calculations

Reason
To ensure that the development can be properly drained in accordance with UDP Policies ENV3.2 'Minimising the Impact of Development', ENV3.7 'Control of Pollution' and the South Yorkshire Interim Local Guidance for Sustainable Drainage Systems for Major Applications.

21
Surface water from areas likely to receive petrol/oil contamination (e.g. vehicle parking areas) shall be passed through effective oil/grit interceptors prior to discharge to any sewer or watercourse.

Reason
To prevent pollution of any watercourse in accordance with UDP policies ENV3.2 'Minimising the Impact of Development' and ENV3.7 'Control of Pollution'.

Informatives

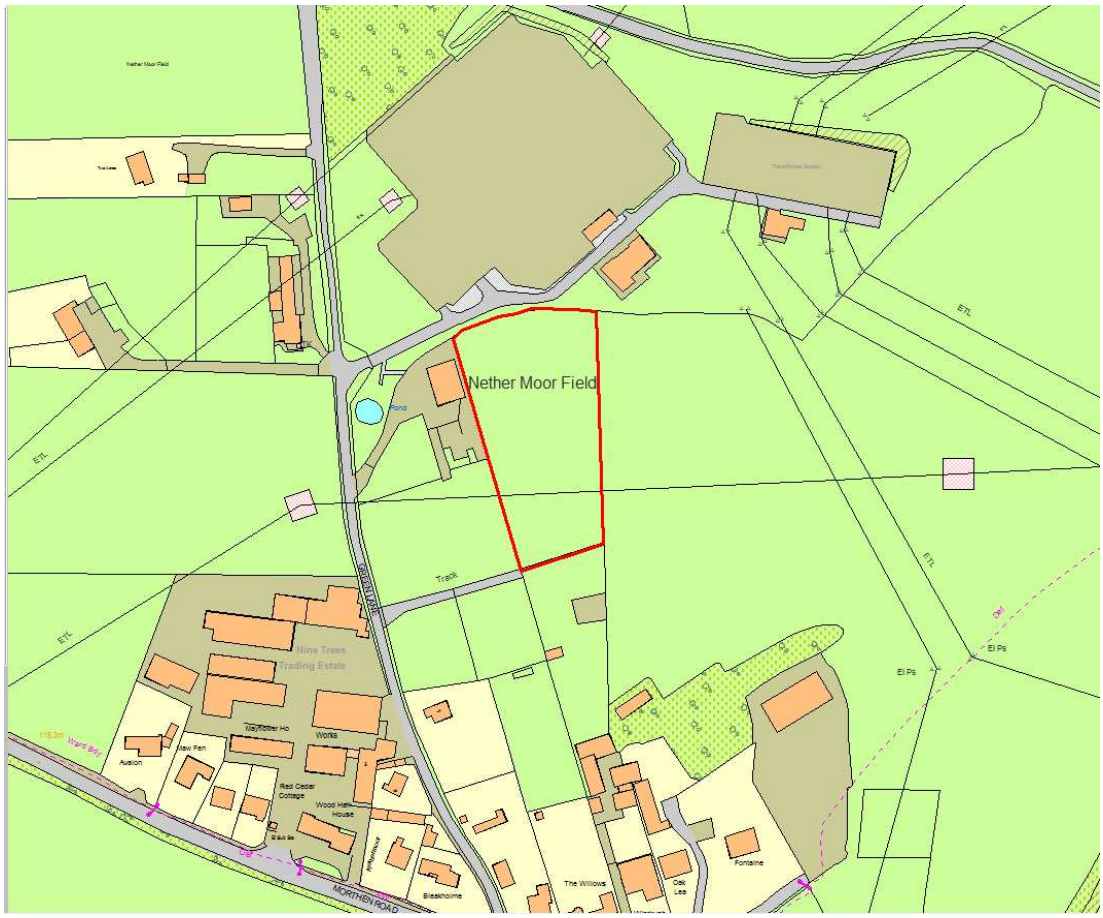
N/A

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	**RB2017/1426**
Proposal and Location	Small scale electricity battery storage facility consisting of 25 No. 2MW battery containers and 10 No. 2MW Inverters, plant & substation, 2.4m security fencing and external works at Nether Moor Field, Green Lane, Thurcroft
Recommendation	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 an open field located to the south of the existing Thurcroft electricity sub-station site, and to the rear of an existing agricultural building, that is also owned by the applicant. Across Green Lane to the west is a commercial dog kennels whilst to the south and east are open fields.

