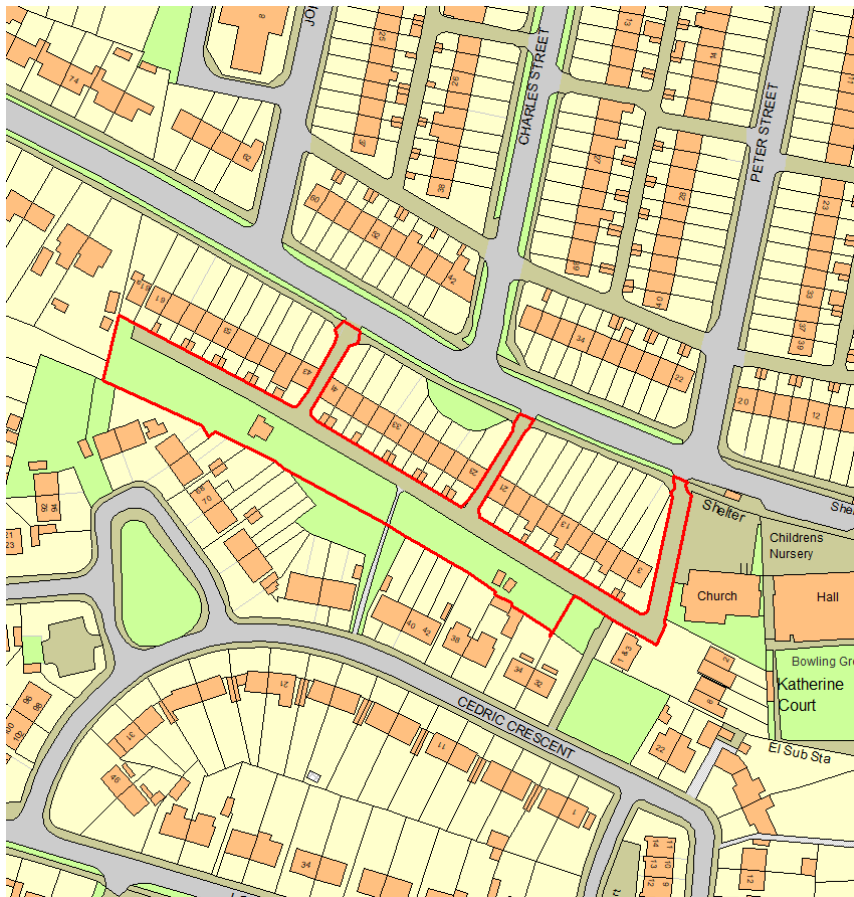


## REPORT TO THE PLANNING BOARD TO BE HELD ON THE 20<sup>TH</sup> JULY 2023

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.

<b>Application Number</b>	<b>RB2021/1911</b> <a href="https://rotherham.planportal.co.uk/?id=RB2021/1911">https://rotherham.planportal.co.uk/?id=RB2021/1911</a>
<b>Proposal and Location</b>	Demolition of existing garages and erection of 5 No. detached residential dwellings with alterations to access road at land to rear of 3 – 61 Katherine Road Thurcroft Rotherham
<b>Recommendation</b>	<b>Grant subject to conditions</b>

The application is to be presented to Planning Board due to the number of objections received and in accordance with the Council's Scheme of Delegation



### Site Description & Location

The application site consists of a rectangular parcel of land to the rear of a row of terraced properties on Katherine Road at Thurcroft. The land previously contained garages as far back as the 1960's although most have now been demolished, those that remain are in a poor state of repair and the remainder of the land is overgrown and unused. At the time that the

application was submitted there was a single mature Poplar tree on the site, this has since been removed.

The site is accessed from three narrow adopted roads between the dwellings which link onto a service road (also adopted highway) running the full length of the site which also provides access to the rear of the properties numbered 3 – 61 Katherine Road. The majority of properties which back onto this service road have access to vehicular parking within the rear yard and approximately 8 of these properties have parking to the front also.

Katherine Road comprises of mainly terraced properties with long front gardens and smaller enclosed gardens/yard areas to the rear. To the southern side of the site is Cedric Crescent which consists of semi-detached dwellings which back onto the site at varying distances. A narrow footpath runs through the middle of the application site linking the service road at the rear of the properties on Katherine Road and Cedric Crescent, and there is small area of open greenspace adjacent to the footpath to the southern side of the site boundary.

## **Background**

There are no recent planning applications relating to this site.

This application was validated on 11 November 2021 but is only being presented now due to problems achieving an acceptable vehicular access to the site.

## **CIL**

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 application is for five detached two storey 4 bed dwellinghouses, consisting of two house types.

Type A (Plots 3 and 5) are to be constructed with the shorter side gable wall (north) facing onto the adjacent service road with the front and rear elevations facing east and west.

Type B (Plots 1, 2 and 4) are to be constructed with the front and rear elevations also facing east and west, but orientated with the gable ends being on the front and rear.

The site will be accessed via the three adopted highways which run from Katherine Road to the service road (which is also an adopted highway)

between the terraced properties. The access road to the western end between Nos. 41 and 43 has been amended following consultation between the applicant and the Transportation Officers and is to be widened by utilising part of the front and rear garden of No. 43.

The properties have been designed such that all first floor habitable room windows face to the east and west to prevent any overlooking of existing dwellings.

Each property will have two off road parking spaces and private garden areas to the side.

The private garden areas will be screened by 1.8m high screen fencing to the side and rear and to the front boundary adjacent the service road it is proposed to erect

walls with piers and fence infills to an overall height of 1.8m. The existing pedestrian access to the Cedric Crescent to the rear of the site will remain and will run between Plots 3 and 4. The submitted plans, as amended, retain open gardens and a low 0.9m high post and rail fencing at the front of proposed plots 3 and 5, between which the footpath would run.

A Biodiversity Net Gain (BNG) report and Small Sites Biodiversity Metric has been submitted in support of the application.

Flood Risk information from the Environment Agency has been submitted which indicates the area is in Flood Zone 1 which is an area with a low probability of flooding.

A Land Contamination report has been submitted which recommends further survey prior to work commencing, to include;

- Excavation of trial pits across the site, with the recovery of selected samples of made ground and natural soils for chemical testing.
- Chemical testing of recovered soil samples at a UKAS/MCERTS accredited laboratory. Considering the former uses of the site, testing should include Metals, PAH, speciated TPH, Asbestos and Herbicides and Pesticide screening.
- Recovery of groundwater samples (if encountered), for testing at a UKAS/MCERTS accredited laboratory.
- Preparation of a factual and interpretative Phase II Report, detailing the findings of the investigation, including a qualitative risk assessment and recommendations for the preparation of a Remediation Method Statement (if required).

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

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site is within an area identified as 'Residential' in the Local Plan.

For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):

CS14 'Accessible Places and Managing Demand for Travel'  
 CS20 'Biodiversity and Geodiversity'  
 CS21 'Landscapes'  
 CS27 'Community Health and Safety'  
 CS28 'Sustainable Design'  
 CS30 'Low Carbon & Renewable Energy Generation'  
 CS33 'Presumption in Favour of Sustainable Development'  
 SP 11 'Development in Residential Areas'  
 SP26 'Sustainable Transport for Development'  
 SP32 'Green Infrastructure and Landscape'  
 SP52 'Pollution Control'

SP55 'Design Principles'  
 SP64 'Access to Community Facilities'

### **Other Material Considerations**

The NPPF as revised states that: "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise."

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

The following other documents will also be relevant in the determination of this application:

National Planning Practice Guidance (NPPG)

South Yorkshire Residential Design Guide  
 National Prescribed Spacing Standards

Rotherham Adopted Supplementary Planning Documents:

- SPD 2 Air Quality and Emissions
- SPD 12 Transport Assessments, Travel Plans and Parking Standards

### **Publicity**

The application has been advertised by way of site notices along with individual neighbour notification letters to adjacent properties. 16 Letters of

representation have been received, their concerns can be summarised as follows;

- Inadequate parking, access and right of way.
- Object on the basis of the access which will only fit one car and do not have designated footpaths to ensure peoples' safety - the road is already very tight and not fit for purpose.
- Road surface not suitable for regular traffic and a danger to people who access the rear of the properties on foot.
- The strip of land is very narrow and the houses will impose on the backs of the current terraced houses, and as their backs face almost south it will block much of their light, with resultant overshadowing. Invasion of the privacy of those houses.
- Cramped form of development
- While in principle I support the regeneration of the area and the improvement of the waste land I feel that the proposed plans will cause disruption to the residents of Katherine Road. Access to this strip of land is limited to two ginnels, one of which is opposite our home, this will increase noise both during construction and once the properties are built.
- Why not give residents both sides the opportunity to adopt the land for a communal garden, green space, allotments etc.
- Rainwater drainage and flooding is also an issue.
- There are a lot of young children and parents use this to and from school and need to be safe.
- Concerned about the demolition of asbestos garages and other pollutants on the land.
- Significant level of wildlife and oppose the removal of trees.
- Loss of property value

One letter in support of the application has also been received;

- What a fantastic use of an otherwise complete waste of space making the use of land which is fit for no other purpose. As a local resident and parish councillor I'm completely on board with improving the village in any way possible and this looks like a positive step in the right direction.

At the time of writing this report 5 Right to Speak requests have been received, one from the applicant and the others from local residents.

One objector who is unable to attend the meeting has submitted a statement to be read out at the Planning Board Meeting.

## **Consultations**

RMBC Transportation Infrastructure Service: Initially raised concerns with regard to the width of the vehicular access to the site being via the existing link roads between the terraced properties. The applicant has worked with the

Transportation Service and acquired some land from part of the front and rear garden areas of one of the terraced properties to widen the access. Officers are now satisfied that the amended proposal addresses the initial road safety concerns.

RMBC Drainage: No objections subject to conditions being imposed requiring full drainage details to be submitted prior to commencement.

RMBC Environmental Protection officer: There is the potential for adverse impact to the occupiers of surrounding properties as a result of noise and dust nuisance during the construction phase as site access is off Katherine Road between existing housing. There is also the potential for accumulations of mud on the highway. Informatives to address this are recommended.

RMBC Land Contamination Officer: Historically, the land has been in use as agricultural land prior to becoming occupied by a number (30+) of residential garages. There is, therefore, some potential for the site to be impacted from contamination associated with made ground (following demolition of the garages) and from potential asbestos containing materials associated with the former building structures.

There is also potential for the site to be impacted from contamination associated with past uses of the garages including storage of fuels/oils/lubricants and other organic/inorganic chemicals, paints solvents etc. Various types of equipment may have also been stored within the garages which may have leaked over time. Residential development is proposed for the site which could introduce a sensitive receptor (i.e. human health) with the potential for exposure to soil contamination, if present, in private gardens or areas of soft landscaping.

Based on the above findings it is recommended that a Phase II Intrusive Investigation be undertaken to assess for the potential presence and extent of contamination and to assess for any potential geotechnical constraints at the site. Remediation works may be required to bring the site to a suitable condition to be protective of human health for its proposed end use.

Conditions are recommended to be imposed to address the above.

RMBC Ecologist: Is satisfied with the documents provided and recommends conditions be imposed to address biodiversity on the site.

RMBC Greenspaces: Note that the site is too small for formal sport and appears to have very little informal use prior to being fenced off by the applicant. It adds little to the street scene and appears to provide little visual amenity. There is much high quality green space within 200m of the site at Thurcroft Recreation Ground.

Severn Trent Water: Request the imposition of a pre commencement condition regarding the disposal of surface water and foul sewage.

## 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
- Design, scale and layout
- General amenity
- Flood risk and drainage
- Highways
- Air quality
- Land contamination
- Ecology
- Landscape
- Other issues raised by objectors
- Other considerations

### Principle

The application site is within an area identified as being for 'Residential' use in the Council's adopted Local Plan Policies Map. (A small corner of the eastern adopted highway is identified as part of the adjacent Green space, although the majority of this Greenspace area has already been developed for residential use)

Local Plan Policy SP11 'Development in Residential Areas' states that: *"Residential areas identified on the Policies Map shall be retained primarily for residential uses. All residential uses shall be considered appropriate in these areas and will be considered in light of all relevant planning policies."*

CS33 'Presumption in Favour of Sustainable Development' states that: *"When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."* and SP64 'Access to Community Facilities' which

recommends that residential developments should have good access to a range of shops and services.

The NPPF specifies at paragraph 11 that decisions should apply a presumption in favour of sustainable development, which means “...*approving development proposals that accord with an up-to-date development plan without delay...*”

The site is currently a disused untidy area of land with a few dilapidated garages remaining and is surrounded by residential properties with the retail centre of Thurcroft being located in close proximity to the site.

As such the site is considered to be suitable in principle for a residential development and is within a highly sustainable location and would accord with the requirements of the above policies and guidance.

The remainder of this report will assess other relevant issues and policies

### Design, Scale and Layout

Local Plan 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. 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.

Policy SP55 ‘Design Principles’ states development is required to be of high quality and incorporate inclusive design principles and positively contribute to the local character and distinctiveness of an area and the way it functions.

The NPPG further goes on to advise that: “*Local planning authorities are required to take design into consideration and should refuse planning permission for development of poor design.*”

The NPPF at paragraph 126 states: “Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...”

Paragraph 130 states planning decisions should ensure developments

- a) will function well and add to the overall quality of the area;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting
- d) establish or maintain a strong sense of place
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.



The surrounding area is residential in nature with a mixture of terraced and semi-detached two storey dwellings.

The proposed development of 5 detached dwellings on this area of land has been designed to make the maximum use of the space without compromising the privacy of existing surrounding properties by siting all first floor habitable room windows facing to the east and west.

It is considered that the layout and design of the proposed development offers an acceptable balance between achieving an efficient use of the land available whilst safeguarding a satisfactory provision of individual private amenity space for each dwelling.

The applicant has worked with the Council in terms of siting and design and proposed boundary treatment to achieve an acceptable design in regard to the proposed streetscene.

Furthermore, it is considered to accord with the general principles and goals set out in the NPPF and would not have an adverse impact on the character of the immediate surrounding area from a visual design aspect.

It is therefore considered that from a design perspective the proposal would represent an acceptable and appropriate form of development that would be in compliance with the requirements of the NPPF and the Local Plan policies referred to above.

#### General amenity

Local Plan policy CS27 'Community Health and Safety' states: "Development will be supported which protects, promotes or contributes to securing a healthy and safe environment..."

Policy SP55 'Design Principles' notes that: "Proportionate to the scale, nature, location and sensitivity of development, regard will be had to the following when considering development proposals (amongst other things):

g. the design and layout of buildings to enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from overshadowing."

Paragraph 130(f) of the NPPF states planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

The South Yorkshire Residential Design Guide sets out inter-house spacing standards which state there should be 21 metres between principal elevations and no habitable room window should come within 10 metres of a boundary with another property.

Concerns have been raised by adjacent occupiers in terms of loss of privacy, loss of daylight and overshadowing to adjacent properties.

The proposed dwellings accord with the spacing standards set out in the South Yorkshire Residential Design Guide and the National Spacing Standards in terms of room sizes and private amenity space as well as achieving appropriate spacing distances between the new dwellings and the adjacent existing dwellings. Plans have also been submitted that show that the proposals will not encroach within the 25 degree angle taken from the rear of the properties on Katherine Road and Cedric Crescent.

The orientation and design of the dwellings is such that there are no first floor habitable room windows facing existing properties and a minimum of 21m between first floor habitable room windows on the new dwellings.

However, it is considered appropriate to impose a condition requiring first floor windows serving bathrooms and staircases on the northern and southern elevations to be obscure glazed to prevent any future internal changes that may impact on the privacy of existing occupiers.

There is an existing footpath linking the service road to Cedric Crescent at the rear which is noted by objectors to be well used. The proposal retains that footpath between the dwellings and plans have been amended such that the proposed dwellings either side of the footpath front onto it, and that the front gardens of these properties include a post and rail fence 0.9m in height adjacent to the footpath to prevent a feeling of enclosure and allow surveillance of the area in general for all users.

It is therefore considered that with regard to amenity issues the proposed dwellings would raise no significant issues to either adjacent occupants or the future occupants of the proposed scheme and as such the proposal would comply with requirements of the NPPF at paragraph 130 and Local Plan policies CS27 'Community Health and Safety' and SP55 'Design Principles.'

### Flood Risk and Drainage

Policy CS25 'Dealing with Flood Risk' states proposals will be supported which ensure that new development is not subject to unacceptable levels of flood risk, does not result in increased flood risk elsewhere and, where possible, achieves reductions in flood risk overall.

Policy SP47 'Understanding and Managing Flood Risk and Drainage' states the Council will expect proposals to demonstrate an understanding of the flood route of surface water flows through the proposed development; control surface water run-off as near to its source as possible through a sustainable drainage approach to surface water management (SuDS) and consider the possibility of providing flood resilience works and products for properties to minimise the risk of internal flooding problems.

This advice is repeated by paragraphs 167 and 169 of the NPPF.

The site is within Flood Zone 1 where there is little risk of flooding and whilst there is some history of surface water flooding on land to the east of the site this is not considered to impact on the development site itself.

Residents have raised concerns regarding the potential for additional flooding and drainage issues from the land to the north. The development land is at a lower level than the roads to the north therefore the development of this land should not impact on the properties to the north in terms of increased surface water run off. The development would require suitable drainage details to ensure that the site can be suitably drained, and this would be conditioned as part of any planning permission.

Therefore, notwithstanding the comments raised by the objectors, it is considered that the proposed development will not increase flooding to the development site or the neighbouring gardens. As such the application is in compliance with the requirements of the relevant national and local planning policies referred to above.

#### Highways

Paragraph 111 of the NPPF states: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

Concerns have been raised by neighbours in regard to the limited width of the access roads and potential impact on pedestrians and parking issues.

Transportation Officers initially raised concerns regarding this but have worked with the applicant to address this and following receipt of an amended plan which shows areas of the front and rear garden of No.43 being utilised to widen the access road they have stated that this addresses their previous concerns and they have no objections to the proposal subject to the imposition of conditions relating to highway works and surfacing details.

The submitted details have indicated that the proposed development would result in each property being provided with appropriate off-street parking. The majority of the adjacent properties on Katherine Road have rear access to off road parking from the adjacent adopted service road and some have off road parking to the front accessed from Katherine Road, which also has on street parking provision.

Furthermore, given the location of the site the proposed development would be in close proximity to services and amenities, as well as public transport links, cycle routes and footpaths such that the site is in a highly sustainable location and would satisfy the requirements set out at adopted Local Plan policies CS14 ‘Accessible Places and Managing Demand for Travel’ and SP26 ‘Sustainable Transport for Development’, as well as the adopted SPD12 ‘Transport Assessments, Travel Plans and Parking Standards’.

Therefore, subject to conditions the development would comply with the national and local planning policies and guidance referred to above and there would be no justifiable reason to refuse on highway safety grounds.

#### Air Quality

Policy CS30 'Low Carbon & Renewable Energy Generation' states: *"Development must seek to reduce carbon dioxide emissions thorough the inclusion of mitigation measures..."* In addition, regard will be had to the guidance contained within Council's adopted SPD2 'Air Quality and Emissions'.

NPPF states at paragraph 112 that amongst other things applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

The proposed development for 5 dwellings is classified as a Minor proposal as set out in the adopted Rotherham SPD2 'Air Quality and Emissions'.

For this type of development the SPD includes the following mitigation options:

- Provision of charging points for electric vehicle charging – 1 point per unit
- Consideration of air quality in designing the layout of the development;
- Provision of secure cycle storage
- Provision of incentives for the use of public transport (Travel Plan).

The proposals indicate the installation of EV charging points to each of the proposed dwellings. Whilst not secure cycle storage is proposed the site is located in an area in close proximity to services and amenities, as well as public transport links, cycle routes and footpaths such that the site is in a highly sustainable location. As such there are no issues in respect of air quality impact from the development and the scheme would comply with policy CS30, the adopted SPD2 'Air Quality and Emissions' and paragraph 112 of the NPPF.

#### Land contamination

Local Plan Policy CS27 'Community Health and Safety' states that *"Development should seek to contribute towards reducing pollution and not result in pollution or hazards which may prejudice the health and safety of communities or their environments. Appropriate mitigation measures may be required to enable development. When the opportunity arises remedial measures will be taken to address existing problems of land contamination, land stability or air quality."*

The reuse of previously developed land and buildings is encouraged to ensure the efficient use of scarce land resources. This includes the re-use of sites which may have been contaminated by previous activity. Therefore, it is important to ensure that any contamination is dealt with as part of the

redevelopment process, to ensure there are no adverse effects on future occupants or the environment.

Policy SP52 'Pollution Control' states: "Development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that mitigation measures will minimise potential impacts to levels that protect health, environmental quality and amenity.

Concerns have been raised by objectors that the remaining garages on site could contain asbestos.

The Council's Environmental Protection officer has assessed the site and the proposals and notes that historically, the land has been in use as agricultural land prior to becoming occupied by a number (30+) of residential garages. There is, therefore, some potential for the site to be impacted from contamination associated with made ground (following demolition of the garages) and from potential asbestos containing materials associated with the former building structures.

There is also potential for the site to be impacted from contamination associated with past uses of the garages including storage of fuels/oils/lubricants and other organic/inorganic chemicals, paints solvents etc. Various types of equipment may have also been stored within the garages which may have leaked over time.

Residential development is proposed for the site which could introduce a sensitive receptor (i.e. human health) with the potential for exposure to soil contamination, if present, in private gardens or areas of soft landscaping.

Based on the above findings it is recommended that a Phase II Intrusive Investigation be undertaken to assess for the potential presence and extent of contamination and to assess for any potential geotechnical constraints at the site.

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

Conditions are recommended to be imposed, should Members be minded to approve the application, requiring site investigation and remediation proposal reports to be submitted and approved by the Local Planning Authority prior to the commencement of any work on site. Disposal of any contaminants found is subject to other legislation.

### Ecology

The site has been neglected for years and is now overgrown with weeds. A concern has been raised about the clearance of the site and felling of the tree, however as there are no tree protection orders on the site the landowner did not need any permission to carry out this work.

A Biodiversity Net Gain Metric has been submitted to and approved by the Council's Ecologist who has no objections subject to conditions requiring the works to be carried out in accordance with details to be submitted to ensure no net loss of biodiversity on the site (which would have to take account of the single tree removed from the site).

#### Landscape

Proposed landscaping of the site has been submitted, which includes 13 light standard trees and shrub planting, and it is recommended to be required by condition to ensure that the proposed development would be in compliance with the requirements set out within CS21 'Landscapes' and SP32 'Green Infrastructure and Landscape'.

#### Other issues raised by objectors

Other concerns raised by objectors include:

- Construction Noise,

In relation to construction, it is considered that some noise, dust and disturbance is to be expected with development works of this type, however, it is important to limit the impact of the works on nearby residents. Good construction practice and appropriate consideration of working hours should ensure that this occurs; the Council will add the standard informative to any approval regarding the construction works and any breach would be covered by the Environmental Protection Act.

- Property Values

Any impact on property values is not a material planning consideration and cannot be taken into account in the assessment of this proposal.

#### Other Considerations

The four South Yorkshire Authorities have committed to ensuring that relevant developments are provided with Gigabit-capable full fibre broadband. A standard informative will advise on this matter.

### **Conclusion**

The application is considered to be acceptable in principle and represents an acceptable form of development which is of an appropriate design that would not adversely affect the character or appearance of the locality. Furthermore, the proposal would not adversely affect the amenity of existing and proposed residents and would not result in highway safety issues.

In respect of the objections received it is considered that having regard to the comments and assessment above, the issues have been addressed and the relevant consultees, subject to conditions, are satisfied that the scheme would be acceptable.

Therefore, the application would comply with relevant national and local planning policies and is subsequently recommended for approval 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. Condition numbers 3, 5, 9, 11, 12, 16 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 3, 5, 9, 11, 12, 16 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 and as shown on the approved plans (as set out below)

Drawing number 21-0277-2 Rev D, 21-077-6 Rev A, 21-077-03 Rev A, 21-077-4 Rev A, 21-077-4.1 Rev A Received 17 May 2023.

Reason

To define the permission and for the avoidance of doubt.

## **Highways**

03

The development shall not be commenced until details of the proposed alterations in the highway, indicated on plan reference 21-077-2 revision D, have been submitted to and approved by the Local Planning Authority and the approved details shall be implemented before the development is brought into

use. (These works will require an Agreement under S278 Highways Act, 1980 and involve the provision of widening the adopted highway.)

Reason

In the interests of road safety.

04

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

a/ a permeable surface and associated water retention/collection drainage, or;

b/ an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and that mud and other extraneous material is not deposited on the public highway and that each dwelling can be reached conveniently from the footway in the interests of the adequate drainage of the site, road safety and residential amenity.

05

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

Reason

No details having been submitted they are reserved for approval.

06

Prior to the occupation of each dwelling, one vehicle charging point per dwelling shall be provided as per the approved drawings. The dwelling shall not be occupied until the charging point has been provided and shall thereafter be retained.

Reason

In the interests of sustainable development and air quality in accordance with the Local Plan and the NPPF.

Materials

07

Prior to any above ground development commencing details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted or samples of the materials have been left on site, and the details/samples shall be 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.

08

The boundary treatment as approved shall be completed before the dwelling it serves is occupied, and shall thereafter be retained and maintained.

## Reason

In the interests of the visual amenity of the area.

Biodiversity/Landscape

09

No development shall commence until Biodiversity Enhancement & Management Plans (BEMPs) for the site have been submitted to and approved in writing by the Local Planning Authority. The Plans shall provide a:

- a) Description and evaluation of features to be managed and enhanced; including:
- i. Description of new landscape planting incorporating native plant species
  - ii. Gaps of suitable dimensions (130mmx 130mm) should be provided at the foot of permanent perimeter and boundary fences at selected points to permit the movement of hedgehogs around the site post construction.
  - iii. To ensure that holes are kept open 'Hedgehog Highway' signage should be provided (sourced by Peoples Trust for Endangered Species and/or British Hedgehog Preservation Society) and secured above the holes.
  - iv. The location and number of bat roosting features should be included within the new residential properties.
  - v. The location and number of bird nest boxes should be integrated into the new residential properties.
- b) Extent and location/area of proposed enhancement works on appropriate scale maps and plans;
- c) Aims and Objectives of management;
- d) Appropriate Management Actions for achieving Aims and Objectives;
- e) An annual work programme (to cover an initial 5 year period).

For each of the first 5 years of the Plans, a progress report shall be sent to the Local Planning Authority reporting on progress of the annual work programme and confirmation of required Actions for the next 12 month period.

The Plans shall be reviewed and updated every 5 years to ensure their aims and objectives are being met. The approved Plans will be implemented in accordance with the approved details.

