

**PLANNING BOARD
1st July, 2021**

Present:- Councillor Atkin (in the Chair); Councillors Bird, Castledine-Dack, Cowen, R. Elliott, Fisher, Havard, Keenan, McNeely, Sansome and Tinsley.

Apologies for absence were received from Councillors Miro, Wilson and Wooding.

The webcast of the Planning Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

9. EXCLUSION OF THE PRESS AND PUBLIC

There were no items on the agenda to warrant exclusion of the press and public.

10. MATTERS OF URGENCY

There were no matters of urgency for consideration.

11. DECLARATIONS OF INTEREST

There were no Declarations of Interest to record.

12. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 10th June, 2021, be approved as a correct record of the meeting.

13. DEFERMENTS/SITE VISITS

There were no site visits recommended.

14. DEVELOPMENT PROPOSALS

Resolved:- (1) That, on the development proposals now considered, the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

In accordance with the right to speak procedure, the following attended the meeting and spoke about the applications below:-

- Erection of 76 No. dwellinghouses with associated access & landscaping at land West of Blue Mans Way Catcliffe for Strata Homes & Great Places Housing Group (RB2021/0037)

Mr. M. Rhodes (Applicant)
Ms. N. Martin (Objector)
Mr. N. Howarth (Objector)
Ms. E. Swanson (Objector)

- Felling of trees protected by TPO No. 3 2016 at land west of Blue Mans Way Catcliffe for Strata Homes Limited (RB2021/0598)

Ms. C. Lindley (on behalf of the Applicant)
Mr. N. Howarth (Objector)
Ms. E. Swanson (Objector)

(2) That, with regards to application RB2021/0037:-

(a) subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following:-

- A commuted sum of £38,000 (£500 per dwelling) towards sustainable transport measures.
- Establishment of a Management Company to manage and maintain all communal landscaped open space areas and woodland as shown on the Proposed Layout Plan.
- £4,500 toward a Traffic Regulation Order relating to a 20 mph limit on the estate roads.

(b) subject to the satisfactory securing of such an agreement, the Council resolves to grant planning permission for the proposed development subject to the reasons for grant and conditions listed in the submitted report and subject to amendments to Condition 19 and the inclusion of a further conditions; with the remaining conditions re-numbered accordingly to the end to now read:-

Land Contamination

19

Prior to commencement of development, an intrusive investigation and subsequent risk assessment must be undertaken by competent persons to determine the presence of the highwall, the current ground gassing regime and to determine that no significant soil or groundwater contamination is present beneath areas that were previously inaccessible and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Investigations to determine the location of the highwall must be undertaken in accordance with the letter prepared by Eastwoods & Partners Ltd entitled 'Preliminary Recommendations for Development over Opencast Highwall – Blue Mans Way, Catcliffe', dated March 2021, reference CAT/DN/45620-001

The above report must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and Contaminated Land Science Reports (SR2 – 4).

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.

20

Subject to the findings of Condition 19, if required a Remediation Method Statement shall be provided and approved by the Local Planning Authority prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

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.

21

In the event that during development works unexpected significant contamination is encountered, 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 Planning 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.

22

Subject to the findings of Condition 19 and prior to development commencing, in the event that gas protection measures are required for any new builds then details of the gas protection measures/membrane to

be installed, complete with drawings to show how the membrane will fit into the overall building design and how it will be validated following installation, shall be submitted to and approved by the Local Planning Authority. Installation of the gas protection measures are to be verified to confirm the ventilated sub-floor void and gas membrane meet the required standards. Inspection reports for each plot will be forwarded to the Local Authority for approval.

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.

23

Prior to development commencing 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.

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If subsoil/topsoil is required to be imported to site for remedial works, then these soils will need to be tested at a rate and frequency to be agreed with the Local Planning Authority to ensure they are free from contamination.

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.

25

Following completion of any remedial/ground preparation works a Validation Report shall be forwarded to the Local Planning Authority for review and comment. The validation 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 validation 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 validation 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.

Noise

26

No dwelling shall be occupied unless it has been constructed in accordance with the façade design and mitigation measures set out in Section 4.2 of the ENS Noise Assessment Report (IA/9431/20/9478/v2) dated 21.12.20, and that a noise assessment has been carried out, in accordance with details to be submitted to and approved by the Local Planning Authority, demonstrating that the noise mitigation strategy described in the Noise Assessment has been successful and the parameters discussed in Section 4 of the report have been met.

Reason

In the interests of the future occupiers of the dwellings.

27

No dwelling shall be occupied unless the proposed development has been constructed in accordance with section 4.3 of the ENS Noise Assessment Report (IA/9431/20/9478/v2) dated 21.12.20 and the proposed fencing shown on the plan 18-CL4-SEGB-CA-03 BOUNDARY TREATMENT & MATERIALS PLAN REV A and that a noise assessment has been carried out, in accordance with details to be submitted to and approved by the Local Planning Authority, demonstrating that the noise mitigation strategy described in the Noise Assessment has been successful and the parameters discussed in Section 4 of the report have been met.

Reason

In the interests of the future occupiers of the dwellings.

Communication

28

Prior to first occupation of a dwelling on this site, information relating to the availability of infrastructure to enable the provision of gigabit capable full fibre broadband should be submitted and approved by the LPA. If the necessary infrastructure is available to enable provision, details of measures to facilitate the provision of gigabit-capable full fibre broadband for the development hereby approved, including a timescale for

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

Reason

In accordance with Local Plan Policy SP61 'Telecommunications' and Chapter 10 of the NPPF.

(3) That application RB2021/0598 be granted for the reasons adopted by Members at the meeting and subject to a condition relating to replacement planting listed in the submitted report.

15. UPDATES

There were no updates to report.

16. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 22nd July, 2021 at 9.00 a.m. at Rotherham Town Hall.