Background

There have been no relevant previous planning applications relating to this site.

Proposal

The application seeks full planning permission for the construction of an Energy Storage System and associated infrastructure, to provide 50MW of battery storage. This would consist of the provision of a switch room building and 132KVA substation building, both of which would be sited close to the northern boundary of the site, directly adjacent to the Thurcroft Substation site, and 25 x 2MW battery storage containers, and 10 inverters. The site would be secured by the provision of 2.1m high security fencing.

Access to the site would be via the existing access to the adjacent agricultural building off Green Lane, and the access would be widened to accommodate the larger vehicles required to deliver the equipment to the site. A turning facility would also be provided on this site. The applicant has indicated that the development is expected to generate 25 deliveries for the batteries and 5 for the switch gear, these will be staggered through the day to approx. 3-4 a day to ensure that there is not a stacking up of deliveries. Once the development is completed, only one or two visits per year would be required by a maintenance engineer normally in a transit van size vehicle. As such, two parking spaces are required on site.

The applicant has assessed local distribution networks to identify sites close to Distribution Network Operators (DNOs) primary substations where the network could accept embedded generation by means of a Sequential Test. This looks at other sites both in and out of the Green Belt to demonstrate that there are no other more suitable sites. (DNOs) are companies licensed to distribute electricity in Great Britain. The Sequential Test looks at all alternative sites within 1km of the application site and states that sites further than 1km in distance would prove to be unviable in terms of infrastructure costs and practicality with connection with multiple landowners and disruption caused.

The applicant has also submitted a Design and Access Statement (DAS) which notes that: “The site requires to have sufficient point of connection for gas and capacity for the national grid connection.”

It adds that: “The facility would provide a key source of flexibility to address some of the challenges associated with the transition to a low carbon electricity sector. By storing energy when demand is low and releasing it over periods of extreme demand, the development will help the energy sector cope with the peaks in supply and demand that the energy sector faces on a daily basis.”

The DAS notes that: “Energy Storage is the capture of energy produced at one time for use at a later time. With around two thirds of existing power stations expected to reach their working lives by 2013 battery storage can reduce the investment needed in the replacement capacity. By being able to react quickly to demand needs, it can also help minimise spending on upgrades to the network to be able to cope wit the significant peaks and troughs in the flow of electricity.

As well as benefits to the network successful development of commercial battery storage is seen as the missing link to help accelerate the shift to a low carbon economy and offers huge potential to integrate more intermittent generation such as wind and solar in the energy mix.

System frequency continuously changes and is controlled by real time balance between system demand and generation. Too much demand, or too much generation, can lead

to blackouts. 3 Therefore, it is critical that the National Grid has back up mechanisms in place to counter any unexpected frequency change.

At the grid scale, energy storage is perfect for providing any electricity network with power and energy on short notice to help match the supply with the demand. The current alternative to energy storage is to operate what are called Peaking Plants, which are fossil-fuel burning plants that are left ticking over just in case there is an emergency stress event. In this way battery storage systems, which are completely emission free, reduce the C02 and other pollutant, impact greatly.

In addition to contributing to the existing changes in energy demand, the facility will support the transition to a low carbon economy. The adoption of large-scale renewable energy has brought and will continue to bring a range of challenges for the grid operator to manage such volumes of intermittent generation. Energy storage facilities such as battery storage will provide a complimentary technology alongside other renewables to meet these challenges."

The development is proposed to be temporary for 20-30 years after which the site will be returned to its current position. No physical changes are proposed to the land in terms of earth removal or levelling.

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) (noted in Appendix B of the Core Strategy). The Rotherham Local Plan 'Publication Sites and Policies' was published in September 2015.

Core Strategy policy(s):

CS4 'Green Belt'
CS28 'Sustainable Design'
CS30 'Low Carbon and Renewable Energy Generation'

Unitary Development Plan 'saved' policy(s):

ENV3.7 'Control of Pollution'
UTL3.3 'Energy Conservation'

The Rotherham Local Plan 'Publication Sites and Policies - September 2015':

No relevant Policies.