The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme

## Reason

To ensure no net loss in biodiversity across the site

10

Landscaping of the site as shown on the approved plans 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

Land Contamination

11

Prior to development commencing a Phase II Intrusive Site Investigation should be undertaken to assess for the potential presence and extent of ground contamination. The investigation and subsequent risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved in writing of the Local Planning Authority. The above shall be conducted in line with the new guidance document 'Land Contamination Risk Management' (October 2020) and predecessor guidance 'Model Procedures for the Management of Land Contamination, CLR 11 (Environment Agency, 2004) and BS10175:2011+A2 2017 (BSI, 2017

## 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

Subject to the findings of Condition 11 and prior to development commencing, a Remediation Method Statement shall be submitted to and approved by this Local Planning Authority prior to any remediation works 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. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works

**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

If during development works 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

**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

If subsoil/topsoil is required to be imported to site for gardens and areas of soft landscaping, 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.

15

Following completion of any remedial/ground preparation works a Validation Report should be submitted to the Local 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 in writing 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.

### Drainage

16

The development hereby granted shall not be begin until details of the foul and surface water drainage and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. The approved works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

### Reason

To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin and in accordance with Policy CS25 of the Local Plan.

### 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 the Magistrates' Court. It is therefore recommended that you give serious consideration to reducing adhering to the following recommendations.

- a) Except in case of emergency, no operations shall take place on site other than between the hours of 0800 to 1800 hours Monday to Friday and between 0900 to 1300 hours on Saturdays. There shall be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.
- b) All machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the noise emitted by vehicles, plant, machinery or otherwise arising from on-site activities, shall be minimised in accordance with the guidance provided in British Standard 5228 Code of Practice: 'Noise Control on Construction and Open Sites'.
- c) At all times during the carrying out of operations authorised or required under this permission, best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.

d) Effective steps shall be taken by the operator to prevent the deposition of mud, dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.

02

### Drainage

In order to discharge condition 16, the applicant is advised that they would be expected to submit information including but not limited to the following:

Surface water drainage plans should include the following:

- Rainwater pipes, gullies and drainage channels including cover levels.
- Inspection chambers, manholes and silt traps including cover and invert levels.
- Pipe sizes, pipe materials, gradients and flow directions.
- Soakaways, including size and material.
- Typical inspection chamber / soakaway / silt trap and SW attenuation details.
- Site ground levels and finished floor levels.

The applicant is advised that they would be expected to submit information including but not limited to the following:

If infiltration systems are to be used for surface water disposal, the following information must be provided:

- Ground percolation tests to BRE 365.
- Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.
- Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003
- Volume design calculations to 1-in 100-year rainfall + 40% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 – Table 25.2.
- Location plans indicating position (Soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.
- Drawing details including sizes and material.
- Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.

03

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.

Furthermore, vegetation removal should be undertaken outside of the bird breeding season, March to September inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present, work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

04

The four South Yorkshire Authorities have committed to ensuring that relevant developments are provided with Gigabit-capable full fibre broadband. Please refer to the attached informative in this respect.

05

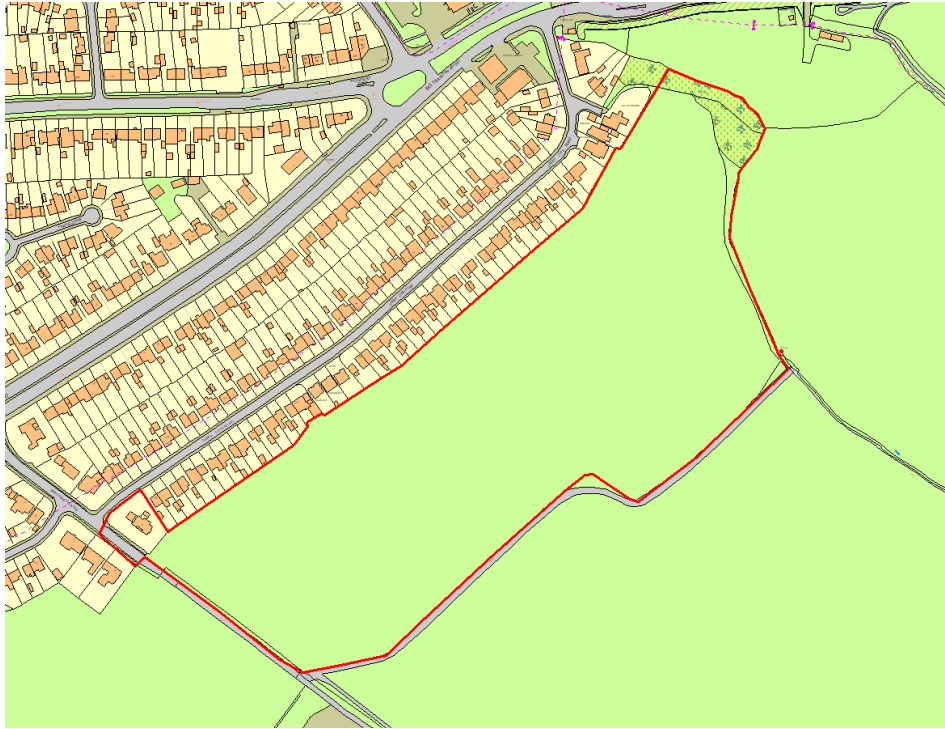
Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

#### POSITIVE AND PROACTIVE STATEMENT

During the determination of the application, the Local Planning Authority worked with the applicant to consider what amendments were necessary to make the scheme acceptable. The applicant agreed to amend the scheme so that it was in accordance with the principles of the National Planning Policy Framework.

<b>Application Number</b>	<b>RB2022/0017</b> <a href="https://rotherham.planportal.co.uk/?id=RB2022/0017">https://rotherham.planportal.co.uk/?id=RB2022/0017</a>
<b>Proposal and Location</b>	Outline application for up to 217 dwellings with access at land east of Shrogswood Road, Broom, Rotherham, S60 4BY
<b>Recommendation</b>	<ul style="list-style-type: none"> <li>• That the Council enter into a legal agreement with the developer under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following:</li> <li>• 25% of the total number of dwellings are to be provided on site for affordable housing provision in accordance with the Council's adopted Policy CS7' Housing Mix and Affordability'</li> <li>• Education Contribution in line with the Council's adopted formulae towards Listerdale School Primary School</li> <li>• Commuted sum of £500 per dwelling towards sustainable transport measures</li> <li>• A maximum of £12,000 towards improvements to footpath link between points A and B on the attached plan should the claims application be successful.</li> <li>• A commuted sum of £57,989.83 to carry out improvements to Bus Stops 35016 (Bawtry Road / Sheepcote Road); 30879 (East Bawtry Road / Wickersley Road) and 30263 (East Bawtry Road / Wickersley Road).</li> <li>• Formation of a Local Equipped Area of Play (LEAP) for older children prior the occupation of the 75<sup>th</sup> dwelling</li> <li>• Formation of a Local Area of Play (LAP) and toddler play area prior to the occupation of the 150<sup>th</sup> dwelling</li> <li>• A commuted sum of £6000 towards improvements of the Barfield Avenue allotment site in Whiston.</li> <li>• Establishment of a Management Company to manage and maintain the areas of Greenspace, including the proposed LAP and LEAP.</li> <li>• Consequent upon the satisfactory signing of such an agreement the Council resolves to grant permission for the proposed development subject to the conditions set out in the report.</li> </ul>

This application is being presented to Planning Board as it is a 'Major' application.



### Site Description & Location

The site lies to the south of Sheep Cote Road. It comprises a large field contained by an existing hedgerow. Public Footpath No. 1 runs close to the south of the site with a claimed footpath running along the south east and eastern boundaries. The site has been actively farmed for arable crops under modern farming methods.

There are no significant trees or landscape features within the site other than along the sites surrounding hedgerow rows, which includes some individual trees. The land slopes down from about 113 metres AOD at the north eastern edge to around 101 metres AOD along the low point around midway along the southern boundary. There are no buildings or structures within the site boundary.

The site is approximately 8.83 hectares in area.

To the south of the site lies agricultural fields with Sitwell Golf Club to the south. The Golf Club House is located off Shrogswood Road, which becomes a private road and forms the south west boundary to the site. Existing residential development adjoins the site to the north where the dwellings off Sheep Cote Road back onto the site. To the north east and east are further fields.

This site comprises Housing Allocation site H35 in the Council's adopted Local Plan.

### Background

There have been no planning applications relating to this site since 1981.



### EIA Screening Opinion

The proposed development falls within the description contained at Paragraph 10 (b) of Schedule 2 of the Town and Country Planning (Environment Impact Assessment) (England and Wales) Regulations 2017 and meets the criteria set out in column 2 of the table in Schedule 2 i.e. the number of dwellings proposed exceeds 150 and the site area exceeds 5ha. However, the Borough Council as the relevant Local Planning Authority has taken into account the criteria set out in Schedule 3 to the Regulations and it is considered that the development would not be likely to have a significant effect on the environment by virtue of factors such as its nature, size and location.

Accordingly, it is the Local Planning Authority's opinion, that the proposed development is **not 'EIA development'** within the meaning of the 2017 Regulations.

### CIL

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 application seeks outline permission for the erection of up to 217 homes including the means of access, which for the purposes of this application includes the first 30 metres into the site. All other matters are reserved for future consideration.

The arrangement of development blocks is shown on the illustrative layout plan. This illustrates how the development is subdivided by the open spaces and by the road hierarchy There are essentially two to three development areas or potential phases.

These are further sub divided by the road system, which enables these larger blocks to function as smaller areas served from lower order roads.

The new dwellings on the site are envisaged as principally two storey with potential to also have development within the roof space or an extra storey where spacing standards allow. It is anticipated that the heights of the proposed homes will principally be at around 9 metres to ridge for a two storey dwelling.

There might be potential for a housing mix including apartments, semi-detached, detached and townhouses varying from 1 to 5 bedrooms.

An indicative Accommodation Masterplan document indicates that the site could include a mix of:

- 1 and 2 bed apartments 18no. (8%)
- 2 and 3 bed townhouse / semis 134no. (62%)
- 3, 4 and 5 bed detached dwellings 65no. (30%)

The maximum of 217 dwellings would result in a density of approximately 33 dwellings per hectare.

There is not at this stage a detailed materials palette available, but this is expected to include a range of brick and tile materials that are reflective of the location and that can provide an appropriate colour palette for this edge of the urban area location.

A Sustainable Urban Drainage system (SUDs) is to be designed on the site to restrict surface water run off to green field runoff rates and improve the water quality. They are proposed in two locations within the development site as shown on the masterplan illustrative layout.

The internal road layout will be considered at reserved matters stage, but will be designed in accordance with SYRDG/ Manual for Streets.

Junction improvements are proposed at Shrogswood Road and East Bawtry Road, with new turn lanes into Shrogswood Road, along with a signalised pedestrian crossing in East Bawtry Road.

The main new landscaped areas shown on the indicative layout plan are:

- The area along the southern boundary;
- The central areas where a suds pond will be created;
- Alongside the eastern boundary;
- Within the built up areas themselves at vantage points; and
- Within front and rear private gardens.

The proposed open spaces shown on the masterplan will accommodate new play areas and amenity open spaces at the required standard.

The applicant notes that the site could be divided into two / three development blocks by different developers or come forward as a single development.

As part of the application there will also be improvements to both Shrogswood Road and a new signalised junction at East Bawtry Road and Shrogswood Road.

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

## Planning and Design and Access Statement

The statement sets out how the development proposals have been formulated, what has influenced the design and layout of the site and how the various development constraints have been dealt with; and how the Masterplan and accompanying documents that support this outline Planning Application can guide and influence the reserved matters submissions at a later stage.

## Landscape Visual Appraisal

The LVA provides an assessment of the effects of the proposed development, on the landscape of the site and its context and identifies mitigation measures incorporated within the design to minimise adverse effects. It assesses the effects of the development on features identified as important to the scenic quality, or effects on the landscape character of the site and its setting. Effects on peoples' views of the site and its setting, or visual amenity, are also assessed.

The report concludes the following:

- The proposed development results in varying landscape effects during the construction phase, from major to minor, with some long term moderate adverse effects remaining at completion due to the change in land use from arable land to residential development and change in setting for the existing informal path that runs through the site. However, long term, the inclusion of a large amount of planting within the scheme design is considered beneficial in relation to landscape features within the site and reduces the long term effects upon local landscape character.
- In terms of visual effects, the greatest levels of effects would be experienced by receptors in close proximity to the site where the scale of change in the view is the greatest. With distance from the site, effects are assessed to be no greater than minor adverse as the development would be seen in the context of the existing urban edge of the Rotherham conurbation and would present an extension of the urban environment in the backdrop of much wider views available.
- In terms of cumulative effects, the presence of the proposed development alongside development off Worrygoose Lane would give rise to limited landscape and visual effects, limited to receptors within close proximity of the two allocated sites.

## Tree Survey

The survey has been structured to accord with the requirements of Sections 4.4 and 4.5 of British Standard 5837 of 2012: Trees in relation to design, demolition and construction – recommendations.

A Tree Constraints Plan has been provided, which shows those trees / hedgerows and groups of trees on site that are considered to be Category A, B and C, it also shows the root protection area around those trees.

It illustrates that there are two groups of trees to the eastern boundary that are Category A; the hedgerow to the rear of existing properties on Sheepcote Road along with two individual trees and two groups of trees to the eastern end of the site and several trees along the site boundary with Shrogswood Road are Category B and the hedgerow to the southern boundary of the site with the adjacent field, along with several trees along the Shrogswood Road boundary are Category C.

There are no trees or hedgerows within the field itself.

A further plan has been submitted which shows which trees and hedgerows are to be retained and where protective fencing will be sited during the construction phase to protect the retained trees.

Two trees and a small group of trees will be removed to allow for the access road to be created.

### Transport Assessment

The TA has been prepared with reference to the National Planning Practice Guidance and seeks to demonstrate that the objectives of the National Planning Policy Framework are met, which include:

- Opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost-effectively limit significant impacts of the development.

The following local highway junctions have been agreed with RMBC as requiring more detailed assessment within the TA:

- A631 East Bawtry Road / Shrogswood Road priority T-junction
- B6410 Worrygoose Lane / Lathe Road priority T-junction
- A631/A6123/B6410 'Worrygoose' roundabout junction

The TA concludes:

- A review of recent local road collision data has been undertaken and it is considered that there are no underlying road safety concerns that would be exacerbated by additional development generated traffic.

- The proposed development is located within a reasonable walk/cycle distance of local facilities and amenities. It is considered that the site has a good level of accessibility by non-car modes.
- Vehicular access is proposed via an extension of Shrogswood Road. The access road would be designed and constructed to adoptable standards and a Stage 1 Road Safety Audit of the site access proposals has been undertaken.
- The following sustainable transport improvements are proposed:
  - New footway links between the proposed development and Shrogswood Road;
  - Foot/cycle link between the proposed development and Sheep Cote Road;
  - Provision of real time displays at two closest bus stops on the A631 East Bawtry Road;
  - Cycle parking provided at each individual dwelling;
  - New Residents Travel Packs for each dwelling;
  - Implementation of a Residential Travel Plan; and
  - Signalised pedestrian / cycle crossing on East Bawtry Road
- The committed infrastructure improvements to the Worrygoose roundabout junction would require further enhancement to accommodate the additional development generated traffic. A further improvement to the B6410 Worrygoose Lane approach has therefore been identified and assessed, and it is concluded that the enhanced improvement would mitigate the impact of development traffic.
- The proposed development accords with the relevant transport policies in the NPPF and should not be prevented on highways grounds.

#### Transport Assessment Addendum

The Addendum provides appropriate responses to the highway issues raised to allow RMBC highway officers to fully appraise the highways elements of the application.

The Addendum focuses on four main areas of concern raised by the local highway authority and has sought to provide further evidence/suggested conditions to allow the highway authority to recommend conditional approval of the application, which are:

- A631 / Shrogswood Road junction
- Lathe Road / Sheepecote Road junction
- Worrygoose roundabout improvements
- Foot / Cycle link to Sheepecote Road

### Further Transport Assessment Addendum

The note has been produced to specifically deal with concerns of the local highway authority related to the potential impact of development traffic at the Worrygoose roundabout junction should identified improvement works at the junction not take place.

It notes that an improvement scheme has been identified at the Worrygoose roundabout junction which includes for carriageway widening on the two B6410 approaches and the A6123 approach, provision of a signal controlled crossing on the A631 (E) approach, and provision of a bus lane on the A631 (W) approach. These works are secured through condition 8 to planning approval RB2019/0552.

However, concerns have been raised by the local highway authority over the impact of development traffic from the Shrogswood Road proposal, should the scheme secured as part of approval RB2019/0552 not come forward prior to occupations at the Shrogswood Road site.

It has therefore been agreed that a suitable improvement scheme should be identified that would mitigate the Shrogswood Road traffic, in the event that the development associated with planning approval RB2019/0552 does not come forward.

A separate improvement scheme has therefore been identified for the Worrygoose roundabout in association with the Shrogswood Road scheme.

The scheme is essentially the same as that proposed for planning approval RB2019/0552, but with some further carriageway widening on the B6410 Worrygoose Lane arm and the removal of the proposed bus lane on the A631 (W) approach.

In order to ascertain the effectiveness of the proposed improvement scheme to mitigate the impact of the Shrogswood Road development traffic, capacity assessments have been undertaken at the Worrygoose roundabout for three different scenarios; 2028 existing layout but with no Shrogswood Road traffic, 2028 existing layout with Shrogswood Road traffic, and 2028 with proposed improvement and Shrogswood Road traffic.

For the 2028 no Shrogswood Road traffic scenario, the traffic associated with the planning approval RB2019/0552 has also been omitted as, for the purposes of this assessment, that development (and the associated improvement works at Worrygoose roundabout), have not come forward.

The full outputs for the junction capacity assessment are summarised below:

2028 existing layout (no Shrogswood Road)	AM peak hour			PM peak hour		
	Queue (PCUs)	Delay (secs)	RFC	Queue (PCUs)	Delay (secs)	RFC
A6123 (N)	2.3	14.2	0.704	30.7	174.5	1.081
A631 East Bawtry Road (E)	7.5	23.4	0.894	1.5	7.0	0.603
B6410 Worrygoose Lane	58.9	293.3	1.197	5.3	30.0	0.856
A631 East Bawtry Road (W)	2.9	8.6	0.736	93.8	165.6	1.102
B6410 Broom Lane	0.7	8.5	0.421	24.7	180.1	1.076

The results indicate queues and delays on two of the junction approaches during the typical weekday morning peak hour and on three of the junction approaches during the typical weekday evening peak hour.

The capacity assessment for the 2028 plus Shrogswood Road development scenario are summarised below:

2028 existing layout (plus Shrogswood Road)	AM peak hour			PM peak hour		
	Queue (PCUs)	Delay (secs)	RFC	Queue (PCUs)	Delay (secs)	RFC
A6123 (N)	2.5	15.1	0.718	41.8	229.3	1.127
A631 East Bawtry Road (E)	17.8	50.2	0.973	1.6	7.2	0.620
B6410 Worrygoose Lane	80.0	415.7	1.305	5.7	32.4	0.867
A631 East Bawtry Road (W)	3.0	8.8	0.745	122.4	212.0	1.138
B6410 Broom Lane	0.8	8.8	0.434	30.7	217.3	1.108

The results indicate that the proposed development, without mitigation, would increase queues and delays at the junction on those approaches that would already be operating at/above capacity without the Shrogswood Road development in place.

The outputs for the capacity assessment of the Worrygoose roundabout with the proposed improvements shown on drawing ADC2703-DR-007 P1 are summarised below:

2028 proposed improvement (plus Shrogswood Road)	AM peak hour			PM peak hour		
	Queue (PCUs)	Delay (secs)	RFC	Queue (PCUs)	Delay (secs)	RFC
A6123 (N)	0.9	5.7	0.490	2.2	12.9	0.692
A631 East Bawtry Road (E)	3.1	8.4	0.762	1.0	4.6	0.506
B6410 Worrygoose Lane	2.4	13.0	0.713	1.2	6.6	0.553
A631 East Bawtry Road (W)	3.5	10.6	0.786	124.0	215.2	1.139
B6410 Broom Lane	0.4	4.8	0.294	1.8	13.1	0.642

The results indicate that the proposed junction improvement would fully mitigate the impact of development traffic during the typical weekday morning peak hour, with no significant queues or delays on any approach. In the evening peak hours, the improvement would remove the queues and delays on the A6123 (N) and the B6410 Broom Lane approaches, although queues/delays on the A631 (W) approach would remain. Nevertheless, it is considered that the proposed improvement provides effective mitigation at the junction as a whole.

### Travel Plan

The TP notes that there are opportunities for pedestrian and cycle travel to and from the site, with several facilities within walking and cycling distance. There are also excellent opportunities for bus travel, with regular services being available from bus stops on the A631, approximately 200m from the western edge of the site. It further notes that the proposed development will provide additional infrastructure to improve the accessibility of the site. This includes connections to the footway network on Shrogswood Road, as well as a pedestrian connection to Sheep Cote Road at the northern end of the site.

The proposed residential dwellings will generate up to 195 person trips in a typical weekday peak hour, of which approximately 150 would be vehicle trips.

The following targets are proposed:

- Target 1 - Residents will be aware of the Travel Plan.
- Target 2 - The Travel Plan Co-ordinator will promote the opportunities and benefits of sustainable modes of travel, with the aim to achieve a 10% reduction in the residents' single occupancy vehicle car driver modal share, by the end of the five-year post occupation monitoring period.

Various measures and incentives are proposed to achieve these targets, including the appointment of a Travel Plan Co-ordinator to implement and monitor the Travel Plan process, and the provision of travel information via voluntary induction sessions and the provision of travel packs.

A monitoring regime is proposed to ensure that the Travel Plan achieves the objective and targets, including annual resident travel surveys and the preparation of annual monitoring reports.

### Road Safety Audit

A Road Safety Audit report along with the designer's response to any issues raised has been submitted for the proposed junction improvements at East Bawtry Road and Shrogswood Road. RMBC as the Overseeing Organisation has agreed appropriate actions with the developer / auditor which will be included in the detailed scheme design.

### Air Quality Assessment

This report presents the findings of an air quality assessment undertaken to assess road traffic emission and construction dust impacts in support of the development of the site.

It notes that during the construction phase potential effects include fugitive dust emissions from site activities, such as earthworks, construction and trackout. During the construction phase, site specific mitigation measures detailed within this assessment will be implemented. With these mitigation



measures in place, the effects from the construction phase are not predicted to be significant.

To assess the impact during the operational phase detailed dispersion modelling of traffic pollutants has been undertaken for the proposed development. An operational year assessment for 2028 traffic emissions has been undertaken to assess the effects of the Proposed Development. The impacts during the operational phase take into account exhaust emissions from additional road traffic generated due to the proposed development.

The long-term (annual) assessment of the effects associated with the proposed development with respect to Nitrogen Dioxide (NO<sub>2</sub>) is determined to be 'negligible'. With respect to PM<sub>10</sub> and PM<sub>2.5</sub> exposure, the effect is determined to be 'negligible' at all identified existing sensitive receptor locations.

All proposed receptor locations are expected to be exposed to air quality below the Air Quality Objectives for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>. No further mitigation is required to protect future occupants.

#### Flood Risk Assessment (updated July 2022)

In summary the report states that:

- a.) Foul water will discharge to public foul water sewer at a pumped rate of 6 litres per second
- b.) Sub-soil conditions do not support the use of soakaways
- c.) A watercourse exists near to the site - connection subject to Environment Agency / Local Land Drainage Authority / Internal Drainage Board requirements - Yorkshire Water fully endorse this means of surface water disposal.

The latest version submitted in July 2022 also removes the location of a retaining wall which on previous versions was incorrectly marked as being located within the rear gardens of some properties on Shrogswood Road. This has been removed and relocated on the boundary with these properties on land controlled by the applicant and the wall would be a maximum of 2m in height.

#### Preliminary Ecological Appraisal

The Appraisal of the site concluded that there are no statutory sites designated for nature conservation within 2km of the site. The site does however fall within the impact risk zone of sites to the north-east. It identified a range of habitats within the survey area, including: arable land, hedgerow, and wet ditch, tall ruderal vegetation, and scattered trees.

It discovered that the site has a confirmed presence of nesting birds; a high likelihood of supporting foraging/commuting bats; a medium likelihood of supporting badgers, and hedgehog; and negligible likelihood of supporting

roosting bats, reptiles or great crested newts. No invasive plant species were observed.

It is recommended that further surveys are required for these protected species, to properly inform project decisions and enhancements to include protection of the eastern hedgerow where possible, installation of bat and bird boxes, planting of native plant/tree species, and creation of habitat piles should be included in the detailed design.

### Bat Survey

The survey identified the potential for important bat foraging and/or commuting routes to be present on site, and so recommended activity surveys.

The surveys indicated moderate levels of two bat species' foraging and commuting activity; concentrated along the site boundaries and hedgerows. It is understood that plans discussed for the site would retain these features, but that additional lighting of some areas may be required; as well as limited severance of the woodland/stream in order to accommodate roads.

The proposed development site is well-removed from most known statutory and non-statutory designated sites, is limited in scale, and well-bounded by hedgerows/tree-lines. All works areas, storage and haul routes will be included within the site boundary; access will be provided by existing roads and as such, no additional working footprints are anticipated. It is therefore considered that neither direct nor indirect impacts of development on these sites are likely.

The mitigation for loss of moderate bat foraging/commuting habitat set out in the report, which include retention woodland and hedgerow / tree boundaries where possible and a suitable lighting design around the new development, should not require a licence from Natural England, but should be made a condition of any planning consent.

No further surveys are therefore recommended at this time.

### Environmental Statement – Archaeology and Cultural Heritage

This statement presents an assessment of the effects upon the local cultural heritage and heritage assets as a result of the proposed development.

The statement concludes that there are no high importance heritage assets within the proposed development area nor in its vicinity. However, there is one medium importance heritage asset within the proposed development. There are several medium importance heritage assets in its vicinity, although there are no Listed Buildings in the immediate vicinity, nor likely impact on any other heritage assets in the vicinity of the proposed development area.

The proposed development area has been disturbed by successive ploughing over time. However, the nature of the known heritage asset within the proposed development area, suggests that, despite successive ploughing, buried features may still survive below the ploughed-soil and as such is likely to be severely affected by the proposed development.

It concludes that with appropriate mitigation set out in the statement (further evaluation to be undertaken as deemed appropriate by the Local Authority's archaeological advisors), the sources of evidence presented here lead to conclude that the development of the proposed area would otherwise have a negligible impact on the historic landscape.

#### Archaeology Impact Assessment

The Historic Environment Record suggests that there is potential for the discovery of late-prehistoric or Roman-period archaeology within the Subject Area and in the surrounding area.

Map evidence indicates that no buildings or structures have existed in the Subject Area since at least 1835. The principal change in the immediate landscape was the encroachment of urbanisation.

There are several Heritage Assets in the vicinity and one within the Subject Area. The latter is recorded as crop-marks indicating a possible Iron Age or Roman-period rectangular enclosure.

The Historic Environment Record and aerial photography shows that possible late- prehistoric or Roman-period archaeology exists within the Subject Area.

It concludes that further evaluation is recommended before development takes place.

#### Geo-Physical Survey

This report presents the results of a geophysical survey undertaken on the site and was commissioned following the completion of a desk-based assessment which concluded that there is potential for late prehistoric or Roman-period archaeological remains to exist within the site.

The assessment also identified an Iron Age or Roman-period rectilinear enclosure with pits, ditch and a possible trackway on an adjacent parcel of land. The geophysical survey has revealed evidence of a former field system of probable Romano-British date which could be part of the same field system recently revealed by geophysical survey on the adjacent parcel of land. The results have also revealed less certain evidence of anthropogenic activity from a different phase of occupation in addition to probable medieval or post-medieval agricultural remains. The land within the application site area is, therefore, likely to contain the remains of a multi-phase agricultural landscape which could add to the archaeological record for the Coal Measures region of South Yorkshire.

The geophysical survey suggests that the archaeological remains are in a varying state of preservation, albeit all truncated by subsequent ploughing. The full extent of any archaeological activity and the significance and condition of preservation of the identified remains can only be assessed by trial trenching.

### Geo-Technical and Geo-Environmental Survey

This report presents a review of existing geotechnical and geo-environmental information and recommends an intrusive investigation in order to further assess the ground conditions and to produce the conceptual model of the site.

### Phase II Ground Investigation

The report notes:

- The site is shown to be underlain by the Pennine Upper Coal Measures of sandstone, the Pennine Upper Coal Measures of mudstone, siltstone and sandstone, and the Dalton Rock Formation of sandstone. A fault is inferred to cross the south western boundary, roughly in parallel with Shrogswood Road, and a second fault is shown in the same orientation approximately 100 m offsite to the south.
- No coal seams are shown to outcrop below the site.
- A thin band of coal was recorded in three boreholes in the south west of the site, and was intact in all of these boreholes. No further coal or evidence of workings encountered across the site.
- Evidence of mine shafts was not seen during this investigation.
- It is considered that traditional unreinforced strip or trench fill footings will be appropriate for the proposed low rise residential development, taken through any made ground, to a minimum depth of 900 mm in natural clay below original or finished ground level, whichever is the lower, and deeper near to trees.
- Within 20m either side of the recorded position of the fault (across the south western boundary, roughly in parallel with Shrogswood Road, and a second fault is shown in the same orientation approximately 100m offsite to the south), the footing should be thickened and reinforced and additional masonry reinforcement included in the plot superstructure.
- Infiltration tests were carried out in six locations across the site. Soakaways are considered unsuitable for the site, and a piped discharge and attenuation will be required.
- No radon precautions are necessary.

- Gas precautions are not required.
- Excluding a hotspot at TP18 where elevated chromium and nickel concentrations were recorded, the remaining topsoil is suitable for reuse on site.
- The localised made ground encountered surrounding TP17 did not record elevated concentrations.

### Utilities Report

This report summarises the position with regard to an investigation of the utilities.

There are gas, electricity, water, Openreach BT, Virgin Media and Zayo Group supplies close to the site and initial enquiries have been made regarding the provision of new gas, electricity and water supplies for the development. Responses from all three companies contacted have been received and are included in the report.

No utilities plant is shown on site, there are BT Openreach ducts in the footpath which crosses the site and utility services in the roads around the site.

There are gas, water, electricity, BT Openreach and Virgin Media services in Shrogswood Road which may be affected by the creation of the access, some or all of these services may need to be diverted or lowered.

Cadent Gas have advised that a 125mm diameter low pressure main in Sheep Cote Road would be able to serve the site.

Yorkshire Water have advised that the connection point for the site would be to a 6 inch diameter cast iron main in Shrogswood Road.

The Openreach fibre availability checker says that superfast broadband is available in the area. However, there are no plans to upgrade to ultrafast full fibre at the present time.

### Equal and Healthy Community Checklist

The Checklist required by the Council's adopted SPD 'Equal and Healthy Communities' has been submitted. It provides commentary on each of the requirements within the checklist as well as confirming if the development would meet the criteria. Given the outline nature of the application a number of criteria would be addressed on receipt of the reserved matters application and the detailed design layout of the development.

## Minerals Statement

The statement notes that in the instance of the subject application this meets the criteria of e. set out in policy CS26 'Minerals' on the basis that the site is needed for other purposes. The site has been allocated for housing development as site reference H35 in the Adopted Sites and Policies Document. This is part of the Councils Development Plan. The need therefore to develop the site to meet the housing need for the Borough is clearly established and supported.

## **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 the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site is allocated for residential. For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):

CS1 'Delivering Rotherham's Spatial Strategy'  
 CS2 'Delivering Development on Major Sites'  
 CS3 'Location of New Development'  
 CS7 'Housing Mix and Affordability'  
 CS14 'Accessible Places and Managing Demand for Travel'  
 CS19 'Green Infrastructure'  
 CS20 'Biodiversity and Geodiversity'  
 CS21 'Landscapes'  
 CS22 'Green Space'  
 CS25 'Dealing with Flood Risk'  
 CS26 'Minerals'  
 CS27 'Community Health and Safety'  
 CS28 'Sustainable Design'  
 CS30 'Low Carbon and Renewable energy generation'  
 CS32 'Infrastructure delivery and developer contributions'  
 CS33 'Presumption in Favour of Sustainable Development'

Sites and Policies Document

SP1 'Sites Allocated for Development'  
 SP26 'Sustainable Transport for Development'  
 SP32 'Green Infrastructure and Landscape'  
 SP33 'Conserving the Natural Environment'  
 SP35 'Protected and Priority Species'  
 SP36 'Soil Resources'  
 SP37 'New and Improvements to Existing Green Space'  
 SP42 'Archaeology and Scheduled Ancient Monuments'  
 SP43 'Conserving and Recording the Historic Environment'

SP47 'Understanding and Managing Flood Risk and Drainage'  
SP52 'Pollution Control'  
SP55 'Design Principles'  
SP56 'Car Parking Layout'  
SP64 'Access to Community Facilities'

Joint Waste Strategy

WCS7 'Managing Waste in All Developments'

### **Other Material Considerations**

The NPPF as revised states that *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.”*

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

National Planning Practice Guidance (NPPG)

National Design Guide

Nationally Described Space Standards

South Yorkshire Residential Design Guide

RMBC Adopted Supplementary Planning Documents:

- Air Quality & Emissions
- Healthy and Equal Communities
- Affordable Housing
- Natural Environment
- Transport Assessments, Travel Plans and Parking Standards

RMBC Emerging Supplementary Planning Documents:

- Biodiversity Net Gain
- Developer Contributions
- Soils Strategy
- Trees

### **Publicity**

The application has been advertised by way of press, and site notice along with individual neighbour notification letters to adjacent properties. 91 letters of representation were received from individual addresses, including comments from Whiston Parish Council, the Local MP and the Local Action Group (Whiston Residents Action Group (WRAG)).

The issues raised by local residents summarised below:

- Local infrastructure, including roads, dentists, health centres and schools cannot sustain such a development.
- There are significant drainage issues.
- It will constitute a devastating loss of green space, habitats and open views.
- It will have a significant adverse impact on the local highways through increased traffic and congestion.
- There is potential for this development to increase the already high risk of flooding in the surrounding area.
- The fields are a great local resource for walking.
- The proposal will result in the loss of green space.
- The proposal will result in an increase in pollution.
- Houses should not be built on what is supposed to be green belt land.
- To build houses on a green-field site should not be a consideration.
- The proposals will have an adverse impact on existing neighbouring properties.
- There will be an increased impact in terms of noise and pollution on existing residents.
- Why isn't the development being considered in more affordable areas where young families want to buy, instead of where developers can make a premium.
- The original Flood Risk Assessment is out of date.
- The site has archaeological importance.
- Concerns over the construction traffic and impact this will have on traffic flow and HGV lorries using the narrow Shrogswood Road.
- Is the size of the estate actually required?
- Additional impact on Worrygoose Roundabout.
- The development is land locked, so the site entrance / exit road is not appropriate and will be to the detriment of all.
- This development with the one constricted route in and out and a huge increase in vehicle numbers is totally inappropriate in this area and will overwhelm the existing roads at busy times and raise the prospect of more accidents in an area where we have already had too many.
- This area is subject to a number of claimed footpaths, if development were to take place they would need to be incorporated into the site layout to preserve access to the open countryside.
- This land should not have been taken out of the greenbelt, without the knowledge of local people.
- Local sewage pumping station is incapable of dealing with the additional 200+ houses let alone the 500 planned behind Lathe Road.
- It is also important productive farmland providing produce more sustainably and with a much lower carbon footprint than importing from abroad.
- There have been too many developments locally.
- The ecological information for the development site is lacking.
- The properties in the area have a history of subsidence issues.



- Will devalue properties.
- I object to any encroachment within my boundary.

The issues raised by the Local MP are summarised as:

- There are flooding issues with the site and the adjacent site which will impact Whiston.
- The proposal will have a significant adverse impact on traffic levels in the area.
- There are concerns with the access to the site from Shrogswood.
- The scheme will result in urban sprawl which will impact on the character and appearance of the area.

The issues raised by the WRAG are summarised as:

- The application fails to adequately address a raft of critical issues such as site access, local traffic congestion, flood risk to Whiston and inability of local schools and GP practices to meet projected demand for services.
- This application presents many potential problems to RMBC but equally, presents a quite stunning paucity of effective solutions for those issues which we have outlined.
- The Council may be tempted to accept this application, with all its major shortcomings and simply say that this will be looked at within detailed 'reserved matters' stage, but we contend that Planning Board should not opt for this 'easy' option but require the applicant to properly address these shortcomings now.

The issues raised by Whiston Parish Council are summarised as:

- While we appreciate that the proposed development site is not in an area at risk of flooding, we feel there is a real risk that the development will increase flood risk downstream, which is where the village of Whiston is situated.
- Whiston has a long history of flooding of residential properties, including recent flooding in 2019 when a number of homes were damaged, and an evacuation of the village in 2007.
- Whiston Brook is already polluted, and this application will exacerbate these problems further.
- There will be cumulative traffic problems from the development, particularly the volume of traffic that will be created, some of which will likely result in a significant increase of vehicles routed through Whiston village.

2 letters of support have been received, the reasons giving are summarised as follows:

- The new development will benefit younger families due to good access to local facilities such as Schools, Hospitals and Shops.
- It will also benefit the local economy such as The Hind, Sitwell Golf Club and the Co-operative and other small independent businesses etc.
- It will provide easy access to exercise through various public footpaths through the countryside.
- The area needs more housing, as there is no supply.

On receipt of amended drawings showing access works and signalised crossings at East Bawtry Road and Shrogswood Road and amended supporting documents, further letters were issued to those that had previously commented and / or previously notified.

A further 41 letters of representation were received from individual addresses, 26 from addresses that had previously commented, including the Parish Council and 15 from new representees. The new concerns raised are summarised below:

- The lane widths on East Bawtry Road at the junction with Shrogswood Road are well outside the official guidance (Highways Agency's guidance is a recommended 3.65m width for a single motorway lane, a 3.7m width for a single dual carriageway lane and 3.65m for other road types.) So the proposed 3m lanes are very narrow and with parked cars and HGV's on the road represent a considerable risk to local residents and other road users.
- The closure of the central reservation gap to the bottom of Sitwell Park Road will cause massive problems for people wanting to turn right from Sitwell Park Road on to East Bawtry Road and also for people wanting to right turn up Sitwell Park Road from Sheffield bound East Bawtry Road.
- The proposal has not took account of local traffic movements and push more traffic onto an already overcrowded Worrygoose roundabout.
- Lathe Road, Sheepcote and Shrogswood already struggle now households have more cars and this is just taking it a step too far.
- We cannot get in to Worrygoose as it is and imagine how bad it is going to be after the other development will be.
- Kids will no longer be able to play out front safely.
- The proposed right turn lane from East Bawtry Road onto Shrogswood Road is not viable as the road lanes on East Bawtry Road are not wide enough to accommodate a cycle path, two lanes on a MAIN dual carriageway and a turn right lane.
- Any traffic lights on the junction of Shrogswood road and East Bawtry Road will result in congestion at that junction on Shrogswood Road which would in turn make Sheep Cote Road and Lathe Road a "rat run"; for vehicles not wanting to queue, a 20 mph limit on the said

roads would not stop them becoming a short cut to the shops at the Brecks or Worrygoose.

- There would be an increased risk of accident on Sheep Cote Road and Lathe Road to playing children as there is no “green space”; for them to play.
- The fields behind Sheep Cote Road are Grade A agricultural land and should be used for growing crops the country needs.
- The two sites to the rear of Sheep Cote and Lathe Road should be viewed as one huge development instead of two individual ones as they are next to each other only separated by a small road to Sitwell golf club.
- A 20 mph speed limit will not stop the roads being used as a rat run to the local shops. For traffic wanting to go onto the new estate, it would be very convenient to use Sheep Cote or Lathe Road as a short cut. The roads are very narrow and totally unsuitable for any more traffic. The planners, who do not live in this area do not understand local traffic movements and fail to appreciate the level of problems using Shrogswood Road as an entry and exit to this unwanted new over development would cause.
- The proposed junction at Shrogswood / East Bawtry Road with traffic lights, narrow 3m lanes combined with bus stops on both sides of the carriageway and right turning traffic across the carriageway is a recipe for disaster.
- In 20 to 25 years once the impact of the present developments are fully understood and maybe compensated for then it may be appropriate, but as of now it is out of order.
- The professional people who the developers have employed were never going to say this is not a suitable location. The reports that have been prepared do not show the down sides and only the “Sunny uplands”; as that is what they are paid to provide.
- The proposed road changes and costs associated with making these changes will not be sufficient for the additional cars that will be travelling on the local roads.
- A proposed 20 mph speed limit on Lathe and Sheepcote suggests that the planning authorities are aware that both roads will see a dramatic increase in use and are trying to alleviate any concerns that local residents will raise about road safety.
- There will still be a danger to local residents which will be exacerbated by the increase in vehicles using roads that has previously been identified as narrow. The increase in traffic will also lower the air quality in the area especially at peak times.
- The changes to the junction of Shrogswood Road and East Bawtry Road will channel cars up Sheepcote Road. Logically, people wanting to head towards Wickersley / M18 / M1 south aren't going to turn right out of Shrogswood Road drive along East Bawtry Road and go around the Worrygoose Roundabout to come back up East Bawtry Road. They are going to come straight up Sheepcote Road especially as the already busy Worrygoose Roundabout area is going to get a great deal busier with the proposed developments.

- As I live on Sheepcote Road I have just had a quick walk along it's length and counted twenty three cars parked on the road creating bottle necks along its length.
- The development is going to swamp the area in traffic.
- The lack of understanding of the local traffic movements is very worrying. It's quite obvious from some of the glib statements that our objections are not been took seriously.
- The extra traffic movements on Sheepcote and Lathe Road been dealt with by a proposed 20 mph limit which does not address the main objection which is the extra traffic that the new development would inflict on us.
- The council's highways department are entrusted to make and keep our roads safe, this proposed development and proposed entry exit to site do not do that, it may be politically acceptable to the council and all the box`s may have been ticked but there is a danger to the residents of both Sheepcote and Lathe Road because of the extra traffic that has not been dealt with in this application.
- The junction is not fit for purpose and should not be used as an entry exit to this unwanted new stain on our countryside.
- Shrogswood Road is a dangerous junction at the best of times, largely due to the number of cars which park on East Bawtry Road. This makes visibility at the junction incredibly difficult. I think it would be sensible to reinstate, or at the very least enforce the clearway rules on East Bawtry Road, improving visibility.
- I do not agree that the closure of the junction with Sitwell Park Road is a particularly sensible or progressive move, as it will increase traffic flow onto East Bawtry Road and Wickersley Road.
- These reports fail to address how the so called "improvements"; will make it any easier to be able to exit Lathe Road towards Worry Goose Island. It is blindingly obvious to everyone apart from the Council that the developments will add traffic and congestion to Lathe Road and Sheep Cote Road.
- To assume the right hand carriage way will act as a sufficient 'slip road' is reckless at best. There has also been no consideration of the impact this will have to those who live on or near Sitwell Park Road. This road is already a rat run which cannot handle current capacity. The road is extremely narrow in parts and the increase in users will impact residents detrimentally.
- Why can one project be complete before giving permission for more houses in this area.
- The only positive for this scheme has to be profit.
- The suggested amendments to road traffic management in the immediate area, a 20mph speed limit and traffic lights at the junction, are cosmetic and do not address the underlying problems. It would have been unwise or even impossible to drive a vehicle at more than 20mph on Sheepcote or Lathe Road for years. The speed is not the issue but the increased volume of traffic which the development will create, is. The single traffic access route to this large site is a narrow residential road and is unsuitable for carrying high traffic levels.

- The proposed alterations to the road pattern at the junction with East Bawtry Road do not look like a solution to the problem of the increased numbers of vehicles which will need to join or leave the dual carriageway at the junction. I predict for example, there will be queues on East Bawtry Road at peak times as vehicles wait to turn right. This is inherently unsafe.
- The development would have a negative impact on the immediate locality and the wider area.
- The various reports into the coal mines and where fault lines are etc., were produced in 2017. Since then, there has occurred a sink hole opposite the back of my house. It is clearly marked, no doubt so the farmer does not accidentally drive his tractor and have a problem as a result. Why else mark out a square around the relevant area? Who builds houses where there is an obvious geological issue? Moreover, what impact will the building of houses have in respect of this geological issue on the existing homes of Sheep Cote Road?
- The plans themselves are banal to say the least and there is no clear road map as to where the houses are to be situated, how far away, and whether there is going to be properties sitting over and around the sink hole.
- The removal of such valued green space will further exacerbate air pollution. Currently the field off of Shrogswood Road acts as a carbon sink meaning it not only removes CO<sub>2</sub> from the atmosphere but stores it there as well. To remove this green space not only would less CO<sub>2</sub> be removed from the atmosphere but all of the CO<sub>2</sub> stored in the carbon sink will get back into the atmosphere once building commences. The combined effect of increased vehicles in the area and the removal of this carbon sink will lead to a compounded negative environmental effect leading to poor air quality for all who live in the area.
- The lack of adequate infrastructure access from Shrogswood Road into the new development. The entry into the other new development on Lathe Road is also on Shrogswood Road. These then require access onto an already busy dual carriageway.
- The proposal will result in increased air pollution.
- The proposed plans do nothing to ease the traffic issues that would be caused by the proposed development. Both Lathe Road and Sheep Cote Road are narrow roads and will become dangerous rat-runs.
- Imposing a 20 mile an hour speed restriction would have no bearing on the amount of traffic that would be created by the size of the development proposed.
- The single point of access plan to the development is clearly a danger to residents, likely to induce and exacerbate respiratory problems and further health issues due to noise and constant traffic congestion, not to mention the increased potential for road traffic incidents and probable fatalities.
- As a resident of the Sitwell Park estate, with the proposed closure of the Sitwell Park Road gap I shall be forced to seek another route to Worrygoose Roundabout. To avoid going up to the Brecks and back and the potential delays caused by the proposed traffic lights around

Shrogswood Road, this will most likely be via Bentfield Avenue and Herringthorpe Valley Road; I'm sure the residents of those roads (particularly Bentfield) will not be best pleased with the increase in the volume of traffic.

- The highway scheme does not mitigate the fact that Sheepcote Road and Lathe Road would be turned into rat runs.
- The proposed new junction cannot simply make the traffic from 219 new houses disappear as the comment suggests. To access the shops via East Bawtry Road entails a far longer and more complicated journey and it is quite obvious to all that it would in turn create problems on Sheepcote Road and Lathe Road because of the extra traffic trying to miss having to use East Bawtry Road to reach the shops.
- The area is already very busy at peak times at both Worrygoose island and Brecks roundabout.
- Sheep cote road and Lathe Road are very narrow roads with cars usually parked on both sides. The fire engine has been known to drive down from time to time and ask house holders to move their cars to provide access for the service. Turning those roads into rat runs would be a very dangerous think to permit. The corner at the top of Sheep cote road is already very poor as visibility is poor around the bend.
- The scheme would have a significant impact on safety of residents.
- Development of the site was refused in 1984 due to traffic problems and water flow off problems and the situation is much worse now with more cars on the roads.
- The run-off from the development will make matters worse on Moorhouse Lane no matter what the developer's paid consultants say, as they are biased, and provide the developer with the answers they want to hear.
- Local residents are the one`s who's voices should be listened too and not some paid consultant from out of the area with no local knowledge.
- 217 homes will inevitably result in well over 200 and probably nearer to 300 additional vehicles needing to move on and off the site. The connecting streets were all designed as residential in nature and as a consequence, are fairly narrow, with significant on-street parking resulting in congestion, even now.
- The suggestion that a 20mph speed limit be imposed is laughable. We already experience widespread non-compliance with a 30mph limit, especially on Shrogswood Road. A speed limit will have no impact on the actual volume of traffic generated by this development.
- The proposal to reduce the width of the carriageways on E Bawtry Rd to 3m so as to permit construction of a dedicated right turn filter lane from E Bawtry Rd onto Shrogswood Rd is predicated upon an assumption of relatively light traffic that will not completely fill the filter lane and back into the dual carriageway. This is at best a sticking plaster of a solution.
- In reality there will be significant congestion. Worse, it will effectively prevent cars turning right off Shrogswood Road. The result will be to push traffic either down Lathe Rd or up Sheepcote or require cars to

turn left, travel in the opposite direction down to the roundabout and then back up E Bawtry Rd.

- Where is all the electricity being generated, to supply each property with a EV charging point?
- Recently there was a burst water pipe on Worrygoose Lane at the junction with Lathe Rd. The road was temporarily closed whilst Yorkshire Water deal with the matter. This resulted in large amounts of traffic being funnelled up Lathe Rd and then having to exit onto the E Bawtry Road from Shrogswood Rd. We have cars queuing at times back from the E Bawtry Rd along Shrogswood Rd to the junction with Lathe Rd. Revving of engines and frustrated drivers travelling along Shrogswood at very high speed. This is less than the level of congestion residents will have to endure should this ill-conceived development go ahead.
- Why is this proposed development being considered when it will destroy landscapes and wildlife by concreting over the land.
- The scheme will result in Increased crime - new homes, new cars etc. will attract / increase local crime rates and demands on policing which is already stretched.

The additional comments from the Parish Council are:

- It is believed that the amended plans will generate additional traffic/access from Shrogswood Road and East Bawtry Road using both Lathe Road and Sheepecote as a rat run and the imposition of a proposed 20mph limiter in mitigation will do little to remedy this. In addition, it is believed that speed bumps should also be imposed here.

While an objector has also indicated that they are in support of the proposed 20mph speed limit on Lathe Road.

Nine Right to Speak requests have been received at the time of writing from the applicant, the local MP and seven local residents.

## **Consultations**

RMBC – Transportation Infrastructure Service: No objections subject to conditions.

RMBC – Tree Service: No objection subject to conditions.

RMBC – Landscape Design: No objections subject to conditions.

RMBC – Environmental Health: No objections subject to conditions.

RMBC – Public Health: No objections at this stage but have recommended that the detailed design with the Reserved Matters application aims to make the development area a site of excellence for the implementation of the air quality and travel in an urban area and that future green space is designed to be attractive for the local community with safe walking / cycling routes.

RMBC – Education: A commuted sum based on the Council's adopted policy will be required for Listerdale School.

RMBC – Public Rights of Way: There are claimed footpaths to the south and east of the site, which have been highlighted as having potential historic rights, these should be considered in the detailed design at reserved matters.

RMBC – Drainage: No objections subject to conditions.

RMBC – Land Contamination: No objections subject to conditions.

RMBC – Air Quality: No objections subject to condition relating to providing an EV Charging Point per dwelling.

RMBC – Affordable Housing Officer: The scheme will trigger the Council's Affordable Housing requirement and this should be in line with the Council's adopted policy.

RMBC – Green Spaces: Based on the number of dwellings proposed the scheme will need to provide LAP play space; a Large Toddler Play Area and a Medium sized play (LEAP) for older children on site.

RMBC – Ecologist: No objections subject to conditions.

Yorkshire Water: No objections subject to conditions.

South Yorkshire Combined Mayoral Authority: Have no objections but require a commuted sum towards improving Bus Stops near the site on East Bawtry Road.

Sport England: Have noted that the development does not fall within either their statutory remit or non-statutory remit and therefore have not provided a detailed response in this case.

South Yorkshire Archaeology Service: No objections subject to conditions.

The Coal Authority: No objections.

SY Fire & Rescue Service: No objections.

SY Police Architectural Liaison Officer: The scheme should look to achieve Secured by Design accreditation.

Yorkshire Wildlife Trust: No objections subject to conditions.

Geology (Sheffield Area Geology Trust): No objections.

Rotherham NHS Clinical Commissioning Trust (CCG): No objections.



SY SuperFast Broadband: No objections subject to standard condition.

## 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
- Design, Scale and Appearance
- Highways
- Public Rights of Way
- Landscapes
- Trees
- Ecology / Biodiversity
- Green Spaces
- Drainage and Flood Risk
- General Amenity
- Impact on existing and proposed residents
- Air Quality and Sustainability
- Affordable Housing
- Impact on Education / GPs
- Minerals
- Land contamination and Soil Resources
- Archaeology
- Issues raised by objectors
- Planning Obligations
- Other considerations

### Principle

The application was allocated as Green Belt within the former UDP, however the Local Plan Sites and Policies Document, which was adopted on 27th June 2018, removed the site from the Green Belt and re-allocates it for Residential use. It forms Housing Site H35 (total area 10.22ha), which indicates the total site area has a capacity of approximately 217 dwellings.

CS1 'Delivering Rotherham's Spatial Strategy' states most new development will take place within Rotherham's urban area and at Principal Settlements for Growth. Bramley, Wickersley and Ravenfield Common are identified as one of the Principal settlements for growth which is to provide 800 dwellings as part of the Local Plan.

This application will help the Council to achieve these targets as well as assisting in achieving the targets set by Central Government in the Housing Delivery Test, which prescribes a set amount of new homes within a rolling three year period that should be built within specific Local Authorities.

CS3 'Location of New Development' states: *"In allocating a site for development the Council will have regard to relevant sustainability criteria, including its (amongst other things): proximity as prospective housing land to services, facilities and employment opportunities, access to public transport routes and the frequency of services, quality of design and its respect for heritage assets and the open countryside."*

Policy SP1 'Sites Allocated for Development' identifies sites that are allocated for development and contribute to meeting requirements set out in the Core Strategy. SP1 allocates the site as H35 for a total of 217 dwellings.