Other Material Considerations

National Policy Statement for Energy (EN-1).

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 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 and a letter of objection has been received from Wickersley Parish Council, which has also been signed by 15 individual objectors. The objections raised are that:
- The site currently comprises open land within the Green Belt and the applicant has not, to date, demonstrated very special circumstances to justify the normal presumption against development such as this.
- The proposed development will have an adverse visual impact.
- No information is provided about whether there will be noise associated with the development.
- The development should be accommodated on a brownfield site, not on open land within the Green Belt.

Two Right to Speak requests have been received, one from Wickersley Parish Council and one from one of the objectors.

Consultations

RMBC - Transportation and Highways Design: Originally raised query about width of access but on receipt of an amended plan have no objections subject to conditions.

RMBC - Landscape Design: Have no objections.

RMBC – Ecologist: Because the site is isolated from known sites of nature conservation and sensitive habitats, no reservations about air quality, noise or water/soil pollution are raised.

RMBC – Drainage: Have 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 this application are:

- The principle of the development, including impact on openness.
- Impact on character and appearance of the area, and impact on local landscape.
- General amenity
- Highways
- Drainage
- Ecology
- Very special circumstances

Principle

The application site is located within the Green Belt and the proposed development does not constitute one of the exemptions outlined within paragraph 89 of the NPPF for new buildings in the Green Belt.

Therefore the proposed development would be inappropriate development in the Green Belt as defined by the NPPF. As such in light of the above the main considerations in respect of whether the principle of development is acceptable are:

- the effect of the proposal on the openness of the Green Belt;
- the effect of the proposal on the character and appearance of the area; and
- whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Openness:

The site is currently open and level and consists of grazing land and the proposed development will undoubtedly have an impact on the openness of the Green Belt. This impact will take place during the lifetime of the development, which is estimated to be 20 years. As the site is currently devoid of any buildings and the current proposal would by definition be inappropriate development it would have an impact on openness. The NPPF states: “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.”

Therefore, the proposal represents inappropriate development and has an impact on the openness of the Green Belt. Permission should not be approved except in very special circumstances. These are discussed in more detail below.

Impact on character and appearance of the area, and impact on local landscape.

The site is relatively well hidden from public views, with the large Thurcroft substation site directly adjacent to the north and the large agricultural building to the west which screen views of the site from Green Lane. In addition, the local landscape contains a number of large electricity pylons that cross the land. When viewed from longer distance

from Kingsforth Lane across the M1 to the east (which is in a cutting), the proposed structures would appear relatively small scale and it is not considered that they would have a significant impact on the character or appearance of the area in general. In any event, it is proposed that the permission would be granted for a temporary period only, at the end of which the buildings and structures would be removed from the site.

General amenity

Paragraph 17 of the NPPF states development should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Core Strategy Policy CS27 states that: "Development will be supported which protects, promotes or contributes to securing a healthy and safe environment…" 'Saved' UDP policy ENV3.7 further states: "The Council will seek to minimise the adverse effects of nuisance, disturbance and pollution associated with development and transport. Planning permission will not be granted for new development which: (i) is likely to give rise…to noise, light pollution, pollution of the atmosphere…or to other nuisances where such impacts would be beyond acceptable standards, Government Guidance, or incapable of being avoided by incorporation of preventative or mitigating measures at the time the development takes place…"

The proposed development would be sited approximately 80m from 1 Green Lane to the south and the applicant states that the impact on nearby residents would be minimal as the facility does not generate significant noise. It is noted that the site is located adjacent to the existing larger electricity substation site, and to the east is the busy M1 motorway. In addition, across Green Lane to the west is a dog kennels. It is not considered that the additional noise generated by the proposed facility would significantly adversely affect the amenities of nearby residents.

Highways

Improvements are proposed to the access and access to the site is considered acceptable to accommodate the vehicles required to deliver the plant and equipment to the site. In these circumstances, the proposal is acceptable in highway terms subject to recommended conditions.

Drainage

The site is in Flood Zone 1 where there is no impact on flooding. The Council's Drainage Team has no objections subject to relevant condition.