With the above policies in mind, the site has now been allocated for Residential use as part of the adopted Local Plan and as such the principle of residential development is acceptable.

Through the Local Plan process the site was identified as a result of extensive consultation and a site appraisals process, including a Sustainability Appraisal, and assessed in terms of a range of social, economic and environmental factors. The Sites and Policies Document identifies that the site is sustainable in principle for residential use.

The NPPF specifies at paragraph 11 that decisions should apply a presumption in favour of sustainable development, which means *"approving development proposals that accord with an up-to-date development plan without delay..."* This is further supported by policy CS33 'Presumption in Favour of Sustainable Development'.

Paragraph 12 of the NPPF states: *"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan...permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."*

#### *Access to Community Facilities*

Policy SP64 'Access to Community Facilities' states: *"Residential development should have good access to a range of shops and services. On*

*larger scale residential developments of 10 or more dwellings the majority of homes (minimum of 80%) should be within 800 metres reasonable walking distance (measured from the centre of the site, taking into account barriers such as main roads, rivers and railway lines) via safe pedestrian access of a local convenience shop and a reasonable range of other services or community facilities. This may require the provision of local services or facilities by developers where these requirements would not otherwise be met or where new development would place an unacceptable burden upon existing facilities, unless it can be demonstrated that such provision would not be viable or would threaten the viability of the overall scheme.”*

The site is within walking distance of a number of community facilities including education facilities, public transport links, public houses, shops and medical facilities. There is a trodden footpath outside of the site on the north-west corner of the site and whilst this is not currently an adopted public right of way it has been used for a number of years. The proposals seek to retain a link through into the site and this will ensure that the shops, and pub at Brecks are even more accessible for future local residents.

#### *Housing Mix*

Adopted Rotherham Core Strategy Policy CS7 ‘Housing Mix and Affordability’ states: *“Proposals for new housing will be expected to deliver a mix of dwelling sizes, type and tenure taking into account an up to date Strategic Housing Market Assessment for the entire housing market area and the needs of the market, in order to meet the present and future needs of all members of the community.”*

Given the outline nature of this application with only access being considered there is currently no detailed information regarding the housing split for this scheme and this will be considered in detail at the reserved matters application stage. However, a document with the outline application provides some indicative information that the scheme will have a mix of two, three, four and five bed dwellings all of which would be two-storey. Furthermore, condition 5 requires future reserved matters application(s) to be accompanied by a schedule detailing the mix of market and affordable dwellings and justification of how that mix relates to market demand and outcome of the SHMA.

#### *Healthy and Equal Communities*

The adopted SPD ‘Healthy and Equal Communities’ raises awareness of the links between equality and health and wellbeing and includes a checklist to assist development proposals in considering these issues at the planning stage.

The Checklist has been submitted and assessed by the Council’s Public Health department who have indicated that from the responses provided to date it is acceptable. There are sections though that are not currently relevant given the outline nature of the application with only the principle and access

being considered at this time. Therefore, Public Health have indicated that future Green Spaces should be designed to provide an attractive environment for the local community, not just the residents of the estate and should have suitable safe walking / cycling links. These matters will be fully assessed at Reserved Matters stage, where details such as layout and landscaping are to be considered in detail.

The remainder of the report will focus on whether there are any other material planning considerations that would outweigh the presumption in favour of sustainable development.

### Design, Scale and Appearance

The NPPG notes that: *“Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations.”*

The NPPG further goes on to advise that: *“Local planning authorities are required to take design into consideration and should refuse permission for development of poor design.”*

SP55 ‘Design Principles’ states: *“All forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environments, and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings”.*

This approach is echoed in National Planning Policy in the NPPF.

Paragraph 126 of the NPPF states: *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Paragraph 134 states *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design<sup>52</sup>, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

- a) *development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) *outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an*

*area, so long as they fit in with the overall form and layout of their surroundings.”*

In addition, CS21 ‘Landscapes’ states new development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the borough’s landscapes. Furthermore, CS28 ‘Sustainable Design’ indicates that proposals for development should respect and enhance the distinctive features of Rotherham and design should take all opportunities to improve the character and quality of an area and the way it functions.

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

The Site Development Guidelines require the preparation of a detailed masterplan incorporating suitable design measures and addressing the issues highlighted in these development guidelines, will be essential.

As previously stated, the application is in outline form, with only access (in part) being considered and all other matters such as layout, scale, appearance and landscaping (including boundary treatment) being reserved for future consideration under subsequent reserved matters applications. Nevertheless a Masterplan and indicative site layout plan has been provided to show how the site may be laid out.

The Masterplan and indicative layout show that a new access will be created off Shrogswood Road with various cul-de-sacs coming off the main through road. The majority of the dwellings would run east to west and be sited towards the northern part of the site, with the southern part being public open space and a landscape buffer to the Green Belt beyond. This would ensure that the built form is in close proximity to the existing built development.

The layout shows a mixture of detached and semi-detached dwellings and the documents submitted in support of the application indicate that they would be two-storey and a mix of two, three, four and five bed dwellings. However, as this is indicative the layout, the housing mix and dwelling form are not being fully considered at this time and these could change in the submission of the reserved matters application.

Taking into account all of the above, any future application for reserved matters should have regard to the requirements of the aforementioned policies and guidance. However, on the indicative information submitted it is considered that the layout of the site could comply with the requirements of the NPPF, NPPG and Local Plan policies CS28 ‘Sustainable Design’ and SP55 ‘Design Principles’.

#### Impact on Highways

Paragraph 111 of the NPPF states: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on*

*highway safety, or the residual cumulative impacts on the road network would be severe.”*

CS14 ‘Accessible Places and Managing Demand for Travel’ states the Council will work on making places more accessible and that accessibility will be promoted through the proximity of people to employment, leisure, retail, health and public services by, amongst other things, locating new development in highly accessible locations such as town and district centres or on key bus corridors which are well served by a variety of modes of travel.

SP26 ‘Sustainable Transport for Development’ states development proposals will be supported where it can be demonstrated that the proposals make adequate arrangements for sustainable transport infrastructure; local traffic circulation, existing parking and servicing arrangements are not adversely affected; the highway network is, or can be made, suitable to cope with traffic generated, during construction and after occupation; and the scheme takes into account good practice guidance.

Policies CS14 and SP26 are supported by paragraphs 110 and 112 of the NPPF.

SP56 ‘Car Parking Layout’ states that layouts should be designed to reduce the visual impact of parking on the street-scene; discourage the obstruction of footways and ensure in-curtilage parking does not result in streets dominated by parking platforms to the front of properties.

The Site Development Guidelines in respect of highway matters state:

*“A Transport Assessment is essential to determine the most suitable accesses into the site and to creating links through the site and to housing site allocation H34 to the south-west where possible. The creation of a new junction with the A631 Bawtry Road will also require further detailed investigation. Capacity issues at Worrygoose Roundabout will require further investigation and a scheme prepared to mitigate the impact of increased development arising from delivery of this site.*

*Residential development of land north of the existing tree line and east of number 5 Sheep Cote Road (LDF0838) shall only take place in conjunction with the delivery of a new road access from Bawtry Road to serve the wider allocation; the development of dwellings in this location in the absence of the access road will not be permitted.”*

A Transport Assessment has been submitted in support of this application, along with two addendums to the original TA, a Road Safety Audit and response, and a Travel Plan document. Details have also been provided in relation to the location and construction of the proposed access off Shrogswood Road and it is not signalised junction improvements at the junction of Shrogswood Road and East Bawtry Road. A plan has also been provided identifying the area which is proposed for a formalised 20mph speed limit on Lathe Road and Sheepcote Road.

In terms of the Site Development Guideline that relates to the access road being derived from Bawtry Road, it is of note that the land in question sits outside of the application site boundary and outside of the applicant's control. Whilst the land comprises part of the allocation, it is of note that in addition to not being within the applicant's control there is significant level changes from Bawtry Road into the application site that would make it virtually impossible to construct a suitable access road from this point into the site, that would meet the safety standards. Therefore, even if the land was in the applicant's control there is little chance that an access from this point into the site could ever be achieved without the significant importation of soil to form the appropriate level changes. Furthermore, the level changes were not fully considered and / or appreciated at the time of the Local Plan's adoption. Therefore, whilst the scheme does not comply with this guideline, it is only a guideline and given the information above no such development of this allocated residential site could satisfy this guideline.

The proposed access would come into the site from Shrogswood Road through the garden at no. 3 Shrogswood Road, which is in the applicant's ownership and red line application site boundary. A Give Way junction would then be created allowing access into the Golf Club. The access plan being considered shows the highway width and footpath width proposed for the first 30 metres into the site. The indicative layout plan then shows the potential route of the internal access roads after the first 30 metres, but this will be assessed in detail at reserved matters stage, the only access matters being considered under this application is the access and the first 30 metres of road into the site, as well as the junction improvements.

The junction improvements proposed show a new dedicated right turn lane on East Bawtry Road into Shrogswood Road, new road markings on Shrogswood Road indicating turning left and right out of Shrogswood and the closing of the gap in East Bawtry Road directly opposite Sitwell Park Road. A new signalised pedestrian crossing is proposed on both sides of East Bawtry Road to the east of the junction with Shrogswood. It is of note that the right turn lane into Shrogswood and the junction improvements on Shrogswood Road would not be signalised. The Councils Transportation service have confirmed that the proposed scheme complies with industry standards / good practice.

A 20mph speed limit would be imposed on Lathe Road and Sheepcote Road, both roads currently have 30mph speed limits and as members of the public have noted both of these roads are subject to high levels of on street parking, despite most of the properties on each road having dedicated in-curtilage parking. This high level of parking ensures that the majority of users of these roads are going currently going at low speeds and the scheme put forward would formalise this and allow for greater enforcement of those that currently drive at higher speeds on these roads.

With regard to the Transport Assessment, the Council's Transportation Infrastructure Service have indicated that there are two aspects of the current

application which are of considerable importance; Firstly the number and distribution of vehicle trips that the development will generate; secondly the nature of mitigation measures that will need to be undertaken to lessen the impact of the development on the local highway network which is already busy.

### *Trip Generation*

The site is currently agricultural land and therefore generates no appreciable vehicular movements. The surveyed flows at the B6410 Worrygoose Lane/Lathe Road junction indicated that flows two-way peak hour flows on the B6410 Worrygoose Lane were 10%-15% lower than the 2019 survey at Worrygoose roundabout (likely to be due to COVID restrictions in place during the latter part of 2021). To provide a robust assessment, the peak hour flows at the Lathe Road junction have therefore been uplifted by 15% in the morning peak hour and 10% in the evening peak hour.

The TA uses calculated vehicle trips in the analysis which were agreed with the applicants prior to submission and the methodology by which they were derived is considered robust.

The proportion of trips by each mode, including vehicle trips, was calculated using the 2011 National Census 'Method of travel to Work' data. The site is in the Rotherham 024 Middle Super Output Area, which includes the Whiston residential area to the southwest. Therefore, the modal split has been calculated using this dataset.

Proposed vehicle trip rates and trip generation		arrive	depart	two-way
vehicle trip rates (per dwelling)	AM peak hour	0.136	0.552	0.688
	PM peak hour	0.428	0.175	0.603
vehicle trips (217 dwellings)	AM peak hour	30	120	150
	PM peak hour	93	38	131

The table indicates that the proposed development would result in an additional 131- 150 vehicle trips on the local highway network during the typical weekday peak hour. As with the modal split data, the Rotherham 024 MSOA dataset was used to determine the broad distribution of trips. The assignment of trips was estimated using online mapping, and the proportion using each highway route was identified.

Vehicle Trip Assignment (existing network) – Two Way Trips				
Route	Route Name	% Assignment	AM	PM
A	A631 East	13%	20	17
B	B6410 Worrygoose Lane	4%	6	5
C	A631 West	51%	76	67
D	B6410 Broom Lane	12%	18	16
E	A6123	20%	30	26
<b>Total</b>		<b>100%</b>	<b>150</b>	<b>131</b>





This demonstrates that most of the traffic leaving the site will travel in the direction of Worrygoose Roundabout. You will recall, previous work for the adjacent development site identified a capacity problem at the roundabout and mitigation was agreed and secured by both a planning condition and legal agreement.

#### *Traffic Impact*

In addition to existing baseline junction capacity assessments, a future assessment year of 2028 has been agreed as this coincides with the end of the Local Plan period and is a realistic completion year for the full development. Relevant committed development has been included in the assessments as follows:

- RB2019/0552 – Outline Planning Permission for up to 450 dwellings on land to the north of Worrygoose Lane.
- RB2019/0894 – Outline planning permission for up to 320 dwellings on land to the east of Moor Lane South, Ravenfield.
- RB2019/1891 – Outline planning permission for up to 70 dwellings on land to the rear of Belcourt Road, Brecks.

The 2018 and 2019 traffic surveys have been converted to 2021 baseline data through the application of National Transport Model growth factors adjusted by local TEMPRO growth factors. For the 2028 assessments, further growth factors have been applied to the 2021 flows to provide 2028 background traffic flows.

#### *A631/Shrogswood Road junction*

The junction has been modelled using the PICADY element of the Junctions 9 modelling software for the existing baseline, 2028 no development, and 2028 with development scenarios.

	AM peak hour			PM peak hour		
	Queue (PCUs)	Delay (secs)	Ratio of Flow to Capacity	Queue (PCUs)	Delay (secs)	Ratio of Flow to Capacity
2021 baseline						
A631 East Bawtry Rd	<1	7.1	0.050	<1	6.3	0.062
Shrogswood Road	<1	9.3	0.150	<1	8.2	0.070
2028 no development						
A631 East Bawtry Rd	<1	7.4	0.053	<1	6.4	0.071
Shrogswood Road	<1	10.2	0.153	<1	8.8	0.082
2028 with development						
A631 East Bawtry Rd	<1	7.5	0.114	<1	6.8	0.258
Shrogswood Road	<1	15.7	0.453	<1	9.7	0.171

The assessment results indicate that the junction currently operates with spare capacity, with no significant queues or delays. Whilst the impact of development generated traffic would be minimal the junction would continue to operate with spare capacity during the weekday morning and evening peak hours.

Whilst the software has demonstrated that the junction will operate within capacity, there are concerns that the additional right turning traffic across the A631 will be detrimental to the free and safe flow of highway users. The current right turn facility will not fully accommodate a standing vehicle such that a car standing waiting to turn would be stationary in either of the outside lanes. Accordingly, a Technical Note and Road Safety Audit have been submitted in support of the additional traffic using this facility.

Furthermore, whilst the software shows little queueing at the existing junction out of Shrogswood Road, it is incapable of allowing a car to sit whilst waiting to turn right without holding up cars wanting to turn left. This would encourage further use of Lathe Road.

The first addendum to the TA includes a recommended scheme and stage 1 road safety audit to overcome our concerns at the above junction, which is considered acceptable.

Furthermore, after concerns were raised in respect of the existing right turn facility from East Bawtry Road into Shrogswood Road which was considered to be substandard and would have required vehicles to be stationary in the outside lane of the dual carriageway, a revised scheme has been submitted.

The scheme if implemented will now provide a full right turn facility so that the two lanes are not affected by cars waiting to manoeuvre. The proposed right turn lane will result in alterations / realignment of the existing lanes (reduction in width to 3m). Reduced lane widths in urban areas can have a positive impact on highway safety, reduce speeds and do not have an impact on traffic flows. The formation of the right turn lane will require the closure of a similar substandard right turn facility into Sitwell Park Road for vehicles travelling east to west. Vehicles currently using the facility can enter Sitwell Park Road via Wickersley Road instead which is of a similar distance / time.

In addition, there is currently no signalised crossing in the location of Shrogswood Road there are no formal pedestrian crossing facilities to the bus stop opposite. Accordingly, as part of the highway improvements a signalised pedestrian crossing is to be provided on East Bawtry Road, which will operate on a push button system. The junction improvements at Shrogswood Road / East Bawtry Road will not be signalised.

Both the junction improvement scheme and pedestrian crossing have been the subject of a Road Safety Audit which has not identified any road safety issues.

As detailed previously it is also proposed to include Lathe Road and Sheepcote Road along with the development in a scheme which will see the speed limit reduced to 20mph, a suitable planning condition will be imposed on any approval to ensure this is appropriately designed and implemented prior to first occupation.

#### *B6410 Worrygoose Lane/Lathe Road junction*

This is a simple priority T-junction and so has also been modelled using the PICADY element of the Junctions 9 modelling software for the same three scenarios.

	AM peak hour			PM peak hour		
	Queue (PCUs)	Delay (secs)	Ratio of Flow to Capacity	Queue (PCUs)	Delay (secs)	Ratio of Flow to Capacity
<b>2021 baseline</b>						
B6410 Worrygoose Lane	<1	4.0	0.050	<1	4.1	0.070
Lathe Road	<1	9.3	0.086	<1	11.9	0.081
<b>2028 no development</b>						
B6410 Worrygoose Lane	<1	3.5	0.067	<1	3.9	0.094
Lathe Road	<1	10.8	0.106	<1	15.7	0.107
<b>2028 with development</b>						
B6410 Worrygoose Lane	<1	3.4	0.076	<1	4.0	0.112
Lathe Road	<1	10.6	0.115	<1	15.3	0.112

The results indicate that the junction operates with ample spare capacity during the typical weekday peak hours. Turning flows to/from Lathe Road are low and so there are no significant queues or delays at the junction. The impact of proposed development traffic at the junction is minimal and it continues to operate with spare capacity. It should be noted that the operation of this junction was shown to be less than ideal when analysis of the traffic impact of the development to the south of Shrogswood Road was assessed. Queuing is a regular feature on Worrygoose Lane, and this is expected to get worse with the build out of the consented development. Whilst this modelling shows little adverse impact, further study may be required to mitigate potential impacts.

### Worrygoose roundabout junction

Analysis of the Worrygoose roundabout junction has been undertaken using the ARCADY element of the Junctions 9 software. Condition 8 of planning permission RB2019/0552 relates to the provision of improvements at the junction. These improvements have been considered as committed infrastructure improvements when assessing the roundabout. The 2028 assessments therefore include for the committed infrastructure improvements at the junction.

	AM peak hour			PM peak hour		
	Queue (PCUs)	Delay (secs)	Ratio of Flow to Capacity	Queue (PCUs)	Delay (secs)	Ratio of Flow to Capacity
2021 baseline						
A6123 North	2	11.3	0.637	14	89.1	0.986
A631 East	4	12.2	0.791	1	6.2	0.554
B6410 Worrygoose Lane	18	104.8	1.008	3	19.1	0.773
A631 West	2	7.6	0.698	30	63.7	1.003
B6410 Broom Lane	<1	7.7	0.382	11	93.3	0.977
2028 no development						
A6123 North	1	6.0	0.502	3	13.8	0.708
A631 East	3	7.2	0.710	1	4.9	0.518
B6410 Worrygoose Lane	14	57.5	0.962	2	8.6	0.649
A631 West	4	11.8	0.799	153	264.6	1.176
B6410 Broom Lane	<1	5.0	0.306	2	13.7	0.655
2028 with development						
A6123 North	1	6.1	0.511	3	15.6	0.739
A631 East	3	9.0	0.770	1	5.1	0.542
B6410 Worrygoose Lane	32	117.0	1.042	2	9.0	0.660
A631 West	4	13.2	0.819	185	317.9	1.213
B6410 Broom Lane	<1	5.2	0.315	2	14.5	0.673

The junction currently operates above capacity. Consequently, queues and delays are experienced on the B6410 Worrygoose Lane approach during the morning peak and on the A6123, the A631 West and the B6410 Broom Lane approaches during the evening peak.

The proposed junction improvements include entry widening at the two B6410 approaches and the A6123 approach to mitigate future traffic growth at the junction. Provision of approximately 500m of bus lane on the A631 West approach is proposed to provide some bus priority at the junction, and a signal-controlled pedestrian crossing is proposed on the A631 East arm to provide enhanced pedestrian safety/amenity at the junction. The proposed junction improvements mitigate the impact of forecast background traffic growth and committed development traffic growth at all approaches to the junction, except the A631 West approach during the weekday evening peak hour. RMBC has accepted that the improvement would not mitigate queuing on this approach, but that the proposed bus lane would be expected to improve journey times for buses, thereby encouraging increased use of services on this route and mitigating the impact of delay. Overall mitigation of the development impact is evident from the reduction in RFC values particularly on Worrygoose Lane. This is undone by the proposed development when added to the scenario. By way of further mitigation an improvement at this approach has therefore been identified and is shown on drawing no. ADC2703-DR-001. A further model has been run with this improvement in place:

	AM peak hour			PM peak hour		
	Queue (PCUs)	Delay (secs)	Ratio of Flow to Capacity	Queue (PCUs)	Delay (secs)	Ratio of Flow to Capacity
2028 with development (and enhanced improvement)						
A6123 North	1	6.1	0.512	3	15.6	0.739
A631 East	3	9.0	0.770	1	5.1	0.542
B6410 Worrygoose Lane	<b>18</b>	<b>70.7</b>	<b>0.985</b>	2	7.9	0.629
A631 West	5	13.7	0.825	<b>185</b>	<b>318.1</b>	<b>1.213</b>
B6410 Broom Lane	<1	5.2	0.317	2	14.5	0.673

Whilst this does achieve a return to the 2021 status quo on Worrygoose Lane without serious impact, the scheme is reliant not only on the above improvements but the improvements required as part of planning permission RB2019/0552.

The applicant has accepted our concerns and confirmed that a suitable condition regarding the previous agreed scheme for the roundabout improvements to be imposed on any planning permission issued. In addition, a further improvement scheme is proposed (Drg No ADC 2703-DR-001) for additional improvements to aid traffic turning from East Bawtry Road left into Worrygoose Lane.

The additional changes to Worrygoose Lane roundabout that would be required were this site to also come forward and the addendum setting out the modelling has been assessed by the Council's Transportation Infrastructure Service. They concur with the applicant's findings that the improved layouts proposed in mitigation effectively mitigate the greatest part of the additional traffic generated by the development. The proposal to implement when 50 dwellings have been occupied is sound in terms of trips generated. However, that mitigation should be timed to be operational as soon as 50 dwellings are occupied rather than started when that threshold has been reached. Accordingly, the traffic impact of the site is likely to be minimal and the mitigation will address the impact of this development rather than the pre-existing congestion.

### *Pedestrian Accessibility*

The TA claims that a 2km walking catchment from the site includes all the major local facilities and amenities in Listerdale local centre to the north of the site, including shops, a post office, pubs/restaurants, Brecks community centre and Dalton Listerdale Junior and Infant school. To the south of the site, the 2km walking catchment includes the parade of shops at the Worrygoose roundabout junction and Whiston Worrygoose Primary School.

Taking into account the proximity of both public transport and local facilities to the north-east of the site, a shared pedestrian / cycle link should be provided to adoptable standards in this location. This would substantially reduce walking / cycling distances to these facilities. Without this, dwellings in this part of the site would be required to walk 450m before reaching the site

entrance and then another 500+m back up the hill to reach the same point a linked path would provide.

Accordingly, a link in this location would both reduce walking distances by up to 1km and encourage / promote sustainable travel as required by the Council's Local Plan.

The applicant has agreed that the detailed drawings submitted as part of the reserved matters application will include an opening in this location to the existing well-trodden unadopted footpath which sits outside of the site. The applicant has also agreed to pay up to £12,000 to improve the unadopted footpath should it become adopted in the future. This is further considered in the Public Rights of Way section below.

### *Public Transport*

Whilst there is good access to frequent services that serve journeys to central Rotherham and Sheffield via Meadowhall, there is no formal crossing provision in the A631 (junction of Shrogswood Road) such that pedestrians are required to cross the dual carriageway when / if gaps in traffic occur.

Accordingly, improvements were requested to aid pedestrians crossing to / from the bus stop on the A631 East Bawtry Road. Once the bus facilities can be reached safely, then there are opportunities to interchange with rail and tram services at Rotherham Central, Meadowhall and Sheffield.

The agent has agreed as part of the road improvements to East Bawtry Road that new crossings will be provided on both sides of East Bawtry Road to access these bus stops. Furthermore, the South Yorkshire Mayoral Combined Authority have confirmed that they would require a commuted sum of £57,989.83 to carry out improvements to Bus Stops 35016 (Bawtry Road / Sheepcote Road); 30879 (East Bawtry Road / Wickersley Road) and 30263 (East Bawtry Road / Wickersley Road). This will be secured by a s106 legal agreement and the monies shall be spent on upgrading two of the bus shelters and the replacement of a bus pole with a bus shelter, alongside the provision of real time bus displays at each location.

### *Cycling Accessibility*

Sheep Cote Road and Lathe Road are both advisory cycle routes and that there is an on-carriageway cycle lane along the northbound carriageway of the A631 between the Worrygoose roundabout and the Brecks roundabout. There are cycleways on both sides of the A631 to the south of the Worrygoose roundabout junction, and there are on-carriageway cycle lanes on both sides of the B6410 Broom Lane to the north-west of the Worrygoose roundabout, leading to/from Rotherham town centre. There are signal controlled crossings of the A631 to the south-west of the Worrygoose roundabout and to the east of the Brecks roundabout.

Overall cycling accessibility is considered to be reasonably good.



### *Road Safety*

Although there have been a few minor collisions leading to slight injuries at junctions, there is no indication of a current serious road safety problem, further analysis and remedial action is not required.

Access to the development is proposed from a single point of vehicular access via an extension and realignment of Shrogswood Road. The access proposals are shown in Appendix E of the TA and include retention of the private drive access to Sitwell Park Golf Club. A Stage 1 Road Safety Audit and Designers Response Report for the proposed access are also included in the TA.

### *Travel Planning*

The following sustainable transport improvements are proposed:

- New footway links between the proposed development and Shrogswood Road;
- Foot/cycle link between the proposed development and Sheep Cote Road. (This should be to adoptable standards so that it is available to use throughout the differing weather / daylight conditions. The link should be both open and overlooked to provide comfort for users.)
- Cycle parking provided at each individual dwelling;
- New Residents Travel Packs for each dwelling; and
- Implementation of a Residential Travel Plan

These shall be secured by funding for travel plan measures via the £500 per dwelling secured by a s106 agreement.

The concerns raised by local residents regarding congestion, increase in traffic and highway safety are noted and have been considered in the planning balance. However, as set out above the proposed access represents a safe and appropriate access to the site and the highway improvements to East Bawtry Road and Shrogswood Road junction, along with the 20mph introduction on Lathe Road and Sheepecote Road are also considered to appropriate and an improvement on the current situation.

It is noted that a resident has raised concerns about children not being able to play on Sheepecote Road and Lathe Road, however the implementation of a 20mph speed limit on these roads would make them safer to use. Furthermore, the proposed development would need to provide 55sq.m per dwelling of public open space along with dedicated play areas, which will be discussed later in the report. These areas of public open space and play spaces will be available for existing residents to use, thus providing existing residents with areas of play that are not currently available in this area.

With regard to the concerns from local residents over the proposed highway improvement scheme, it is of note that it is common practice to use lane

widths of 3m particularly at junctions and that the widths quoted by the objectors are from Design Manual for Roads and Bridges which is primarily for Motorways / Trunk Roads. In response to the concerns over the traffic lights causing delays, it should be noted that this will be a push button crossing and will only change when required by pedestrians. The closing of the gap on East Bawtry Road, opposite Sitwell Park Road, will not create a long detour as per the explanation above.

In summary, Government policy regarding the consideration of development proposals is contained in the National Planning Policy Framework (NPPF) February 2019. Sections 105-112 are relevant in highway/transportation terms. Section 110 states that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location. The current proposal is considered to accord with this requirement in view of the intended measures to improve pedestrian / cycle links including a signalised crossing on East Bawtry Road to public transport facilities and other travel plan measures to be safeguarded in the S106 Agreement. Safe and suitable access to the site for all users can be achieved.

The impact of the development traffic in terms of capacity and congestion is to be mitigated to an acceptable degree by the proposed highway improvements and the Stage One Road Safety audit has not raised any significant issues.

Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. The accident record for the area does not indicate any significant issues and none have been revealed in the Stage One Road Safety audit. The proposed junctions with Shrogswood Road has been designed to current highway standards.

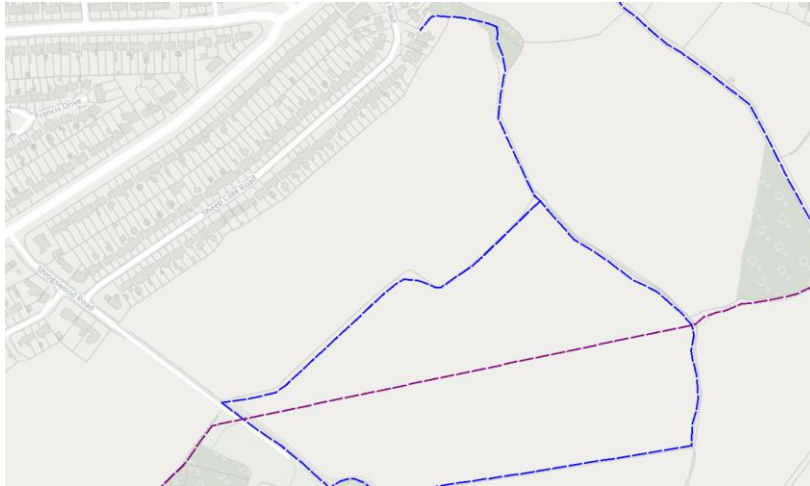
In these circumstances, it is considered that there are no justifiable reasons to refuse planning permission on highway / transportation grounds subject to relevant conditions.

#### Public Rights of Way

The Site Development Guidelines states: “...*Consideration shall be given to the re-routing of Public Rights of Way (PROW) along this edge...*”

It is noted that the Council have received a number of claimed paths which have been formally submitted to determine public rights and are historic claims rather than something recently submitted and can be seen on the plan below in blue, the purple line is an existing definitive footpath:





Given the layout is not being considered at this stage it does not allow reflection of these claimed routes and there are a number of well-established routes on site.

The applicant is aware of these claims and there will be a contribution of up to £12,000 within the legal agreement for improvements to the trodden footpath outside of the site in the north-east corner that links through to Sheepcote Road, an opening in the northern boundary of the application site will be secured by condition and this will be included in the layout submitted with the reserved matters application.

With regard to the well-established routes on site, these will be factored into the layout submitted with the reserved matters, which has been done on other sites around the borough to ensure that the local community can still walk through the site to the fields beyond.

It is therefore considered that whilst layout is not currently being considered, the legal agreement and the proposed condition will ensure that accessibility and permeability through and the site will remain unaffected once the development is completed.

### Landscapes

CS19 'Green Infrastructure' states: *"Rotherham's network of Green Infrastructure assets, including the Strategic Green Infrastructure Corridors will be conserved, extended, enhanced, managed and maintained throughout the borough. Green Infrastructure will permeate from the core of the built environment out into the rural areas... Proposals will be supported which make an overall contribution to the Green Infrastructure."*

Policy CS21 'Landscape' states: *"New development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the borough's landscapes..."*

Policy SP32 'Green Infrastructure and Landscape' states: *"The Council will require proposals for all new development to support the protection,*

*enhancement, creation and management of multi-functional green infrastructure assets and networks including landscape, proportionate to the scale and impact of the development...*

The Site Development Guidelines in respect of landscapes state:

- A Landscape Assessment will be needed to assess and manage the impact of potential new development on the landscape character of the area and on natural landscape features such as trees and hedgerows which should be retained and enhanced.
- The impact of this proposal on local landscape character shall be minimised. The use of light coloured materials, that are more visually prominent, shall be restricted along the boundary with the Green Belt; and the height of buildings restricted on higher ground to minimise visual impact. A no build zone of 15 metres shall be promoted along the edge of the Green Belt boundary. No build zones are measured from building elevation to Green Belt boundary. Other forms of infrastructure such as roads, drainage, footways, Public Rights of Way, landscape buffers and appropriate boundary treatments are acceptable within this zone.

The site is located on the urban edge of Rotherham with open countryside to the south-east and comprises an extensive arable field surrounded by fragmented hedgerows and occasional trees. Whiston footpath no.1 joins the most southerly corner of the site continuing in a south-westerly direction towards Worrygoose Lane and east towards Sledgate Lane leading to Bawtry Road and the village of Wickersley.

During assessment work carried out in September 2013 by the Council's Landscape Design Team the area was described as undulating, extensive and simple with poor hedgerows and few trees. It was considered as being open to public view and very open to private views from adjacent properties along Sheep Cote Road (northern-western boundary of the site). It was felt there was moderate scope to mitigate any impact development may have over the medium term.

The site, as set out previously in this report has been allocated within the Local Plan for residential use (ref:H35) and considered to have capacity of approximately 217 dwellings. The red line boundary within the local plan did include a considerable parcel of land to the north of the site which on the current application location plan has been excluded. It is noted that the Site Development Guidelines (SDG) state development in that particular area shall only take place in conjunction with the delivery of a new road access from Bawtry Road and the current proposals do not propose to utilise that area of the site allocation.

The south-eastern boundary of the site is defined by Green Belt with Sitwell Park Golf Club just to the south. The unadopted access road to the club defines the south-western boundary. The site entirely falls within the Thrybergh Green Infrastructure Corridor and within the Coal Fields Tributary

Valleys Landscape Character area. The area of agricultural land to the south-west forms allocation site H34 with a suggested capacity for 450 dwellings.

There are existing residential areas along the northern-western boundary of the site, Wickersley to the north-east and Whiston to the south-west; therefore any development would not compromise separation of settlements and will form some moderate associations with the existing urban fabric.

It is of note that landscape is not being considered as part of this outline application as this matter is reserved for further consideration under any future reserved matters application. However, within the submitted Masterplan document there is some mention of potential future landscaping of the site.

The Council's Landscape Design Team have indicated that they fully support the opportunities recognised by the masterplan (page 6) which includes a softer urban edge to the southern boundary, re-routed and enhanced footpaths, new areas for biodiversity, new informal open spaces, new structural landscaping and planting and the creation of an outward looking development.

The large linear open space along the southern boundary would be welcomed and any linkages with the adjacent development site, footpath no.1 and the 'claimed' public footpath/cycle route, would be an important element to be considered carefully as the landscape details are developed, particularly as the site sits entirely within the Thrybergh Green Infrastructure Corridor (policy SP32). Other benefits that should be worked up in the detailed landscape scheme to be submitted with the reserved matters application should include links to Sheepcote Road at the northern end of the site although the existing amenity of the residents in this area needs to be carefully considered.

It is unavoidably expected that the landscape and visual impact appraisal concludes minor to moderate effects will be experienced on the landscape, that there is likely to be large scale change of views (especially effecting receptors further away) and adverse effects will be experienced on adjacent residential receptors. It is anticipated that many of these impacts, particularly from distant receptors, should be reduced to minor by 15 years due to the maturing green infrastructure of the significant green corridor along the southern boundary of the site, generous amenity spaces and landscaping to front and rear gardens.

The Design and Access Statement (D&AS, p.29) supports this by stating *"...planting and landscaping will also take place within front and rear gardens..."* and at *"...key locations in the street scheme where there is an opportunity for more significant tree planting..."*. Furthermore, on p.33 the D&AS) recognises *"landscape design principles enshrined in the masterplan are to provide a substantial landscape framework."*

The quantity of open space provision appears to satisfy the policy requirements (2.14ha provided) but the quality of these spaces needs to be

clearly agreed and approved through future planning submissions. Quality and function of the open spaces will be crucial with quantity alone not sufficient to satisfy policy requirements. For example the use of SUDs is unquestionably beneficial but the design of attenuation ponds to have the dual use as public amenity space requires careful design to ensure either intended end use doesn't compromise the other or forsake visual amenity.

In order to satisfy the applicant's desire to create a "substantial landscape framework", the Council's Landscape Design Team would expect to see significant amounts of tree planting throughout the development. This would not only apply to the open spaces but, in line with tree planting requirements of the recently revised NPPF, to ensure new streets are tree lined. To this end garden frontages need to be provided which allow for this by not only offering sufficient space for meaningful tree planting to develop but planned in such a way as to avoid underground or above ground obstacles from preventing trees being planted.

References are made to the relationship of the new development with the existing residential properties on Sheep Cote Road and the need to protect their 'residential amenity'. Possibly one of the few criticisms of the illustrative layout is that this aspiration is not apparent on the plan. In a number of positions a proposed structure (possibly a house or a garage) is indicated immediately behind the rear garden boundary of the existing properties. A greater offset would certainly be expected and this will be secured on details to be submitted via the future reserved matters application(s).

Overall it is considered that at this outline stage the proposals appear to have considered the relevant planning policies by providing details in the Masterplan and D&AS which, if brought forward during the reserved matters application(s), would on the whole address many of the challenges this site presents. Although it should be noted that further comments would be provided with any reserved matters application(s), as there are still elements that would need to be addressed and considered through the detailed design.

Future submissions should be developed in respect of landscape with regard to the points below:

- Careful design development of the open spaces is required with attention to linkages.
- A substantial landscape framework will be essential to mitigate against the landscape and visual impact such a development as this will have in this location.
- A clear understanding of the quality of the open spaces will need to be communicated with attention given to the design of the multi-functional attenuation ponds.
- Tree planting would be expected throughout the development and certainly within garden frontages.
- Phasing will need to allow for the establishment of a substantial landscape framework which will act to unify the development.

A 'Landscaping Strategy' would provide a useful tool to ensure future detailed submissions do not dilute the guidance and aspirations identified in this outline application and would provide a clear design code which can be agreed on and by which future applications can be assessed. The strategy should also demonstrate how the 'substantial landscape framework' will be delivered and how it will be managed.

Therefore given landscape matters are to be reserved for future consideration under subsequent reserved matters application(s), appropriate conditions will be imposed on this outline application to ensure the requirements above are brought forward in the detailed design of the estate.

### Trees

The NPPF and adopted Local Plan Policy CS21 'Landscapes' calls for developments to contribute to and enhance the natural environment specifically bio-diversity and green infrastructure.

Trees and hedges are situated around the site boundaries. While generally of limited individual value, collectively the trees and hedges provide an important landscape feature.

An updated tree survey and constraints plan has been provided, and in general the Council's Tree Service note that the findings of this tree report appear sound.

An outline Tree Protection Plan has also been provided and this shows the surveyed trees as being retained and protected throughout the development.

The Tree Service has also indicated that a robust scheme of tree planting would be expected throughout the development, including within open green spaces, within front gardens and to ensure new streets are tree lined.

The Tree Service accept that this is an outline application, the detailed design, including landscaping is not yet fixed and will be considered in detail during the reserved matters application. However, as part of the reserved matters application a detailed Arboricultural Impact Assessment and Arboricultural Method Statement will be required.

It is therefore considered that at this time there are no issues in respect of trees that would justify a refusal of this outline application.

### Ecology

Paragraph 174 of the NPPF states planning decisions should contribute to and enhance the natural and local environment by (amongst other things) minimising impacts on and providing net gains for biodiversity.

Policy CS20 'Biodiversity and Geodiversity' states: "*The Council will conserve and enhance Rotherham's natural environment. Biodiversity and geodiversity*

*resources will be protected, and measures will be taken to enhance these resources ...”*

Policy SP33 ‘Conserving the Natural Environment’ states: *“Development will be expected to enhance biodiversity and geodiversity on-site with the aim of contributing to wider biodiversity and geodiversity delivery...”*

Policy SP35 ‘Protected and Priority Species’ states: *“Planning permission for development likely to have a direct or indirect adverse impact on the following will only be granted if they can demonstrate that there are no alternative sites with less or no harmful impacts that could be developed and that mitigation and / or compensation measures can be put in place that enable the status of the species to be conserved or enhanced.”*

The Site Development Guidelines note that a Phase 1 Habitat survey will be required, and protected species (bats and badgers) will need to be surveyed. Trees should be retained, unless agreed in writing with the Local Planning Authority including the tree-belt / hedgerows on the eastern and north-eastern boundary. Wildlife friendly lighting should be considered early on in any proposals.

Both a Bat Activity Survey and Preliminary Ecological Appraisal Report have been submitted in support of the application in line with the Site Development Guideline above.

The Bat Survey identified the potential for important bat foraging and / or commuting routes to be present on site. The survey indicated moderate levels of two bat species foraging and commuting which were concentrated along the site boundary and hedgerows. It further notes that the development site itself is well-removed from most know statutory and non-statutory designated sites, therefore the development of the site will have little impact on these sites and minimal impact on the boundary hedgerows.

Furthermore, any loss of moderate bat foraging / commuting habitat can be mitigated by the retention of woodland and hedgerow / tree boundaries where possible and a suitable lighting design around the new development. The lighting element can be secured by a suitable worded condition requiring the submission of a lighting plan which would be agreed with the Council’s Ecologist. In terms of the retention of the boundary habitats this will be further considered during the assessment of the reserved matters application, but it would appear that the site can be developed without any significant loss of boundary treatment.

Accordingly, the survey indicated that no further surveys are therefore recommended, and this has been confirmed by the Council’s Ecologist.

In terms of the Preliminary Ecological Appraisal, it identified a range of habitats within the survey area, including: arable land, hedgerow, and wet ditch, tall ruderal vegetation, and scattered trees.

It discovered that the site has a confirmed presence of nesting birds; a high likelihood of supporting foraging/commuting bats; a medium likelihood of supporting badgers, and hedgehog; and negligible likelihood of supporting roosting bats, reptiles or great crested newts, while no invasive plant species were observed.

The survey recommended that enhancements include the protection of the eastern hedgerow where possible, installation of bat and bird boxes, planting of native plant / tree species, and creation of habitat piles within the detailed design.

The contents of the report have been considered by the Council's Ecologist who has indicated that they agree with the findings and the recommendations for biodiversity enhancements, which will be secured via conditions, which will include details of bat and bird boxes, wildlife runs within boundary treatment to allow wildlife to permeate the site.

Further to the above, and in respect of Biodiversity Net Gain, it is noted that this application was submitted sometime before the Environment Act introduced the notion of BNG, as such no BNG assessment has been provided with the application. Furthermore, the requirement for a BNG assessment is not yet mandatory and given the outline nature of the application, the Council's Ecologist has acknowledged that the matter can be further considered at the reserved matters stage and a suitable condition can be included. The condition would require the submission of a Biodiversity Net Gain Assessment with the reserved matters application. The Assessment would set out how the scheme will result in a positive biodiversity net gain and the approved details implemented before the first dwelling is occupied.

Several other conditions securing biodiversity and ecological enhancements would be added to any approval which would include the requirement to provide a biodiversity management and monitoring plan to indicate how the development will be monitored with regard to biodiversity; a detailed management plan setting out how habitats will be created or enhanced along with ongoing maintenance for 30 years.

Further to the above, the Yorkshire Wildlife Trust have reviewed the documents submitted also and they have no significant concerns over this application. They would just insist on appropriate conditions being added which reflect the recommendations made in the Bat Survey. Specifically with regard to lighting schemes for the site being considered to ensure that the development will not have an adverse effect on the foraging activities of this protected species.

It is also of note that concerns have been raised by local residents regarding the impact of the development on ecology and wildlife habitats. However, from the information provided it is considered that the site can be developed without significant impact on ecological matters or habitats and subject to conditions the proposal would result in biodiversity enhancements through retention of existing hedgerows, trees where feasible, appropriate planting,

introduction of bat and bird boxes, wildlife routes and sympathetic lighting. Therefore, subject to conditions there is considered to be no ecological reason to refuse the application at this stage for the reasons set out above.

### Green Spaces

Core Strategy Policy CS22 'Green Space' states that: *"The Council will seek to protect and improve the quality and accessibility of green spaces available to the local community and will provide clear and focused guidance to developers on the contributions expected. Rotherham's green spaces will be protected, managed, enhanced and created..."*

Policy CS22 refers to detailed policies in the Sites and Policies Document that will establish a standard for green space provision where new green space is required.

Policy SP37 'New and Improvements to Existing Green Space' states that: *"Residential development schemes of 36 dwellings or more shall provide 55 sq. metres of green space per dwelling on site to ensure that new homes are:*

- i) within 280 metres of Green Space*
- ii) ideally within 840m of a Neighbourhood Green Space (as identified in the Rotherham Green Space Strategy 2010); and*
- iii) within 400m of an equipped play area."*

The Site Development Guidelines states: *"The appropriate long term management and maintenance of any existing or newly created Green Infrastructure assets within the development will need to be explored and funded."*

In terms of the 55sq.m per unit of Public Open Space, as this application is in outline the amount to be provided, the quality and siting are not to be considered as part of this application, but as this matter is set out in the Local Plan policy referred to above, the layout to be provided with the reserved matters application will have to comply with the amount of open space and its quality will also be considered.

However, it should be noted that at 217 homes the public open space requirement would equate to 11,935sqm, at least one new green space must be over 0.2ha, and not form a linear feature, to allow for informal ball games etc. Buffer planting, inaccessible areas and small spaces with no opportunity for recreation, would not be counted within this total. SUDS carry a weighting of 20% towards the total.

The site is not within 400m of an equipped play area therefore as set out in the emerging SPD 'Developer Contributions' a scheme of 217 units would require a Local Area Play space, a Large Toddler Play Area and a Medium sized play (LEAP) for older children.



These requirements will be factored into the layout proposals submitted with the reserved matters application. However, the legal agreement is to secure the following:

- Formation of a Local Equipped Area of Play (LEAP) for older children prior the occupation of the 75<sup>th</sup> dwelling
- Formation of a Local Area of Play (LAP) and toddler play area prior to the occupation of the 150<sup>th</sup> dwelling

In addition, the Legal Agreement will also secure the appropriate long term management and maintenance of any existing or newly created Green Infrastructure assets within the development including the LAP and LEAP. This will comply with the Site Development Guideline.

Further to the above, the SPD 'Developer Contributions' references the provision of allotments at 200sqm per 50 houses. This equates to four allotments for this development which is too few to economically to manage. As such an off-site contribution of £6000 for the improvement of other allotments in Whiston (Barfield Avenue) will be secured via the legal agreement.

Therefore, at this time there are no Green Spaces reasons to justify a refusal of this outline application.

#### Drainage and Flood Risk

Policy CS25 'Dealing with Flood Risk' states proposals will be supported which ensure that new development is not subject to unacceptable levels of flood risk, does not result in increased flood risk elsewhere and, where possible, achieves reductions in flood risk overall. Furthermore, policy SP47 'Understanding and Managing Flood Risk and Drainage' states the Council will expect proposals to demonstrate an understanding of the flood route of surface water flows through the proposed development; control surface water run-off as near to its source as possible through a sustainable drainage approach to surface water management (SuDS) and consider the possibility of providing flood resilience works and products for properties to minimise the risk of internal flooding problems. These policies are supported by paragraphs 167 and 169 of the NPPF.

The Site Development Guidelines state:

*"A watercourse is present on the north-east boundary, on-site flood risk from this watercourse and overland flows shall be assessed in preparing development proposals. The areas downstream of this site are known to be at very high risk from surface water flooding, and a Flood Risk Assessment will be required for any development on this site; additional restrictions may be imposed on discharge rates."*

The Council's Drainage section have assessed the submitted FRA and have confirmed that they have no objections to the proposal.

They state that there is no significant on-site flood risk and the drainage strategy has proposals for foul and surface water drainage, including attenuation of surface water on site. The proposed strategy will include discharge into minor watercourses at the rate of 31.1 l/s and 16.8 l/s for Area A and B respectively and attenuation will be in form of ponds. Storage requirement for Area A and B are 5105 m<sup>3</sup> and 2720 m<sup>3</sup> respectively. Infiltration is also being considered for 3Ha of the site.

Therefore, subject to recommended conditions that request the submission of a further detailed drainage strategy and a Flood Route plan with the first reserved matters application there are no reasons to refuse the outline application on drainage or flood risk matters.

It is also of note that it is considered that the development of this site would not lead to increased flooding within the village of Whiston. Objections have been raised by a number of objectors raising concerns over the potential impact on the village of Whiston, particularly given the site adjacent (Worrygoose Lane) has outline consent and similar concerns were raised with that application. However, there is currently no issues with on-site flooding at this site and given its topography which is flatter than the adjacent site, it is considered that subject to an appropriate drainage strategy / scheme this site will cause no flooding issues either on or off site.

Further to the above, Yorkshire Water have indicated that the submitted Flood Risk & Drainage Assessment 43104-001 (issue1) prepared by Eastwood and Partners, dated 06/05/22 is acceptable and have recommended a condition to ensure the development is carried out in accordance with the document.

Therefore, in light of the above the Council's Drainage Engineer and Yorkshire Water are satisfied that the site can be appropriately drained and subject to conditions requiring information to be submitted either with the reserved matters application(s) or prior to commencement of development the scheme is acceptable and would not raise any flood risk or drainage issues either to the future residents of this site or the existing residents on the estate adjacent to the site or further away in the village of Whiston.

### General Amenity

Local Plan policy CS27 'Community Health and Safety' states: "*Development will be supported which protects, promotes or contributes to securing a healthy and safe environment and minimises health inequalities.*" Policy SP52 'Pollution Control' states: "*Development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that mitigation measures will minimise potential impacts to levels that protect health, environmental quality and amenity.*"

In relation to construction, while some noise is to be expected with development works of this scale it is important to limit the impact of the works on existing nearby residents. Good construction practice and appropriate

consideration of working hours should ensure that this occurs. This will be secured by the imposition of a condition requiring the submission of a Construction Environment Management Plan (CEMP), which will include details of access to the site for construction vehicles, traffic management during construction work, location of site compounds and staff parking; measures to deal with dust and mud on the highway; and details of hours of construction and deliveries. It is noted that construction traffic will access the site via the new proposed vehicular accesses off Shrogswood that will then be used once the development has been completed. No other accesses will be created.

No development site, particularly of the size of this scheme can guarantee there will be no impact on local residents during the construction phase, every development site will have some impact on local residents, but this impact will be temporary and once developed the site will generate little, if any noise or general disturbance to local residents.

The imposition of a condition requiring the submission of the CEMP to be approved prior to works commencing will ensure that there are appropriate and robust measures in place for the duration of the construction phase to any ensure that any disturbance is minimal.

Therefore, it is considered that the concerns raised by local residents in respect of the impact of the construction works on their amenity can be mitigated through the CEMP by the developer implementing best practice measures to tackle noise, dust, mud and general disturbance.

#### Impact on existing and proposed residents

Paragraph 130(f) of the NPPF states planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

SP55 'Design Principles' states that: *"...the design and layout of buildings to enable sufficient sunlight and daylight to penetrate into and between buildings and ensure that adjoining land or properties are protected from overshadowing."*

In assessing the impact of the proposed development on the amenity of neighbouring residents, regard will be had to the inter-house spacing standards set out in the South Yorkshire Residential Design Guide which states there should be at least 21 metres between principle elevations, 12 metres between a principle elevation and an elevation of another property with no habitable room windows and no habitable room window should be within 10 metres of a boundary with a neighbouring property. These distance together with the 45 degree horizontal and 25 degree vertical sight lines ensure that proposed dwellings will not impact on existing residents in respect

of being overbearing, affect outlook, cause overlooking or result in overshadowing of habitable rooms and private gardens.

The layout of the development is for consideration under the reserved matters application, therefore limited weight can be given at this time to assessing the impact of the future development on local residents given the layout has not been provided for consideration. However, any layout provided with the reserved matters application would have to ensure that the requirements outlined above are satisfied.

Notwithstanding the above, it is noted that some residents in the properties to the north of the site along Sheepcote Road have raised objections on the grounds of privacy and overlooking from some of the proposed properties. These concerns are noted, but as the current scheme is in outline only and details in respect of siting, layout and scale are not currently being considered under this application, limited weight can currently be given to these concerns. Such details will be considered at the reserved matters stage.

However it is of note that the indicative layout submitted with this application shows that the site can be developed in line with the spacing standards referred to above, but this will be considered in depth at the reserved matters stage.

With regard to crime and the fear of crime it is noted that the South Yorkshire Police Architectural Liaison Officer has recommended that the scheme be designed in accordance with Secured by Design principles. Furthermore, the scheme proposes dwellings with windows in the side elevations overlooking parking areas and footpaths to provide additional natural surveillance.

It is therefore considered that from the information available the site can be developed without adversely impacting on the amenity of local residents and can be developed in accordance with adopted Local Plan policy SP55 'Design Principles' and the requirements of the South Yorkshire Residential Design Guide, but these issues will be considered in depth at the reserved matters stage.

#### Air Quality and Sustainability

Policy CS30 'Low Carbon & Renewable Energy Generation' states: "*Development must seek to reduce carbon dioxide emissions through the inclusion of mitigation measures...*" In addition, regard will be had to the guidance contained within Council's adopted SPD 'Air Quality and Emissions'.

NPPF states at paragraph 112 that amongst other things applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

The proposed development for 217 dwellings is classified as a Medium proposal as set out in the adopted Rotherham SPD 'Air Quality and Emissions'.

Box 3 of the SPD includes the following mitigation options:

- Provision of charging points for electric vehicle charging – 1 point per unit
- Consideration of air quality in designing the layout of the development;
- Provision of secure cycle storage
- Provision of incentives for the use of public transport (Travel Plan).

The site is not located within an Air Quality Management Area.

The Council's Air Quality Officer has indicated that the Air Quality Assessment which was submitted in support of this application is acceptable, as it concludes that in the opening year of 2028, the impact on ambient air quality of this development will be negligible.

Therefore, subject to a condition requiring each property to have a EV Charging Point and details of this to be submitted with the reserved matters application(s), the proposal would not give rise to any air quality impact issues that would warrant a refusal of planning permission on air quality grounds.