Ecology

The nearest ancient woodland is Pea Carr Wood which is 860m to the south-west. The next nearest is Liner Wood (1,019m to the west) and Wickersley Wood (1,628m to the north-west and north). The nearest Local Wildlife Site is Kings Pond Plantation which is 862m to the north-east. The next nearest (Wickersley Wood, Wickersley Gorse and Thurcroft Hall) are over 1,000m away. None of the ancient woodlands or Local Wildlife Sites are structurally connected to the site and it is considered that they are sufficiently far away so as not to be affected by the proposed developments.

The western hedge appears to comprise six bushes whilst the northern hedgerow is more complete but appears gappy and straggly. Consequently, these are not likely to be important for bats. There are no buildings on the site, so bat roosts in buildings are not an issue. The site is not within a bat constraint zone (as identified on Mapper). There is a pond marked on Mapper 40m to the west and the potential of this and the site to support great crested newts should be investigated.

In view of the above no objections are raised subject to recommended conditions.

Very special circumstances

Paragraph 91 of the NPPF states that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

The proposal is directly related to renewable energy, the system will store electricity produced from renewable sources during periods in low demand and release electricity to the grid when demand is high, thereby maximising the benefits of renewable energy that has been produced and minimising its wastage.

The overarching National Policy Statement for Energy (EN-1) is part of a suite of NPSs issued by the Secretary of State for Energy and Climate Change. It sets out the Government's Policy for delivery of major energy infrastructure. EN-1 was written prior to any viable method of storing electricity was developed, and therefore energy storage is not considered directly in the statement. However, the principals which support energy storage are considered, and therefore EN-1 is applicable to this development.

Paragraph 3.3.11 of EN-1 states that "...the more renewable energy generating capacity we have the more generation capacity we will require overall, to provide back up at times when the availability of intermittent renewable sources is low. If fossil fuel plant remains the most cost effective means of providing such back up, particularly at short notice, it is possible that even when the UK's electricity supply is almost entirely decarbonised we may still need fossil fuel power stations for short periods when renewable output is too low to meet demand.." Paragraph 3.3.12 states that… "it is therefore likely that increasing reliance on renewables will mean that we need more total electricity capacity than we have now, with a larger proportion being built only or mainly to perform back-up functions." Paragraph 3.3.31 states that: "The government still envisages back up capacity being necessary to ensure security of supply until other storage technologies reach maturity"

The development would include 25 battery energy units which would be charged by renewable sources, such as wind or solar, at times of low network demand, store the electricity generated and then supply it to the National Grid to help balance the supply of electricity and ensure a constant power supply. This would ensure that power generated by these intermittent power sources is not wasted. Accordingly, the technology would support the more efficient use of renewable energy sources and this reduces the reliance on electricity from non-renewable sources, which assists in reducing CO2 emissions. Also the development itself would not generate any CO2 emissions. This aligns with the support in the NPPF, adopted Rotherham Core Strategy Policy CS30 and saved UDP policy UTL3.4.

It is noted that the existing infrastructure is already in place in the form of the existing Thurcroft Substation and that the current proposed location, whilst in the Green Belt, is the most logical location to complement the existing infrastructure. In addition, by being located in close proximity to a substation the proposed development will be able to work at optimum performance. The applicant states that the cost of laying cable across and along highways increases the cost by approximately £2,500 per metre, and this additional length also increases the thermal fault level and can increase the connection cost to the sub-station by £100,000s, making the project financially unviable

Finally, it is noted that the proposed development is required for a temporary period, albeit a lengthy one at 20 years, and at the end of that period the development, including buildings, would be removed and the site restored to its former condition. It is anticipated that technologies will have advanced by then such that smaller scale facilities may be available to replace that currently proposed.

It is concluded that whilst the proposed development is inappropriate by definition and has an impact on the openness of the Green Belt, very special circumstances have been demonstrated that overcome its inappropriateness and its impact on the openness of the Green Belt in this locality. It is therefore considered that the proposed development is acceptable in principle and will comply with the relevant paragraphs of the NPPF; Core Strategy Policies CS4 and CS30 and saved UDP Policy UTL3.3.