The concerns by local residents in respect of air pollution is noted, however whilst the land is being lost, it is currently arable farming land and the detailed plans to be submitted with this application, will put forward an extensive tree planting scheme to assist in reducing the amount of carbon lost from the land. Furthermore, the Government's drive towards Green Energy and the proposed stopping of the selling of new petrol and diesel cars in 2030, will mean a shift towards cars running on electric and other renewable energy sources such as hydrogen in the near future. This will result in less polluting cars on the roads in general, therefore the impact on air pollution in the area is currently acceptable but will be reduced in the coming years.

### Affordable Housing

In regard to affordable housing provision, Policy CS7 'Housing Mix and Affordability' states: *"...The Council will seek the provision of affordable housing on all housing development according to the targets set out below, subject to this being consistent with the economic viability of the development:*

- a) *Sites of 15 dwellings or more shall provide 25% affordable homes on site..."*

The policy position is therefore 25% of the total number of units on the site should be made available for affordable housing.

The developer has agreed that the proposed development will provide 25% affordable homes on site, this figure will be dependent on the total number of dwellings proposed at the reserved matters stage. However, the agreement to provide 25% of the total number of dwellings will be included within the

legal agreement to be signed as part of this application, should the application be approved.

### Impact on Education / GPs

Issues have been raised about the impact of this development on education provision and GPs particularly given the adjacent site already has outline permission for up to 450 dwellings.

In terms of education, the development falls into the catchment area of primary school Listerdale, which is over-subscribed and as such the Council's Education Department have request an Education contribution based on the final number of dwellings in the reserved matters application and in line with the Council's policy.

This will be secured via the s106 legal agreement which will set out that the education contribution would be calculated on the basis of the final number of dwellings indicated on the reserved matters application.

With regard to impact on GPs, the NHS Rotherham Clinical Commissioning Group have commented as follows on this application: *"This application has the potential to house 400-500 patients for the three neighbouring GP practices. All those practices in the vicinity are multiple-site, and one is currently undergoing expansion, so despite the number I believe primary care could absorb the increase over a period of time."*

The NHS CCG were also asked to comment on the cumulative impact of this site being developed as well as the adjacent site (land to rear of Lathe Road) which received outline planning permission for up to 450 dwellings (ref: RB2019/0552). They provided the following additional comments: *"450 homes could potentially mean a further 1,000 residents, but I'm assuming the build-out rate would be phased on a development of this scale? Ultimately, primary care will adapt to meet the needs of local residents but, as I've commented before, gradual increases are easier to absorb as we don't routinely receive capital funds that allow us to plan to extend or develop practices. There are 3 practices covering this area which would mean that no single surgery would be overwhelmed, and we know some of the 1,000 will be movement of local residents and not newcomers to Rotherham i.e. patient shift not patient growth."*

Therefore, in light of the above it can be concluded that the NHS CCG consider there is sufficient capacity to accommodate the residents of this scheme and the adjacent scheme, given the phased nature of both developments, that there are three practices covering the area and movement of local residents rather than being all new residents to Rotherham.

## Minerals

The site is located within a Mineral Safeguarding Area, policy CS26 'Minerals' states: *"Proposals for non-mineral development within the Mineral Safeguarding Areas...will be supported where it can be demonstrated that:*

- a. the proposal incorporates the prior extraction of any minerals of economic value in an environmentally acceptable way; or*
- b. mineral resources are either not present or are of no economic value; or*
- c. it is not possible to extract the minerals in an environmentally acceptable way or this would have unacceptable impacts on neighbouring uses or the amenity of local communities; or*
- d. the extraction of minerals is not feasible; or*
- e. the need for the development outweighs the need to safeguard the minerals for the future; or*
- f. the development is minor or temporary in nature; or*
- g. development would not prevent the future extraction of minerals beneath or adjacent to the site..."*

The applicant considers it unlikely that the site would be granted future permission for extraction of minerals and as such development for residential purposes is not considered a loss of a future resource. This assessment is supported and as such policy CS26 has been satisfied.

## Land Contamination and Soil Resources

The site is currently a large arable field, bounded by residential housing, agricultural land and Sitwell Golf Course.

The site appears to have remained undeveloped since 1892, although it has been in use as agricultural land (arable crops) throughout this time. Around 1956 two small unknown structures were built in the north of the site, but by 1970 both these structures had gone.

Historical maps show the site has remained as greenfield land, predominantly used for agricultural purposes. The only past contaminative use associated with the site is farming, where pesticides, insecticides etc. may have been used.

One historic landfill (a former sandstone quarry) located at approximately 90m to the south of the site has been identified, although the age and nature of the fill is unknown.

Historic mine workings are known to be near to the site. The Coal Authority have commented that the application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

The Coal Authority's Standing Advice will be added as an informative as requested.

Based on the above reasons intrusive site investigation works were undertaken at the site between the 11th and 13th of September 2018 and 28th September and 2nd October 2018. These works comprised the excavation of 25 trial pits and 15 rotary boreholes complete with the installation of four ground water/gas monitoring installations. Samples of topsoil, made ground and natural ground were collected from across the site to assess for site wide contamination and submitted to an accredited laboratory for chemical testing.

The site investigation works revealed topsoil was present across the site with an average thickness of 400mm. Made ground was only encountered at one location in the south of the site. The made ground was found to comprise black reworked clay with occasional coal fragments.

Chemical analysis of the soil samples obtained from the site revealed that contamination levels were generally found to be below national governmental guidelines for a residential end use. However, the only exception to this was a hotspot area of contamination located at trial pit TP18, where elevated concentrations of chromium and nickel were detected. Further investigation in this area is recommended to determine the extent and depth of contamination.

Localised made ground encountered surrounding trial pit TP17 did not record any elevated concentrations of contaminants. However, if this made ground is to remain on site, it will need to be placed either under areas of hardstanding or soft landscaping/garden areas and covered over by 150mm of topsoil to provide a suitable growing medium for plants.

Shallow mine workings/mineshfts/mine entries were not encountered during the site investigation works in 2018. However, mine workings were encountered on land (Shrogswood South) to the immediate south of the site which require remedial treatment works before development works can commence. A watching brief will need to be kept as development works commence at this site, as it is possible that shallow mine workings/entries could be encountered into the future.

Six rounds of ground gas monitoring were undertaken to determine the ground gassing regime at the application site and the results revealed that gas protection measures will not be required for each new build.

It is concluded that further ground intrusive site investigations are required around the former trial pit identified as TP18 which appears to be a hotspot area of contamination. The remaining topsoil, made ground and natural ground appear to be uncontaminated and suitable for use on site. It is considered there are no significant risks to human health or controlled waters as widespread significant contamination was not encountered at the site.



The Council's Land Contamination after reviewing the information submitted with the application, which includes the Geotechnical and Geo-Environmental Desk Study (dated 2018) and the Phase II Geotechnical and Geo-Environmental Site Investigation (dated January 2022), confirms several conditions will need to be imposed on any planning approval. These would include the requirement for further intrusive site investigations to take place and be reported back before above ground works commence; the requirement to submit a Validation Report following completion of any remedial works; testing of any imported subsoil / topsoil and the findings being reported back to the Council; foundations being constructed in accordance with the details in the 2022 Phase II report; and the requirement to notify the Council if any unexpected coal mining features or significant contamination is found during the construction phase.

Therefore, in respect of land contamination and the potential impact of historic workings on the site impacting on future residents, it is considered that subject to conditions the site can be developed for residential purposes.

It is noted that a resident has raised issues regarding a sink hole on site, but the documents submitted in 2022 is considered acceptable and subject to conditions the site is considered to be safe for building.

Further to the above, given the greenfield status of this site a Soil Strategy will be required in accordance with policy SP36 'Soil Strategy'. SP36 states: *"Development will be required to demonstrate the sustainable use of soils during construction and operation stages, where appropriate and to be determined in discussion with the Local Planning Authority. Applicants should demonstrate, in their proposals, that there are feasible and appropriate methods, locations and receptors for the temporary storage and reuse of high-quality soils. Built development should be designed and sited with an appreciation of the relative functional capacity of soil resources and threats to soils with the aim of preserving or enhancing identified soil functions."*

In this instance as the application is outline matters relating to the construction phase and how existing soil on site will be reused etc. is premature and likely to be unknown by the applicant at this time. Therefore, it is reasonable to impose a condition requiring the submission of a Soil Strategy with the reserved matters application.

### Archaeology

SP42 'Archaeology and Scheduled Ancient Monuments' states development that may impact upon archaeology, whether designated as a Scheduled Ancient Monument or undesignated, will need to consider that amongst other things, the preservation of other archaeological sites will be an important consideration. As such when development affecting such sites is acceptable in principle, the Council will seek preservation of remains in situ, as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for archaeological recording to ensure an understanding of the remains is gained before they are lost or

damaged, in accordance with Policy SP43 'Conserving and Recording the Historic Environment'.

The Site Development Guidelines indicate that: *“Development proposals will need to be supported with a Heritage Statement for Archaeology prepared in line with the requirements for site classification 1 highlighted yellow in Table 17 'Heritage Statement for Archaeology Requirements'.”*

The South Yorkshire Archaeology Service have indicated that the development of this site has potential archaeological implications. The previous geophysical survey of the site has identified clear archaeological features consistent with a late prehistoric to Romano-British landscape. The majority of existing records of similar landscapes within South Yorkshire lie to the east within the Magnesian Limestone and Triassic Sandstone. This distribution is similar to that of finds recorded by the Portable Antiquities Scheme. The remains within the site lie west of this area, and have the potential to build on our understanding of the distribution and form of settlement during the late prehistoric and Romano-British period.

The proposed residential development would require groundworks which could harm or destroy important archaeological evidence that may exist within this site. As such, a scheme of archaeological mitigation is required and SYAS recommend that this be secured by attaching the recommended condition. An appropriate scheme of mitigation would comprise a scheme of trial trenching to investigate the features identified in the geophysical survey, as well as a proportion of apparent blank areas. The trenching should be undertaken prior to determination of reserved matters, in order that appropriate measures can be put in place to secure preservation through the process of detailed design or to record remains prior to their destruction.

This recommendation is in accordance with Policy SP42 'Archaeology and Scheduled Ancient Monuments' of the Rotherham Local Plan and paragraphs 195 and 205 of the National Planning Policy Framework.

The methodology for the necessary archaeological works will need to be discussed and agreed with SYAS, on behalf of the LPA, and we will then monitor the resulting works.

Deposition of any field archive resulting from this work must be discussed and agreed with Clifton Park Museum, Rotherham, prior to the commencement of the project.

Therefore, with regard to the above, it is considered that subject to conditions the development of this site would not have an adverse impact on any archaeological artefacts that may be present on site and as such there is no justification at this time to refuse the application on archaeological impact.

Issues raised by objectors

The application has received a number of objections and the issues raised are summarised in this report. The majority of the issues raised relating to impact on local infrastructure; impact on highways, drainage and flood risk; loss of green space; impact on ecology / biodiversity; impact on residential amenity; archaeological matters; impact of construction traffic and footpath claims have been previously noted and considered in the prevailing sections of the report.

Other issues raised have not been considered above as some of the issues raised are not material planning considerations, such as devaluation of properties; loss of a view and loss of green belt and therefore either limited or no weight can be given to those issues in the assessment and the weighing up of the planning balance.

With regard to the issue raised regarding the building on Green Belt, it should be noted that as mentioned previously in this report this site is not allocated Green Belt in the up-to-date Local Plan which was adopted in 2018 following an Examination in Public and being found acceptable by a Planning Inspector appointed by the Secretary of State to remove the land from the Green Belt. Accordingly, the principle of residential on this has been established and is acceptable, as such the issues raised in respect of loss of the Green Belt hold no weight in the planning balance of determining this application.

It should also be noted that the loss of value to a property is not a material planning consideration and therefore will not be taken into account by the local planning authority in determining an application. Furthermore, there is no right to a view and as such loss of a view will also not be considered as part of the application judgement.

Some issues have been raised regarding the loss of agricultural land, and in some letters received members of the public have indicated that they consider the land to be "good quality agricultural land". However, it should be noted that when the site was taken out of the Green Belt during the adoption of the current Local Plan, consideration would have been given to the quality of land that was being reallocated for residential purposes such that this matter would have been assessed at that time.

### Planning Obligations

The Community Infrastructure Regulations 2010 introduced a new legal framework for the consideration of planning obligations and, in particular, Regulation 122 (2) of the CIL Regs states:

*"(2) Subject to paragraph (2A), A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-*

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development;*
- (c) fairly and reasonably related in scale and kind to the development."*

All of the tests must be complied with and the planning application must be reasonable in all other respects. This is echoed in Paragraph 57 of the NPPF.

In respect of obligations, as set out in previous sections of the report the following are to be secured via the s106 legal agreement:

- 25% of the total number of dwellings are to be provided on site for affordable housing provision in accordance with the Council's adopted Policy CS7 'Housing Mix and Affordability'
- Education Contribution in line with the Council's adopted formulae towards Listerdale School Primary School
- Commuted sum of £500 per dwelling towards sustainable transport measures
- A maximum of £12,000 towards improvements to footpath link between points A and B on the attached plan should the claims application be successful.
- A commuted sum of £57,989.83 to carry out improvements to Bus Stops 35016 (Bawtry Road / Sheepcote Road); 30879 (East Bawtry Road / Wickersley Road) and 30263 (East Bawtry Road / Wickersley Road).
- Formation of a Local Equipped Area of Play (LEAP) for older children prior the occupation of the 75<sup>th</sup> dwelling
- Formation of a Local Area of Play (LAP) and toddler play area prior to the occupation of the 150<sup>th</sup> dwelling
- Establishment of a Management Company to manage and maintain the areas of Greenspace, including the proposed LAP and LEAP.

#### Other considerations

The four South Yorkshire Authorities have committed to ensuring that relevant developments are provided with Gigabit-capable full fibre broadband. A condition is recommended that would address this matter.

In respect of waste management requirements, it is considered that the information provided in the planning statement and design and access statement are not acceptable as regards the waste management requirements which are set out in policy WCS7 'Managing Waste In All Developments'. As such a Waste Management Plan complying with WCS7 will need to be submitted and will be secured by way of condition to any permitted scheme.

Further to the above, in order to promote local labour during the construction phase and to improve skills in all of Rotherham's communities through the promotion of access to training, education and local employment opportunities, a condition shall be included which requires the submission of a Local Labour Agreement prior to works commencing on site. The LLA will set out how the developer will look to employ local people / local firms in the construction phase.

It is also of note that the applicant's agent have requested that the usual time periods to be extended from 3 and 5 years to 5 and 7 years. The request has been put forward given that there are two large sites next door to each other with substantial infrastructure to bring forward. A longer period will allow for the assimilation of the developments into the existing urban fabric over a longer time frame.

In addition, there are conditions such as archaeology to deal with and the time needed to discharge those conditions is unknown.

Furthermore, there is currently uncertainty in the housing market with interest rates that will affect the marketing and sale of sites. A longer time period will allow for some market stabilisation and prevent a new Planning permission having to be applied for.

## **Conclusion**

Having regard to the above, the application is considered to be acceptable in principle given the site is an allocated Housing Site in the Local Plan, while the access arrangements being considered as part of this outline application would raise no significant highway issues that would warrant a refusal on highway grounds.

It is therefore considered that the outline application would comply with relevant national and local planning policies in respect of the principle and access, and whilst noted and considered the issues raised by local objectors, would not, in this instance tip the planning balance towards a refusal that would be reasonably justified.

The application is subsequently recommended for approval subject to conditions and signing of a S106 legal agreement to secure 25% affordable housing and appropriate play equipment on site and the provision of financial contributions towards education, a local allotment site, improvements to bus stops close to the site and the promotion of sustainable travel measures, together with the provision of details of measures to manage and maintain any areas of public open space on the application site itself.

## **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 **8, 18, 19, 28, 31 and 40** 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 **8, 18, 19, 28, 31 and 40** 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

- a. Application for approval of reserved matters must be made within five years of the date of this permission.
- b. The development hereby approved must be begun not later than whichever is the later of the following dates:
  - (i) The expiration of seven years from the date of this permission;  
OR
  - (ii) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

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

02

Before the commencement of the development, details of the layout, scale, appearance and landscaping, as well as access within the site (beyond the first 30 metres of access from Shrogswood Road), shall be submitted to and approved by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason

No details of the matters referred to having been submitted, they are reserved for the subsequent approval of the Local Planning Authority.

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 and as shown on the approved plans (as set out below) and in accordance with all approved documents.

Location Plan

001 Rev A – Access Layout

Reason

To define the permission and for the avoidance of doubt.

04

No above ground development shall take place until details of the materials to be used in the construction of the external surfaces of each phase 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.

05

The submission of any reserved matters application pursuant to this outline permission, shall include a schedule of the mix of market and affordable dwellings proposed within that parcel demonstrating how the proposed mix relates to the overall mix of market dwellings within the development site as a whole, taking into account the indicative mix of dwellings detailed within the Masterplan Accommodation Schedule and local knowledge of market demand/outcome of the SHMA. The schedule shall also include, but not limited to:

- the size of all units including market sale and the affordable housing units: social rented/ intermediate tenure including the First Homes offer,
- their type detached, semi-detached, terraced, bungalows, flats
- two/ three storeys,
- number of bedrooms,
- toilets,
- car/cycle parking provision per unit,
- flats etc.

Reason

To ensure that the overall mix of dwellings across the site as a whole is based on the indicative housing mix stated in the Masterplan Accommodation Schedule, which seeks to ensure development contains a mix of residential units providing accommodation in a range of types, sizes and affordability, to meet local needs in compliance with Policy CS7 'Housing Mix & Affordability'.

06

The proposed site layout shall be designed and constructed in accordance with the South Yorkshire Residential Design Guide including separation distances, private amenity space and internal spacing standards.

Reason

In the interests of ensuring a high-quality living environment for existing and future residents.

07

The proposed site layout submitted as part any reserved matters application shall include a pedestrian opening a maximum of 1.8 metres wide in the northern boundary of the application site at point X on the attached site layout plan. The plans shall also include measures to prevent motorbikes from utilising the footpath.

Reason

In the interests of sustainability.

### General Amenity

08

Prior to any works commencing on site a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction and demolition related activities - Contractors and site staff are expected to use the best practical means to minimise noise on site. Regard shall be had to the guidance detailed in BS5228 2009: 'Noise and Vibration Control on Construction Sites'.
- Dust arising from all construction and demolition related activities - Contractors and site staff are expected to use the best practical means to minimise dust on site. Regard shall be had to the guidance detailed in Institute of Air Quality Management- Guidance of the assessment of dust from demolition and construction 2014.
- Artificial lighting used in connection with all construction related activities and security of the construction site - Contractors and site staff are expected to use the best practical means to minimise light nuisance on site. Regard shall be had to the guidance detailed in the Institute of Lighting Professionals - Guidance Note 01/21 – Reduction of Obtrusive Light.

The CEMP to be submitted shall be in report format and as a minimum is to include the following details as specified in the subheadings below:

- Program and Phasing Details
  - Site layout
  - Operational hours
  - Expected duration of demolition and construction work phases
- Site Management
  - Contact details of site manager for public liaison purposes
  - Complaints procedure - Roles and responsibilities
- Routes for Construction Traffic
  - Routes to be used for access onto site and egress
  - One way systems
  - Haul routes (onsite and delivery)



- Site Access, Storage and Movement of Materials
  - Delivery access point details
  - Location details of storage areas
  - Delivery times of materials and plant
- Dust, Debris and Mud
  - Screening and hoarding
  - Preventative measures
  - Dust suppression measures
  - General and machinery
  - Wheel wash facilities
  - Road sweeping facilities
  - Covering of dusty stockpiles
  - Vehicles carrying dusty loads
  - Dust monitoring
  - Boundary checks
  - Monitoring of weather including wind speed and direction, dry conditions etc
- Noise and Vibration Control
  - Silencing of vehicles, plant and machinery
  - Mitigation measures for noisy operations
  - Operational hours
  - One way systems
  - Vehicle reverse alarms
  - Leaflet drops to noise sensitive premises
- Artificial Lighting
  - Hours of operation of the lighting
  - Location and specification of all of the luminaires
  - Level of maintained average horizontal illuminance for the areas that needs to be illuminated
  - Predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity
  - Measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
- Waste Management
  - Waste storage
  - Waste collection
  - Recycling
  - Waste removal

#### Reason

To safeguard the amenities of the occupiers of nearby properties and promote sustainable development.

Highways

09

Prior to any above ground development, a scheme for improvements to the Shrogswood Road and East Bawtry Road Junction including right turn lane and signalised pedestrian crossing (based on drg No ADC2703-DR-005 Rev P4) shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation.

Reason

In the interests of highway safety.

10

Prior to any above ground development, a scheme for improvements to Worrygoose Roundabout, as shown on ADC Drawing no. ADC2703-DR-007-P1, shall be submitted to and approved in writing by the LPA. The approved scheme shall be implemented before the occupation of the 50th dwelling.

Reason

In the interests of highway safety.

11

Prior to any above ground development, a scheme for the reduction of the speed limit to 20mph in Shrogswood Road, Sheep Cote Road and Lathe Road shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation.

Reason

In the interests of highway safety.

12

Car parking shall be provided within the curtilage of each dwelling unit in accordance with the Council's minimum car parking standards for new residential development.

Reason

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

13

The proposed on-site layout shall be designed and constructed in accordance with guidance from the South Yorkshire Residential Design Guide and current Manual for Streets.

Reason

In the interests of highway safety.

### Sustainable development/Air Quality

14

The first reserved matters application shall be accompanied by a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles for the application site. The scheme shall meet the following minimum standard for numbers and power output:

- A Standard Electric Vehicle Charging point providing a continuous supply of at least 16A (3.5kW) for each residential unit that has a dedicated parking space

Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.

Reason

In the interests of sustainable development and air quality.

### Drainage

15

The first reserved matters application shall be accompanied by a drainage strategy considering the drainage for the application site and a foul and surface water drainage scheme for the site, including details of any balancing works, off-site works and phasing of the necessary infrastructure.

Construction of roads or dwellings shall not begin until such approval has been received. The strategy shall be based on sustainable drainage principles. The scheme shall include the construction details and shall subsequently be implemented in accordance with the approved details before the development is completed. Until the approved scheme has been fully implemented, temporary arrangements shall be put in place to limit foul discharge to rates agreed by Yorkshire Water and surface water runoff to the approved discharge rates, based on the area of site currently developed. The scheme to be submitted shall demonstrate:

- The utilisation of holding sustainable drainage techniques (e.g. soakaways);
- The limitation of surface water run-off to equivalent greenfield rates
- The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus a 40% allowance for climate change, based upon the submission of drainage calculations; and
- A maintenance plan including responsibility for the future maintenance of drainage features and how this is to be guaranteed for the lifetime of the development.
- If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 6 (six) litres per second.

Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason

To ensure that the development can be properly drained and facilitates a comprehensive drainage scheme for the whole housing allocation in accordance with the Local plan and the NPPF.

16

The first reserved matters application shall be accompanied with a flood route drawing. The drawing shall show how exceptional flows generated within or from outside the site will be managed, including overland flow routes, internal and external levels and design of buildings to prevent entry of water. Construction of roads or dwellings shall not begin until such approval has been received.

Reason

To ensure that the development can be properly drained and will be safe from flooding in accordance with the Local plan and the NPPF.

17

The development shall be carried out in accordance with the details shown on the submitted plan, 'Flood Risk & Drainage Assessment 43104-001 (issue1) prepared by Eastwood and Partners, dated 06/05/22'.

Reason

In the interest of satisfactory and sustainable drainage.

18

No construction works shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times.

Reason

In the interest of public health and maintaining the public water supply.

Levels

19

Prior to the commencement of development, details of existing and proposed finished floor levels of the approved properties and gardens within that phase shall be submitted and approved in writing. The development shall be implemented in accordance with the approved levels.

### Reason

For the avoidance of doubt and in the interests of the amenity of the existing residents adjoining the site in accordance with the Local Plan.

### Landscapes and Tress

20

The first reserved matters application shall include a detailed landscape scheme for the application site. The landscape scheme shall cover all plots, landscape buffers and POS areas and shall be prepared to a minimum scale of 1:200 and clearly identify through supplementary drawings where necessary:

- The extent of existing planting, including those trees or areas of vegetation that are to be retained, and those that it is proposed to remove.
- The extent of any changes to existing ground levels, where these are proposed.
- Any constraints in the form of existing or proposed site services, or visibility requirements.
- Areas of structural and ornamental planting that are to be carried out.
- The positions, design, materials and type of any boundary treatment to be erected.
- A planting plan and schedule detailing the proposed species, siting, quality and size specification, and planting distances.
- A written specification for ground preparation and soft landscape works. - The programme for implementation.
- Full planting specification - tree size, species, the numbers of trees and any changes from the original application proposals.
- Locations of all proposed species.
- Comprehensive details of ground/tree pit preparation to include:
  - Plans detailing adequate soil volume provision to allow the tree to grow to maturity
  - Engineering solutions to demonstrate the tree will not interfere with structures (e.g. root barriers/deflectors) in the future
  - Staking/tying method(s).
  - Five year post planting maintenance and inspection schedule.

The scheme shall thereafter be implemented in accordance with the approved landscape scheme and in accordance with the appropriate standards and codes of practice within a timescale agreed, in writing, by the Local Planning Authority.

All tree planting must be carried out in full accordance with the approved scheme in the nearest planting season (1st October to 28th February inclusive). The quality of all approved tree planting should be carried out to the levels detailed in British Standard 8545, Trees: from nursery to independence in the landscape - Recommendations.

Any trees which die, are removed, uprooted, significantly damaged, become diseased or malformed within five years from the completion of planting, must be replaced during the nearest planting season (1st October to 31st March inclusive) with a tree/s of the same size, species and quality as previously approved.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity.

21

A Green Infrastructure Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling. The Delivery Plan shall be produced for the whole application site for a period of 5 years from completion of the final dwelling. The Plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The Delivery Plan shall demonstrate how public realm and green infrastructure management will be delivered to a high standard of safety and quality across the site. Within this plan site management objectives will be identified (these will include but not be limited to landscape, ecology, visitor and recreational management), potential conflicts arising from site management and their resolution and the management, and maintenance regimes required to achieve the objectives given. The delivery plan shall set standards, and schedule work in order to ensure the safe and managed use of the site, the protection of wildlife and supporting habitat, and to promote the continuity of effective management throughout development phases.

Reason

To ensure that the future management maintenance repair and upkeep of the development is delivered to an appropriately high standard of safety and quality across the whole development.

22

Prior to the commencement of any development above ground level, details of a phased scheme of advanced structure planting to provide screen planting to the southern boundary and structure planting along access roads shall be submitted to and approved in writing by the Local Planning Authority. The said planting shall thereafter be implemented in accordance with the approved details within the first available planting season after the first dwelling is occupied.

Reason

To ensure an appropriate standard of visual amenity in the local area.

23

The first reserved matters application shall be accompanied by a suitable scheme (Arboricultural Method Statement) for the protection of existing trees and hedgerows. No operations (including initial site clearance) shall

commence on site until the approved protection measures have installed on site.

All protection measures must fully detail each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

- Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837\*, with tree works proposals. All trees must be plotted on a scaled site plan\*\*, clearly and accurately depicting trunk locations, root protection areas and canopy spreads.
- A plan\*\* detailing all trees and hedgerows planned for retention and removal.
- A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
- Soil assessments/survey
- Timing and phasing of works
- Site specific demolition and hard surface removal specifications
- Site specific construction specifications (e.g. in connection with foundations, bridging, water features, surfacing)
- Access arrangements and car parking
- Level changes
- Landscaping proposals
- A Tree protection plan\*\* in accordance with BS5837\* detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.
- Soil remediation plans, where unauthorised access has damaged root protection areas in the construction exclusion zones.
- Details of the arboricultural supervision schedule.

All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

\*Using the most recent revision the of the Standard

\*\* Plans must be of a minimum scale of 1:200

#### Reason

To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of Rotherham's environment, air quality and adapting to and mitigating climate change.

#### 24

The first reserved matters application shall be accompanied by an Arboricultural Impact Assessment. The AIA shall demonstrate that all tree related impacts of the proposed development have been fully considered in line with the standards set out in BS5837, section 5.4. The AIA shall include a scaled site plan that details:

- The position of all trees on and adjacent the site.
- The root protection areas (RPA) of the trees.
- The proposed design layout.
- Trees to be removed to facilitate the development and trees to be retained.
- Other activities potentially damaging to trees (i.e. level changes, removal/creation of hard surfacing, service runs, etc.).
- Areas that can be used for site accommodation, vehicle parking, material storage etc.
- Pruning to retained tree(s)
- Issues to be addressed by an arboricultural method statement (see below), where necessary in conjunction with input from other specialists.
- Assessment of lost tree value because of the proposal and the proposed mitigation

#### Reason

To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of Rotherham's environment, air quality and adapting to and mitigating climate change.

#### 25

The first reserved matters application shall include a suitable scheme of proposed tree planting and pits. The scheme shall include the following comprehensive details of all trees to be planted:

- A scaled plan showing the locations of the new trees (existing trees must also be shown)
- The species and stock size.
- Include details confirming the planting intended to mitigate the tree losses detailed in the AIA.
- An assessment of suitability of planting location in relation to section 61
- Actions taken to mitigate any foreseeable issues i.e. the use of root barriers/deflectors, flexi-paving, appropriate species selection, structured soils, foundations, etc.
- Proposals should be in accordance with British Standard 8545:2014 - Trees: from Nursery to Independence.



- Five year post planting maintenance and inspection schedule.

The approved details shall be implemented within a timeframe to be agreed with the Local Planning Authority.

#### Reason

To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of Rotherham's environment, air quality and adapting to and mitigating climate change.

#### Ecology

26

No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the local planning authority.

#### Reason

In order not to disturb any bats or birds and to make adequate provision for species protected by the Wildlife & Countryside Act 1981.

27

The first reserved matters application shall include a Biodiversity Net Gain Assessment. The Assessment shall set out how the scheme will result in a positive biodiversity net gain and the approved details shall be implemented before the first dwelling is occupied.

#### Reason

In the interests of biodiversity enhancement.

28

Notwithstanding the submitted details, before any works commence a biodiversity management and monitoring plan, which outlines how the project will be monitored in respect of biodiversity, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- A detailed adaptive management plan that sets out how habitats will be created or enhanced and describing the proposed ongoing management for a minimum of 30 years.
- A detailed monitoring plan that will be used to inform ongoing management and assess the progress towards achieving target condition. This should outline surveys that will be used to inform the condition monitoring reports.
- The roles, professional competencies and responsibilities of the people involved in implementing and monitoring the biodiversity net gain delivery.

- Evidence that the necessary resources are available to deliver the proposed biodiversity net gain plan and the ongoing management.

The approved details thereafter shall be implemented prior to the first dwelling being occupied and thereafter retained and maintained for their designed purpose in accordance with the approved scheme.

Reason

In the interests of biodiversity enhancement.

29

Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancement, such as the incorporation of permanent bat roosting feature(s), hedgehog homes and holes and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented within a timeframe to be agreed with the Local Planning Authority and shall thereafter retained and maintained for their designed purpose in accordance with the approved scheme. The scheme shall include, but not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- iv. When the features or measures will be installed within the construction, occupation, or phase of the development.

Reason

In the interests of biodiversity enhancement.

30

Prior to any lighting being installed on the site, a Lighting Plan shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Plan shall be carried out in accordance with the guidance contained within the Institute of Lighting Engineers "Guidance Notes for the Reduction of Light Pollution". The approved details shall be implemented prior to the lights being first switched on.

Reason

To minimise light pollution and reduce the impact on bats.

### Land Contamination

31

Prior to construction works commencing further limited Intrusive Site Investigation around TP18 will be undertaken to determine the presence and extent of contamination and any remedial measures that may be required.

The investigation and subsequent risk assessment must be undertaken by competent persons 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.

The above should be conducted in line with the new guidance document 'Land Contamination Risk Management' (October 2020) and predecessor guidance 'Model Procedures for the Management of Land Contamination, CLR 11 (Environment Agency, 2004) and BS10175:2011+A2 2017 (BSI, 2017).

#### 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.

#### 32

Foundations at the site should be undertaken in accordance with sections 7.3 – 7.4 of the above report entitled 'Phase II Geotechnical and Geo-Environmental Site Investigation – Shrogswood South, Whiston, Rotherham – Prepared by Eastwood and Partners Ltd, dated 28 January 2022, reference 43104-001, Issue 2'.

#### 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.

#### 33

If subsoil/topsoil is required to be imported to site for use in garden/landscaped areas, then these soils will need to be tested at a rate and frequency to be agreed with the Local Authority to ensure they are free from contamination. A testing regime shall be approved prior to import of soils to 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.

#### 34

If during development works unexpected historic mining features or 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 Authority. Works shall cease at the site until remedial works have been agreed with the Local Authority and completed at 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.

35

Following completion of any remedial works/import of materials a Validation Report will be forwarded to the Local 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 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.

Soil Strategy

36

The first reserved matters application shall be accompanied by a Soil Strategy for the application site. The Strategy shall demonstrate the sustainable use of soils during the construction and operation stages and include details methods, locations and receptors for the temporary storage and reuse of high quality soils. The development shall thereafter be carried out in accordance with the approved details.

**Reason**

To promote careful management practices to conserve the character of the borough's soils.

Waste Management Plan

37

Prior to works commencing above ground level a Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. This Strategy shall include:

1. information on the amount and type of waste that will be generated from the site
2. measures to reduce, re-use and recycle waste within the development, including the provision of on-site separation and treatment facilities (using fixed or mobile plants where appropriate);
3. design and layouts that allow effective sorting and storing of recyclables and recycling and composting of waste and facilitate waste collection operations during the lifetime of the development;
4. measures to minimise the use of raw materials and minimise pollution of any waste;
5. details on how residual waste will be disposed in an environmentally responsible manner and transported during the construction process and beyond;
6. construction and design measures that minimise the use of raw materials and encourage the re-use of recycled or secondary resources (particularly building materials) and also ensure maximum waste recovery once the development is completed; and
7. details on how the development will be monitored following its completion.

#### Reason

To minimise the amount of waste used during the construction and lifetime of the project and to encourage the re-use and recycling of waste materials on site.

#### Communication

38

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 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.

#### Archaeology

39

The first reserved matters application shall be accompanied by an archaeological evaluation of the application site in accordance with a written scheme of investigation that has been submitted to and approved in writing by the local planning authority. Drawing upon the results of this field evaluation stage, a mitigation strategy for any further archaeological works and/or

preservation in situ shall be submitted to and approved in writing by the local planning authority and then implemented.

#### Reason

To ensure that the site is archaeologically evaluated in accordance with an approved scheme and that sufficient information on any archaeological remains exists to help determine any reserved matters.

#### Local Labour Agreement

40

Prior to the commencement of construction works, a Local Labour Agreement relating to the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The scope of the Agreement shall be agreed in writing prior to submission of the formal document. The development shall thereafter be carried out in accordance with the approved Agreement.

#### Reason

To improve skills in all of Rotherham's communities through the promotion of access to training, education and local employment opportunities, in accordance with Policy CS10 'Improving Skills and Employment Opportunities'.

#### 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 the 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.

Furthermore, vegetation removal should be undertaken outside of the bird breeding season, March to September inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist

should be undertaken immediately preceding the works. If any active nests are present, work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

03

The planning permission is subject to a Legal Agreement (Obligation) under Section 106 of the Town and Country Planning Act 1990. The S106 Agreement is legally binding and is registered as a Local Land Charge. It is normally enforceable against the people entering into the agreement and any subsequent owner of the site.

04

The proposed development lies within an area which is likely to contain features of geodiversity interest. In accordance with Policy CS20 ‘Biodiversity and Geodiversity’ of the Adopted Core Strategy, RMBC strongly advises that any excavations into natural ground, superficial deposits and bedrock carried out in the course of development works should be examined by a competent geoscientist so that any features of geodiversity interest that may be present can be recorded. Sheffield Area Geology Trust can advise on geodiversity features that are expected to be present and their documentation and conservation email [sageologytrust@gmail.com](mailto:sageologytrust@gmail.com)

05

The granting of this permission does not override any requirement to provide a turning head for a fire appliance in accordance with any Building Regulations submission.

The applicant / developer is advised that access for fire appliances should comply with the Building Regulations 2010, Approved Document B5 “Access and Facilities for the Fire Service.”

South Yorkshire Fire and Rescue is keen to promote the benefits of sprinkler systems to protect lives, property and the environment. As such it is recommended that this is allowed for when determining the water supply requirements for the site.

06

The detailed design of the development should look to achieve Secured by Design accreditation. SY Police ALO has advised as follows:

- The properties that overlook the public open space/footpath will require defensible space between them and the public open amenity areas.
- The pedestrian access points to the public open space/ footpath should be reduced as they create escape routes for potential criminals, they should also be more pronounced and controlled.
- The open space should be as overlooked as possible with as many houses utilising gable end and dual aspect windows.

- The shared driveways must be as well-lit as the main highways. The properties at the end of the shared driveways will be reliant on street lighting, without it these areas will be very intimidating – good lighting is key.

More information can be found at: [www.securedbydesign.co.uk](http://www.securedbydesign.co.uk)

07

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

08

In respect of condition 18 Yorkshire Water have stated the following:

- 1.) A 6 inch diameter cast iron water main is laid within the site boundary outside 8 to 10 Shrogswood Road which will be affected by the proposed new road layout and access to the site.
  - a.) The line of the main will have to be determined on site under Yorkshire Water supervision. The applicant should contact the Area Office.  
The main could be diverted at the developer's expense.
  - b.) A private 2 inch diameter supply to the Sitwell Park Golf Club is laid in the eastern edge of their access road, which may be affected by the development.

09

If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), he/she should contact our Developer Services Team (telephone 03451 208 482, email: [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Code for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's requirements.

10

In regard to condition 14, please note that:

- A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof.
- Standard charging points for single residential properties that meet the requirements specified in the latest version of "Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)" by the Office for Low Emission Vehicles will be acceptable. Basically,



charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable.

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

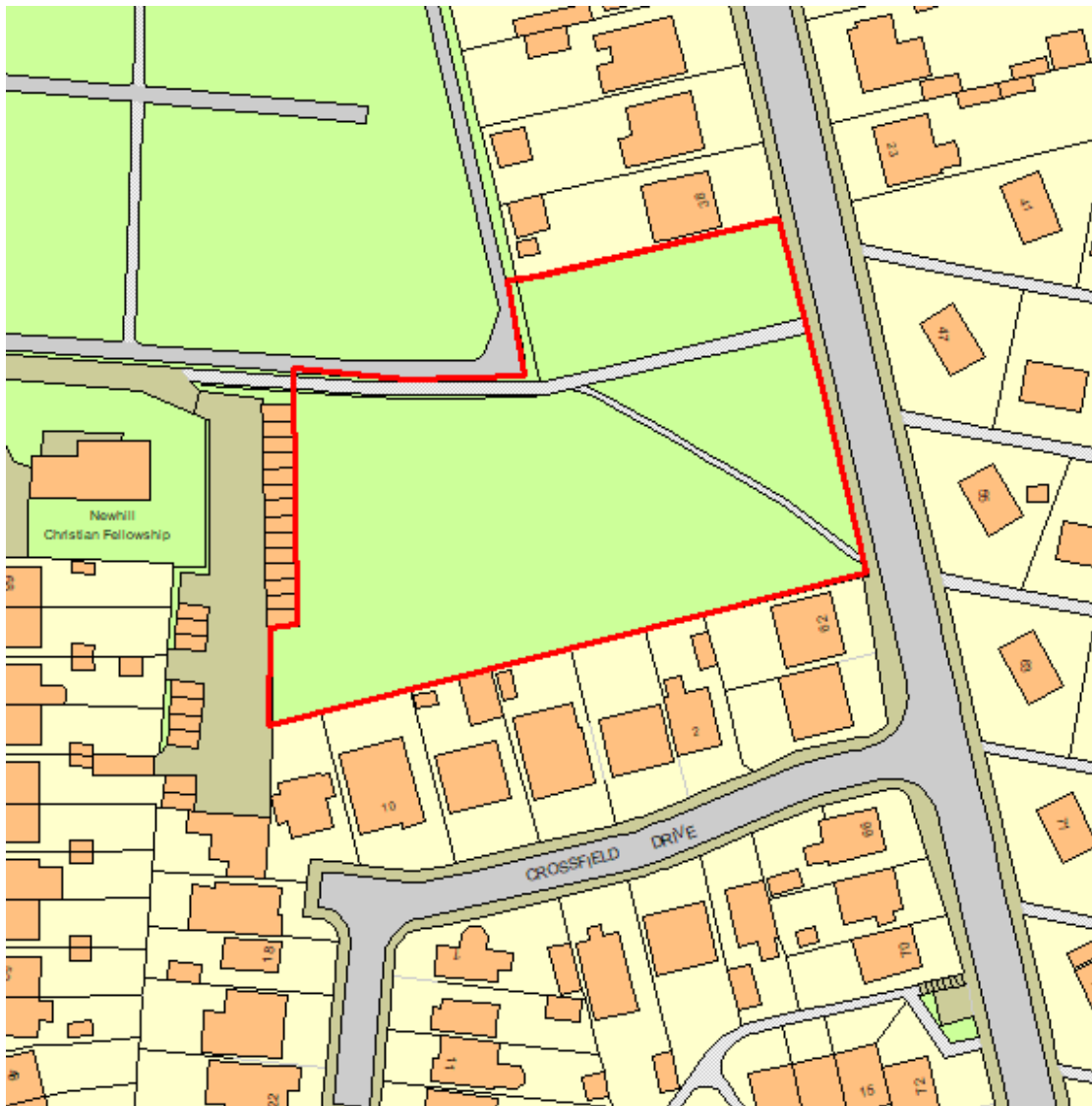
#### POSITIVE AND PROACTIVE STATEMENT

During the determination of the application, the Local Planning Authority worked with the applicant to consider what amendments were necessary to make the scheme acceptable. The applicant agreed to amend the scheme so that it was in accordance with the principles of the National Planning Policy Framework.

<b>Application Number</b>	<b>RB2022/1498</b> <a href="https://rotherham.planportal.co.uk/?id=RB2022/1498">https://rotherham.planportal.co.uk/?id=RB2022/1498</a>
<b>Proposal and Location</b>	Formation of burial ground, access, footpaths and associated landscaping, Wath Cemetery, Cemetery Road, Wath
<b>Recommendation</b>	<b>Grant subject to conditions</b>

### Site Description & Location

The application site is allocated Greenspace in the Local Plan.



The site is situated to the south east of the existing cemetery within the settlement boundary of the Wath Ward. The site is surrounded to the north by mature trees and the cemetery beyond. To the west there are a number of lock up garages. There are residential properties in close proximity to the site to the north and south and to the west on the opposite side of Campsall Field Road. A number of properties have their gardens bounding on to the site.

The application site comprises an 'L' shaped parcel of land approximately 0.4 ha in size. The site is presently a grassed area of open space adjoining onto

the surrounding cemetery. The site rises approximately 4m as you move south west through the site. There are existing paths through the site and an access to the Cemetery.

## **Background**

The site does not have any previous relevant planning history.

A screening opinion is not required for this development as it does not meet the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## **Proposal**

The application seeks full planning permission for the extension of the existing burial ground to change the use of the land which is currently open space. The proposal includes vehicular access, footpaths and associated landscaping and facilities.

The proposed development will hold approximately 550 burial plots. The application proposes a community facility for which there is an identified need in this area due to the existing Cemetery nearing capacity. The application scheme has been led by landscape and ecological factors, underpinning the provision of essential bereavement services. Consideration has been given to the location and design of the areas of the access and the landscape proposals in the context of landscape character, visual amenity and ecology.

The application will use the existing internal access road to the west of the extension. The proposed access will have a turning head within the site and will be tarmac to match the existing access road. There is no change in the amount of parking provision provided. The proposed development is not expected to generate a need for increased parking.

The following supporting documents have been submitted:

### Planning Statement

- Low level bollard lighting is proposed to illuminate the access road.
- There is an urgent need for more capacity in Wath.

### A Flood Risk Assessment and Sustainable Drainage Strategy

- The scheme is capable of ensuring that runoff rates are the same as green field runoff.
- Swales will be integrated into the lowest part of the site and will assist with biodiversity.

### Geotechnical Document comprising a Groundwater Investigation

- Made Ground is likely to be present in the eastern part of the site, associated with houses that were present between the 1940s and 1980s.

- The locations of the exploratory holes were selected and set out on site by Applied Geology. The sampling strategy for the exploratory hole locations was to provide best overall coverage across the area of the proposed new cemetery and to permit installation of standpipe piezometers to monitor groundwater levels and enable possible future groundwater sampling.

The Environment Agency initially objected to the proposal with concern raised on the groundwater issues and what measures were being taken to prevent pollution into the groundwater. Following these concerns additional calculations and borehole sampling was carried out and a separate Groundwater Geology Survey between February to May 2023.

### Groundwater Survey

This indicated that the boreholes would be installed with monitoring standpipes and reinstated with a lockable, stop-cock cover, flush with ground level. Dependent on specific requirements, additional or alternative methods of reinstatement may be necessary. Additional costs, subject to specific requirements would need to be agreed where additional reinstatement is needed. The additional investigation work included the following:

- Four rotary open-hole boreholes to approximately 6m bgl at each corner of the site.
- Installation of 4 No 50mm groundwater monitoring standpipes (6m bgl) in the rotary boreholes.
- Six phases of groundwater level monitoring, to be undertaken fortnightly until end April 2023.
- Production of a factual and interpretative letter report.

### Updated Conclusions

- The survey did not identify the presence of groundwater and the site appears to be suitable for the proposed extension to the existing Wath Cemetery.
- Four rotary open-hole boreholes (ROH1 to ROH2) were undertaken on 27<sup>th</sup> and 28<sup>th</sup> February 2023.
- These were carried out by Applied Geology and used a calibrated CAT and Genny.
- Monitoring took place on six occasions between 8<sup>th</sup> March and 5<sup>th</sup> May 2023 has recorded groundwater levels between 6.80m and 9.87m below ground level, but were recorded as dry (eg deeper than 7m bgl) on 5 occasions.

### Biodiversity

- No material impact on existing habitat or species
- Additional tree planting (subsequently reduced in scale following planning request)
- New hedges with additional planting
- Meadow planting

## **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 the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site is allocated for Greenspace purposes in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

CS3 'Location of New Development'  
 CS19 'Green Infrastructure'  
 CS20 'Biodiversity and Geodiversity'  
 CS21 'Landscapes'  
 CS22 'Green Space'  
 CS24 'Conserving the Water Environment'  
 CS28 'Sustainable Design'  
 CS29 'Community and Social Facilities'  
 CS25 'Dealing with Flood Risk'

SP26 'Sustainable Transport for Development'  
 SP32 'Green Infrastructure and Landscape'  
 SP33 'Conserving the Natural Environment'  
 SP37 'New and Improvements to Existing Green Space'  
 SP47 'Understanding and Managing Flood Risk and Drainage'  
 SP52 Pollution Control  
 SP55 'Design Principles'  
 SP62 'Safeguarding Community Facilities'  
 SP64 'Access to Community Facilities'

## **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 sets out the Government's planning policies for England and how these should be applied. It sits within the plan-led system, stating at paragraph 2 that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise" and that it is "a material consideration in planning decisions".

The Local Plan Policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

## Publicity

The application has been advertised by way of press notice, site notice and individual letters to neighbouring properties. A total of 7 representations have been received and these can be summarised as follows:

- Concerns raised about the new trees which will create more maintenance burdens to adjacent residents.
- Gutters are already clogged by seed and leaf debris.
- The additional benches in the south western corner of the site will create more potential anti-social behaviour issues.
- The increase in the cemetery will result in a need for increased parking.
- Traffic calming measures should be considered.

One representation is fully in support of the plans.

Neighbouring properties were re-notified following the amendments to the proposals including clarifications to the access, relocation of the benches away from the residential boundaries and reduction in the number of new boundary trees.

- No new comments have been made as a result of this.

A total of 2 Right to Speaks have been submitted from local residents.

## Consultations

RMBC Transportation Infrastructure Service – no objections

Greenspaces – no objections

Landscape Officer – no objections

Environment Agency – no objections to additional groundwater details, subject to condition

## 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) TCPA 2004.

The main considerations in the determination of the application are:

- The principle of the development
- Design, layout and scale
- Transportation issues
- Drainage, groundwater pollution and flood risk issues
- Landscape matters
- Biodiversity issues
- General amenity issues
- Heritage and other issues

#### The principle of the development

The application site is allocated for Greenspace in the Local Plan.

Policy CS 19 'Green Infrastructure' states proposals will be supported which make an overall contribution to the Green Infrastructure.

Policy CS 20 'Biodiversity and Geodiversity' states The Council will conserve and enhance Rotherham's natural environment.

Policy CS 29 'Community and Social Facilities' refers to the provision of facilities to meet the needs of local communities. Policy CS29 supports a range of community proposals in locations accessible by public transport, cycling or on foot which enhance the quality of life, improve health and well-being and serve the changing needs of all of Rotherham's Communities.

Policy SP 38 Protecting Green Space states that: "Existing Green Space, including open space, sports and recreational land, including playing fields, as identified on the Policies Map or as subsequently provided as part of any planning permission, should not be built on unless:

- a. an assessment has been undertaken which has clearly shown the open space, sports and recreational land to be surplus to requirements and its loss would not detrimentally affect. The assessment will consider the availability of sports pitches, children's play areas and allotment provision, to determine existing deficits and areas for improvement; or
- b. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c. the development is for alternative sports and recreational provision and facilities of appropriate scale and type needed to support or improve the proper function of the remaining Green Space in the locality, the needs for which clearly outweigh the loss.

These criteria will not apply to Green Space that performs an irreplaceable amenity or buffer function. All proposals that are the subject of a planning application for development on land designated as green space should be assessed in terms of the site's ability to perform amenity or location specific buffer functions. Sites that effectively perform such functions will be protected from future development as it is considered that their loss cannot be compensated for given the location, purpose and function of the allocation.

Development proposals will be required to demonstrate how any likely negative impact on the amenity, ecological value and functionality of adjacent Green Space and other Green Infrastructure within the immediate vicinity has been mitigated.

Development that will result in the loss of small incidental areas of green space, not specifically identified on the Policies Map, but which make a significant contribution to the character of residential areas and / or green infrastructure, and function as a facility for the benefit of the local community, will not normally be permitted.

*SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt'. Whilst the proposed development is not within the Green Belt, the policy provides a list of bullet points which the Council considers necessary to meet and are useful when assessing Cemeteries not within the Green Belt.*

*They are summarised as follows:*

- a. proposals will not give rise to undue disturbance caused by an increase in noise, the attraction of significant numbers of additional people into the area, or an increase beyond current levels of traffic at any one time;*
- b. they are sited and designed so as to avoid any adverse impact on identified landscape character, heritage, nature conservation or agricultural interests;*
- c. the proposals would not pollute surface and groundwater;*

As indicated above the site is not within the Green Belt, but the site being an open area of greenspace within the urban setting has a number of similarities to a Green Belt site. The applicant indicates that the proposed development will continue to attract a minimal level of visitors as would be expected for a cemetery. The Council would concur with this view.

The site will be operated and maintained by Dignitas, though remain within the ownership of RMBC. Whilst the site is allocated as Green Space in the Local Plan criteria (c) of SP38 does state that such sites should not be built on unless the development is for alternative sports and recreational provision and facilities of appropriate scale and type needed to support or improve the proper function of the remaining Green Space in the locality, the needs for which clearly outweigh the loss.

In this instance the site will not be built upon but will be utilised as an extension to an existing Cemetery. The information submitted in support of the proposal states that there is an urgent need for additional burial plots



within Wath upon Dearne and there is a risk of not having adequate burial plots in the short term if additional space is not found. The site adjoins the existing Cemetery and would remain open with paths through and additional landscaping. The existing site is mainly laid to grass with some paths crossing and access to the existing Cemetery, it does not contain any play spaces and the topography and location precludes the use of the area as a playing field. The area has a contribution as an open area of land with paths crossing it and this will be retained albeit with more formal paths and use of the area for burial plots. On this basis it is not considered that the area would be lost as Green Space as access would still be available for walking and general recreational use. However, there is an identified need for additional burial plots and all other sites within Wath upon Dearne have been investigated and discounted and this is the only available site which is suitable for the proposed use. On this basis it is considered that there is a need for the alternative use which still retains an overall Green Space use which outweighs the loss of the open grassed area on this site.

Having considered all of the above, it is considered that the principle of extending the existing cemetery into this area of open greenspace is acceptable in land use terms.

#### Design, layout and scale

Policy CS28 'Sustainable Design' states, in part, 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.....Design should take all opportunities to improve the character and quality of an area and the way it functions.*" This seeks to ensure that all developments make a positive contribution to the environment by achieving an appropriate standard of design.

Policy SP55 'Design Principles', states, in part, that: "*All forms of development are required to be of high quality, incorporate inclusive design principles and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings*".