Conclusion

It is considered that the proposals represent inappropriate development in the Green belt and will have an impact, albeit not significant, on the openness of the Green Belt in this location. However, it is further considered that very special circumstances have been demonstrated that overcome its inappropriateness and its impact on the openness of the Green Belt in this locality.

It is not considered that the development would harm the character and appearance of the area given the size and scale of the proposal. Furthermore, the proposal will not result in a significant visual impact or give rise to any highway, drainage and ecological issues, or impact on local residents.

It is therefore considered that the proposed development is acceptable and will comply with the relevant paragraphs of the NPPF; Core Strategy Policies CS4 and CS30 and saved UDP Policy UTL3.3. The proposal is accordingly recommended for approval subject to 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 shall be valid for 20 years and at the end of that period all structures

hereby approved shall be wholly removed and the site restored in a manner to be agreed with the Local Planning Authority.

Reason
Due to the inappropriate nature of the development and its impact on the openness of the Green Belt in this location, in accordance with Core Strategy Policies CS4 Green Belt and CS28 Sustainable Design.

03
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)

Site Layout with Temporary Access – dated Nov 2017 17111 – 006 Rev A
Container details – 17111 – 002
Switch Room Proposed Layout & Elevations – 17111 - 004
Substation Proposed Layout & Elevations – 17111 – 005

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

04
No part of the land other than that occupied by buildings shall be used for the storage of goods, components, parts, waste materials or equipment without the prior written approval of the Local Planning Authority.

Reason
To prevent the land from becoming unsightly in the interests of visual amenity and in accordance with Core Strategy Policy CS28 Sustainable Design.

05
Prior to the development being commenced, the existing vehicular access to
Green Lane shall be increased in width as indicated on the submitted plan.

Reason
In the interests of highway safety.

06
Prior to the development being commenced, a Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority and the approved details shall be implemented throughout the duration of the construction works. The plan shall require all construction traffic to approach and leave the site from/to the south, a banksman to control all traffic leaving the site and measures to deal with any mud etc. deposited in the highway by construction traffic.

07
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.

08
Details of the proposed means of disposal of foul and surface water, including details of any off-site work and on-site attenuation of surface water flows, 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'.

09
Before the development is brought into use, a Landscape scheme relating to planting on the boundary of the site, 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 guidance document 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'.

10
No above ground development of the switch room and substation buildings shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted or samples of the materials have been left on site, and the details/samples have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details/samples.

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

11
Prior to its erection, detail of the type and colour of 2.1m high security fencing to be erected around the site shall be submitted to and approved by the Local Planning Authority and the approved details shall be implemented.

Reason

In the interests of visual amenity and in accordance with Core Strategy Policy CS28 Sustainable Development.

12
Prior to the commencement of development a Phase 1 Habitat survey shall be undertaken and details of any recommendations and mitigation measures shall be submitted to and approved by the Local Planning Authority and thereafter implemented.

Reason
In order to make adequate provision for species protected by the Wildlife & Countryside Act 1981 and in accordance with UDP Policy ENV2 'Conserving the Environment'.

The Development Management Procedure Order 2015 requires that planning authorities provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start. Condition number 12 of this permission requires matters to be approved before development works begin; however, in this instance the condition is justified because:

i. In the interests of the expedient determination of the application it was considered to be appropriate to reserve certain matters of detail for approval by planning condition rather than unnecessarily extending the application determination process to allow these matters of detail to be addressed pre-determination.
ii. The details required under condition number 12 are fundamental to the acceptability of the development and the nature of the further information required to satisfy this condition is such that it would be inappropriate to allow the development to proceed until the necessary approvals have been secured.

Informative(s)

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.

02
Nature conservation protection under UK and EU legislation is irrespective of the planning system and the applicant should therefore ensure that any activity undertaken, regardless of the need for any planning consent, complies with the appropriate wildlife legislation. If any protected species are found on the site then work should halt immediately and an appropriately qualified ecologist should be consulted. For definitive information primary legislative sources should be consulted.

POSITIVE AND PROACTIVE STATEMENT

Whilst the applicant did not engage in pre application discussions with the Local Planning Authority, the proposals were amended during the course of the determination of the application and the application is considered to be in accordance with the principles of the National Planning Policy Framework.