The NPPF at paragraph 124 states, in part, that: "*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*" Paragraph 130 adds, in part, 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, taking into account any local design standards or style guides in plans or supplementary planning documents.*"

The site is an open area and the siting of burial plots and associated headstones etc will have a minimal visual impact upon the area, particularly bearing in mind that the site is seen in the context of the existing Cemetery adjacent to the site. Further screening is proposed by extending and/or enhancement of existing hedgerows that border the site. There is additional landscaping proposed within the site which will add to the sylvan character of the site and surrounding area.

As discussed below the amount of new tree planting has been reduced compared to that originally proposed based on concerns raised from a potential significant increase in future maintenance requirements that would become the responsibility of immediately surrounding residents. The majority of these are occupied by elderly people and additional planting of boundary trees could also lead to the potential loss of light.

In addition the originally proposed new benches in the western area of the site have been relocated to an areas further inside the site, away from the southern boundary, following concerns that this could lead to an increase in anti-social behaviour close to residential properties.

Overall it is concluded that the design and layout of the proposed burial ground is considered to be acceptable and whilst the character of the site would change, it is considered to be appropriate for this location and acceptable in terms of design and appearance. The proposal therefore complies with Policies SP55, CS28 and the NPPF.

### Transportation issues

Paragraph 111 of the NPPF states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

CS14 'Accessible Places and Managing Demand for Travel' states the Council will work on making places more accessible and that accessibility will be promoted through the proximity of people to employment, leisure, retail, health and public services by, amongst other things, locating new development in highly accessible locations such as town and district centres or on key bus corridors which are well served by a variety of modes of travel.

SP26 'Sustainable Transport for Development' states development proposals will be supported where it can be demonstrated that the proposals make adequate arrangements for sustainable transport infrastructure; local traffic circulation, existing parking and servicing arrangements are not adversely affected; the highway network is, or can be made, suitable to cope with traffic generated, during construction and after occupation; and the scheme takes into account good practice guidance.

Policies CS14 and SP26 are supported by paragraphs 110 and 112 of the NPPF.

SP56 'Car Parking Layout' states that layouts should be designed to reduce the visual impact of parking on the street-scene and discourage the obstruction of footways.

Whilst no additional car parking space has been made available, the applicant indicates that the demand for car parking is likely to remain similar to the existing cemetery. The Transportation Unit concur with this view and have raised no highway safety concerns, subject to standard conditions. There is an area of dedicated parking off Varney Road to the west of the site which will be retained. There is not anticipated to be any material increase in the level of on street parking along Campsall Field Road.

The proposal involves an extension to the vehicular access from the existing cemetery to the north with a turning head within the site. It is envisaged that the vehicular access will generally only be used during funeral services and for maintenance, and a gate across the access will prevent vehicular use when not required. The proposal includes the retention of existing footpaths access the site which will be improved.

Overall therefore no highway concerns have been identified by the Transportation Unit. It is not considered that there would be significant additional demand for on street car parking and the proposed use would not have a detrimental impact on highway safety or increased conflict between vehicles and pedestrians.

#### Drainage, groundwater pollution and flood risk issues

Policy CS24 states that:

"Proposals will be supported which:

- a. do not result in the deterioration of water courses and which conserve and enhance:
  - i. the natural geomorphology of watercourses,
  - ii. water quality; and
  - iii. the ecological value of the water environment, including watercourse corridors;
- b. contribute towards achieving 'good status' under the Water Framework Directive in the borough's surface and groundwater bodies
- c. manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling;
- d. improve water quality through the incorporation of appropriately constructed and maintained Sustainable Urban Drainage Systems or sustainable drainage techniques as set out in Policy CS25 Dealing with Flood Risk,
- e. dispose of surface water appropriately according to the following networks in order of preference:
  - i. to an infiltration based system wherever possible (such as soakaways)
  - ii. discharge into a watercourse with the prior approval of the landowner and navigation authority (to comply with part a. this must be following treatment

where necessary or where no treatment is required to prevent pollution of the receiving watercourse.)  
 iii. discharge to a public sewer

Policy SP47 'Understanding and Managing Flood Risk and Drainage' states that:

"The Council will expect proposals to:

- a. demonstrate an understanding of the flood route of surface water flows through the proposed development in an extreme event where the design flows for the drainage systems may be exceeded, and incorporate appropriate mitigation measures;
- b. control surface water run-off as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). The Council will expect applicants to consider the use of natural flood storage / prevention solutions (such as tree planting) in appropriate locations, and the use of other flood mitigation measures such as raised finished floor levels and compensatory storage; and
- c. consider the possibility of providing flood resilience works and products for properties to minimise the risk of internal flooding to properties."

The initial comments from the Environment Agency raised concerns about pollution to groundwater and groundwater flood risk.

Following the further monitoring and surveying work in the updated groundwater survey in the late winter and spring of 2023, the results did not identify that there was groundwater present between ground levels and 7m below ground levels (i.e. in the area that graves would occupy) on the six occasions that monitoring took place between February and May 2023.

Following a further review the Environment Agency have confirmed that the supplementary site investigation report, dated 17<sup>th</sup> May 2023, ref AG3277A-23-AP94 produced by Applied Geology, provides the Environment Agency with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development.

The Environment Agency have now withdrawn their earlier objection and consider the proposed development will be acceptable subject to a suitably worded condition.

### Landscape matters

Policy CS21 states that:

"New development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the borough's landscapes. This will be achieved through the principles set out below:

- a. All new development proposals will be required to respect and enhance the character and distinctiveness of the relevant National Character Areas and the Local Landscape Character Areas identified for Rotherham.

- b. Within Areas of High Landscape Value, development will only be permitted where it will not detract from the landscape or visual character of the area and where appropriate standards of design and landscape architecture are achieved.
- c. Significant landscape features, important views including landmarks and skylines will be safeguarded and enhanced. Proposals that reduce the negative visual impact of landscape detractors will be encouraged
- d. Development will respect the setting of neighbouring settlements.
- e. Where opportunities exist, the Council, and its partners, will support landscape enhancement, restoration, reclamation and other environmental improvements to enhance the quality, appearance and attractiveness of the borough and encourage future investment, development and tourism.
- f. Landscape works shall be appropriate to the scale of the development.
- g. Developers will be required to put in place effective landscape management mechanisms including long term landscape maintenance for the lifetime of the development.
- h. Support will be given to initiatives, strategies and projects working towards or contributing to landscape scale conservation, implementing an integrated approach to managing the environment and all its functions.

The site plan indicates the majority of the site will be retained as grassed area with some additional areas of paths to provide access to the burial plots. In terms of landscaping, there are additional hedges proposed within the site, additional tree planting and meadow planting which will enhance the landscape setting of the site. The landscaping will add to the high quality environment which will improve the overall appearance of the site within the locality.

A number of objections were raised by neighbouring properties to the additional planting of trees, in particular along the southern and northern boundaries which lie on or directly adjacent to residential boundaries. The concern is that when these trees mature, this will lead to additional maintenance burden for residents, the majority of which are elderly.

As a result of the comments received, the site plan and proposed landscaping has been amended to show that all of the new planting along the adjacent residential boundaries being removed and replaced within the site in order to address the concerns raised.

One of the objectors has further raised a request to remove an existing tree within the site due to the high level of leaf litter being shed. However, this is considered a separate issue to the current application and is subject to ongoing discussions with the Council's Tree Service. The tree is therefore not shown to be removed as a part of this application.

Overall, it is considered that the revised landscape scheme provides an acceptable balance between providing additional tree planting and high quality landscaping, whilst minimising the future impact on neighbouring properties.

## Biodiversity

Paragraph 174 of the NPPF states planning decisions should contribute to and enhance the natural and local environment by (amongst other things) minimising impacts on and providing net gains for biodiversity.

Policy CS20 'Biodiversity and Geodiversity' states: *"The Council will conserve and enhance Rotherham's natural environment. Biodiversity and geodiversity resources will be protected, and measures will be taken to enhance these resources ..."*

Policy SP33 'Conserving the Natural Environment' states: *"Development will be expected to enhance biodiversity and geodiversity on-site with the aim of contributing to wider biodiversity and geodiversity delivery..."*

Policy SP35 'Protected and Priority Species' states: *"Planning permission for development likely to have a direct or indirect adverse impact on the following will only be granted if they can demonstrate that there are no alternative sites with less or no harmful impacts that could be developed and that mitigation and / or compensation measures can be put in place that enable the status of the species to be conserved or enhanced."*

The submitted Preliminary Ecological Appraisal document has been considered and assessed by the Council's Ecologist. Overall the conclusions within the PEA indicate that it is not anticipated that the development would result in any significant ecological impact.

As indicated within the landscaping paragraphs above, the additional landscape planting in and around the site indicates that Biodiversity Net Gain can be achieved with the scheme.

The Council's standard informative regarding vegetation clearance will be added to any approval, as the matter is covered under separate legislation.

## General amenity issues

A number of objections have been raised from surrounding residents with the main concerns being future tree maintenance, which has been considered above. A secondary area of concern was regarding potential anti-social behaviour issues from the additional benches in the south western corner of the site.

The application site is currently an open grassed area with paths crossing and appears to be used for walking and accessing the existing Cemetery and surrounding shops and facilities. The use of the site as a burial ground is not considered to significantly increase the use of the site and is likely to be used in a similar way by people walking across the site and by those visiting graves. The exception to this will be during a burial service where there would be additional people within the site and additional vehicles within the surrounding streets. The site adjoins the existing Cemetery and the majority

of access would be to the west from the access to the existing burial ground. Whilst this would result in increased activity it is for a limited period of time and will be during daytime hours when such activity is generally more acceptable. This would not be a constant use and more ad hoc when funerals are taking place. It is therefore not considered that the disturbance would be significant in terms of the impact on existing residents.

Original the scheme included a number of benches around the perimeter of the site and close to the boundaries with residential properties. However, those benches have been relocated further within the site to reduce the potential for disturbance to neighbouring properties but to retain areas of seating within the cemetery. The benches are now within areas which are clearly visible within the site and not hidden or screened close to the boundaries of the site. It is therefore considered that the attractiveness of the benches in terms of anti social behaviour has been reduced.

Overall, in terms of noise and disturbance it is not considered that the use of the site as an expanded cemetery area would generate any significant new or additional amenity issues over and above the existing use.

#### Heritage and other issues

There are no listed buildings or conservation areas within the site area or adjacent to the site and the proposal is not considered to raise any new heritage issues.

#### **Conclusion**

Overall the principle of the extension to the Wath burial ground is considered to be acceptable in this location, subject to the clarifications set out in the additional groundwater supporting details. The visual appearance from the amended landscape scheme is considered appropriate. The landscaping and furniture within the site has been re-positioned in order to reduce the impact on neighbouring residents and new tree planting has been reduced to prevent an increase in the maintenance burden.

The application is 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 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 location plan P1845-01, site/block plan 00110 Rev P04, landscaping plan 00100 Rev P05)(received 04.10.22, 07.03.23).

Reason

To define the permission and for the avoidance of doubt.

03

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details provided in the submitted application form/shown on drawing nos. landscaping plan 00100 Rev P05. The development shall thereafter be carried out in accordance with these details.

Reason

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

Highways

04

All gates shall be hung so as not to encroach into the highway when open or being opened.

Reason

In order to prevent obstruction to pedestrians.

05

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

a/ a permeable surface and associated water retention/collection drainage, or;

b/ an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and 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.

06

Prior to the commencement of above ground works on site, engineering details for the upgrade of the existing adopted footpath so as to accommodate vehicles crossing shall be submitted to and agreed in writing by the local



planning authority. The agreed details shall be implemented before the extension of the graveyard is brought into use.

Reason

In the interests of road safety.

07

Before the development is brought into use, the approved Landscape scheme as indicated on Landscape schedule (Dwg No Planting schedule 00200 Rev P03, landscaping plan 00100 Rev P05, received 04.10.22, 07.03.23) shall be implemented in accordance with RMBC Landscape Design Guide (April 2014) 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 Local Plan Policy.

#### Informatives

Licences

01

The applicant is reminded to apply for any additional licences or permits required from the Environment Agency.

Wildlife and Ecology

02

No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the local planning authority.

#### 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.

<b>Application Number</b>	RB2022/1866 <a href="https://rotherham.planportal.co.uk/?id=RB2022/1866">https://rotherham.planportal.co.uk/?id=RB2022/1866</a>
<b>Proposal and Location</b>	Reserved matters application details of landscaping, scale, access, external appearance and layout for the erection of 96 dwellings with resident and visitor parking (reserved by outline RB2021/1736) land off Mitchell Way Waverley S60 8BW
<b>Recommendation</b>	Grant Conditionally

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



#### Site Description & Location

The site is located within the central part of the wider Highfield Commercial site, which forms part of the wider Waverley New Community. The application site is bounded to the south by Mitchell Way, the west by Highfield Spring and the east by Stephenson Way which has existing residential properties beyond. The north of the site adjoins an area which form part of two current separate applications one for a mixed use development – Olive Lane and the other for

32 houses. The site is generally vacant, except for an existing substation and playground within the site. The site is 2.2 hectares in area

Internal roads and substations have already been provided on the site under application RB2021/0771 which granted permission for enabling works to the wider site in November 2021.

### **Background**

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

Outline planning permission was granted in 2008 for the Waverley new community including 3,890 dwellings and other supporting uses and infrastructure (RB2008/1372). This has subsequently been amended through Section 73 and 96a applications, the most recent Section 73 application being RB2022/1076. This application does not relate directly to this site but applies to adjoining land.

A temporary planning permission for a play area was granted in April 2014 (application reference: RB2014/0249) on part of the application site. The permission lasted for 5 years

Planning permission for a mixed use development containing retail, service, food and drink, offices etc was granted planning permission on this site and the wider site RB2017/0650 on 22/11/2017, however this development was never implemented and the permission has now lapsed

RB2021/0771 - Enabling development including earthworks to level the site, the provision of drainage infrastructure, construction of an access off Stephenson Way, an internal road to service all plots, the relocation of the AMRC Training Centre vehicle access point off Stephenson Way, construction of a retaining structure to include a stepped access to Highfield Spring, the construction of 4 electrical sub-stations & temporary access to them – granted 11/11/2021

Outline application for residential development with all matters reserved RB2021/1736 was granted on 24/11/2022. This outline covers this application site as well as a smaller site to the north which is subject of a separate reserved matters application.

The proposal does not meet the threshold which requires it to be screened under the EIA Regs

### **Proposal**

The application is for the approval of reserved matters for part of the scheme

approved under outline permission RB2021/1736, and seeks permission for details of the access, appearance, landscaping, layout and scale, for the development of 96 dwellings.

The proposal includes 48No. three storey properties, 29No. properties which are 3 and 2 storeys and 19No. two storey properties. There are 49No 2 bedroom properties, 43No. 3 bedroom properties and 4No. 4 bedroom properties. The proposal also includes the provision of a LAP Local Area of Play which will be located on the same area as the existing playground on site which is to be removed as part of the application. The LAP is to provide a small area of open space designed primarily for very young children to play close to where they live.

### **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 the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site is allocated for Mixed Use – MU0021 in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):

CS1 Delivering Rotherham's Spatial Strategy  
 CS3 Location of New Development  
 CS6 Meeting the Housing Requirement  
 CS7 Housing mix and affordability  
 CS14 Accessible Places and Managing Demand for Travel  
 CS19 Green Infrastructure  
 CS20 Biodiversity and Geodiversity  
 CS21 Landscape  
 CS22 Green Space  
 CS24 Conserving and Enhancing the Water Environment  
 CS27 Community Health and Safety  
 CS28 Sustainable Design  
 CS31 Mixed Use Areas  
 SP26 Sustainable Transport for Development  
 SP32 Green Infrastructure & Landscape  
 SP33 Conserving and Enhancing the Natural Environment  
 SP37 New and Improvements to Existing Green Space  
 SP47 Understanding and Managing Flood Risk and Drainage  
 SP52 Pollution Control  
 SP55 Design Principles  
 SP56 Car Parking Layout  
 SP64 Access to Community Facilities  
 SP67 Mixed Use Area 21: Highfield Commercial, Waverley

## **Other Material Considerations**

National Planning Practice Guidance (NPPG) - 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 revised NPPF sets out the Government's planning policies for England and how these should be applied. It states that Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise and that it is a material consideration in planning decisions

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

National Design Guide

South Yorkshire Residential Design Guide

RMBC Adopted Supplementary Planning Documents:

- Air Quality and Emissions
- Equal and Healthy Communities
- Affordable Housing
- Natural Environment
- Transport Assessments, Travel Plans and Parking Standards

## **Publicity**

The application has been advertised by way of Press Notice, Site Notices along with individual neighbour notification letters sent to 29 nearby properties. 170 objections were received from local residents as well as one from the Community Council. The objections are summarised below –

- Lack of community facilities at Waverley – eg shops, cafes, GP surgery, community centre etc that have been promised for many years
- Harworth are putting profit above the needs of the existing community, and have lied to the with promises that have not been fulfilled
- No more houses should be allowed until community facilities are provided
- Olive lane is now to be half the size of that originally promised, and has not been delivered.
- Better cycle, walking and jogging links should be provided around Waverley
- This site was not supposed to be developed for houses

- Existing residents cannot secure school places at Waverley School, more houses will make this worse. There were supposed to be two primary schools and a secondary school. No more houses should be allowed until another school of increase places are provided.
- Why are more Skyhouses needed when there is very little progress on the existing ones on Lescar Road
- Bus links are needed as busses are not adequately serving the site which mean that residents have to use cars
- A new rail platform was promised but has not come forward
- Residents pay Council Tax to the Council and Community Council but do not have facilities
- Many roads are unadopted with no road markings which lead to accidents, and bad parking. The roads should be adopted before more houses are allowed
- There is not enough parking on the estate for the number of residents
- There are not enough green spaces for children to play
- The play area shown is considerably different that the one on site, the existing play area with a swing, slide and monkey bars should still exist as a minimum on site.

The applicant and agent, Waverley Community Council as well as 3 residents have requested the right to speak at the Planning Board meeting.

### **Consultations**

RMBC – Transportation Infrastructure Service – No objections subject to conditions

RMBC – Landscape Design – No objections subject to conditions

RMBC – Tree Service – No objection

RMBC – Drainage – No objection subject to suggested conditions

RMBC – Ecology – No objection

RMBC – Land Contamination – No objection

RMBC – Environmental Health – No objection

RMBC – Air Quality – No objection

RMBC – Affordable Housing – No objection to the numbers of units but have concern about the size of them being 12% bellow national space standards.

RMBC – Education – No objection

The Environment Agency – No objection

RMBC – Green Spaces – No objection

RMBC – Public Rights of Way – No objection

The Coal Authority – No objections

SYMAS – No objection

Yorkshire Water – No objection

South Yorkshire Fire and Rescue – No objection

Rotherham Primary Care – No objection

### **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.

This site falls within Mixed Use Area 21. Policy SP 67 Mixed Use Area 21: Highfield Commercial, Waverley is relevant. The proposed residential units would be located within the area covered by part 3 of the Mixed Use policy (Land north of Mitchell Way and south of the University of Sheffield training centre). This identifies C3 housing as an appropriate use in this location. The principle of the use for the site for residential use has been established under outline permission RB2021/1736.

A reserved matters application as stated in the National Planning Practice Guidance 'Making an application' relates to those aspects of a proposed development which an applicant can chose not to submit details of with an outline planning application (i.e. reserved for later determination). These are defined in article 2 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 as:

- Access – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- Appearance – the aspects of a building or place within the development which determine the visual impression the building or

place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

- Landscaping – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- Layout – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- Scale – the height, width and length of each building proposed within the development in relation to its surroundings.

From a land use perspective, the development of the site for Residential Use is acceptable. Accordingly, the principle of this development cannot be revisited during the determination of this reserved matters application.

The main considerations in the determination of the application are:

- Design, Scale and Appearance and Compliance with Highfield Commercial Master Plan
- Highway Safety and Transportation Issues
- Impact on existing and future occupiers' amenity
- Flood Risk and drainage
- Landscaping, Trees Green Infrastructure Provision and Ecology
- General Amenity – noise, contaminated land and air quality
- Affordable Housing
- Other issues Raised by Objectors
- Planning Obligations

#### Design, Scale and Appearance and Compliance with Highfield Commercial Master Plan

The NPPG notes that: *Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations.*

The NPPG further goes on to advise that: *Local planning authorities are required to take design into consideration and should refuse permission for development of poor design.*

SP55 'Design Principles' states: *All forms of development are required to be of high quality, incorporate inclusive design principles, create decent living and working environments, and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings.*



This approach is echoed in National Planning Policy in the NPPF.

The NPPF at paragraph 124 states: *Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.* Paragraph 130 adds: *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, taking into account any local design standards or style guides in plans or supplementary planning documents.*

In addition, CS21 'Landscapes' states new development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the borough's landscapes. Furthermore, CS28 'Sustainable Design' indicates that proposals for development should respect and enhance the distinctive features of Rotherham and design should take all opportunities to improve the character and quality of an area and the way it functions.

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

The application site forms part of the Highfield Commercial site which is located to the north and west of existing occupied houses within the Waverley New Community.

The proposal is for a development of 96 dwellings. The house types are generally terrace properties also with some detached dwellings. There are 41No 3 bedroom houses, and 55No 2 bedroom properties and 4No 4 bedroom properties.

The Highfield Commercial Master Plan identifies the site as being appropriate for building heights of 2, 2.5 and 3 storeys in height, with buildings on this parcel having predominantly flat or monopitched roofs. It promotes higher density modern living to accommodate younger residents to the neighbourhood for a more diverse and sustainable community and to create a balanced residential plot with a variety of outdoor space, private terraces, communal gardens and street space and parks.

The application has been amended through the application process and the number of units proposed has decreased from 106 to 96. The proposed layout sees one vehicular access from Stephenson Way with additional pedestrian access from Stephenson Way and Mitchell Way to the southwest and southeast respectively. The layout also aims to promote pedestrian friendly streetscapes and prioritise these over vehicles. As such, a hierarchy of roads is proposed with minimal road junctions and where possible, parking areas hidden behind properties, all with the aim of allowing buildings and greenery to take precedent. In addition to the pedestrian links, pedestrian only spaces are also proposed to promote walkability and encourage the use of them for breakout spaces and informal play. All of these areas are located to

the front of dwellings to promote attractive views into the site and natural surveillance.

Building heights will be 2 and 3 storeys tall and will feature various design features to create visual interest and follow good design principles. Some dwellings will have terraces and some will have car ports with access to parking at the rear. Varied rooflines promotes visual interest and are inspired by nearby buildings, both residential and commercial/industrial. The proposed material palette will be primarily brick and grey metal cladding.

The amended scheme is considered to be in line with the principles of the Highfield Commercial Masterplan and provides a high density urban housing development on the site. Having regard to all of the above, it is considered that the layout and design of the proposed development offers is acceptable. Furthermore, it is considered to accord with the general principles and goals set out in the NPPF and the applicants, through the submission of amended plans, have demonstrated a concerted effort to achieve a well-designed scheme that respects the existing and proposed surrounding developments.

#### Highway Safety and Transportation Issues

Paragraph 109 of the NPPF states: *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

CS14 'Accessible Places and Managing Demand for Travel' states the Council will work on making places more accessible and that accessibility will be promoted through the proximity of people to employment, leisure, retail, health and public services by, amongst other things, locating new development in highly accessible locations such as town and district centres or on key bus corridors which are well served by a variety of modes of travel.

SP26 'Sustainable Transport for Development' states development proposals will be supported where it can be demonstrated that the proposals make adequate arrangements for sustainable transport infrastructure; local traffic circulation, existing parking and servicing arrangements are not adversely affected; the highway network is, or can be made, suitable to cope with traffic generated, during construction and after occupation; and the scheme takes into account good practice guidance.

Policies CS14 and SP26 are supported by paragraphs 108 and 110 of the NPPF.

SP56 'Car Parking Layout' states that layouts should be designed to reduce the visual impact of parking on the street-scene; discourage the obstruction of footways and ensure in-curtilage parking does not result in streets dominated by parking platforms to the front of properties.

A Transport Assessment was submitted and assessed as part of the outline permission which considered the cumulative impact of this development, the proposed Mixed Use scheme and other residential development adjacent to the application site.

The proposal includes details of Electric Vehicle Charging points for every dwelling and for 20 of the visitor parking spaces.

The Transportation Unit has assessed the application and has requested amendments to the original scheme. They have commented that the revised layout has addressed their previous concerns and that the proposed highway layout and car parking comply with the South Yorkshire Residential Design Guide and Supplementary Planning Document No 12.

They also note that on the revised layout various plots include car ports to meet the minimum requirement for car parking facilities as required by SPD 12. Accordingly, permitted development rights should be removed from these plots to ensure that the parking spaces remain available for parking at all times. They therefore consider that the amended scheme is acceptable from a planning point of view, and recommend relevant conditions to be attached to any permission.

Objections to the application have been received regarding the fact that many of the roads within the wider Waverley site have not yet been adopted, and that parking is insufficient for the residents. In his regard the Transportation Officer has stated that the adoption of Highfield Lane is currently being addressed by Harworth who are finalising outstanding works including installation of the road markings etc in the approved designs with additional junction markings not previously included. In respect of the roads off Highfield Lane, whilst there are no approved prescribed road markings plans etc within the S38 Agreements reference is made in the agreements 'schedules' that requisite road markings and signage will be installed before the roads will be accepted into adoption. As noted above he also confirms that the layout conforms with guidance from both Manual for Streets and the South Yorkshire Residential Design Guide, and that on site car parking facilities comply with the Council's minimum residential standards.

Objections have also been received regarding the lack of buses serving Waverley, this is however an issue to be taken up by the bus service providers. From a planning point of view the roads are planned to accommodate buses where required, however the Local Planning Authority has no control over the provision of the buses at the site. Likewise an objection has been received because a railway platform has not been provided as promised. This is currently under discussions with Harworth and the South Yorkshire Mayoral Combined Authority with the aim of providing such a platform.

Taking all of the above into consideration, it is considered that this proposed

reserved matters application has had regard to the principles approved as part of the outline permission and the proposed layout has been designed and amended in accordance with the guidance set out in the South Yorkshire Residential Design Guide. For these reasons it is considered that the proposed development will not have a detrimental impact upon highway safety and the proposal complies with Policies CS14 and SP26 and guidance within the NPPF.

#### Impact on existing and future occupiers' amenity

SP55 'Design Principles' states, in part that: *the design and layout of buildings to enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from overshadowing.*

The South Yorkshire Residential Design Guide (SYRDG) notes that: *For the purposes of privacy and avoiding an 'overbearing' relationship between buildings, the minimum back-to-back dimension (between facing habitable rooms) should be 21 metres. This also corresponds to a common minimum rear garden or amenity space of about 10 metres in depth.*

The SYRDG further goes on to note that in respect of ensuring adequate levels of daylighting, back-to-back distances should, as appropriate to specific circumstances, be limited by the 25 degree rule. Furthermore, so as to avoid an overbearing relationship, the SYRDG additionally requires back to side distances and the extent of rear extensions to be limited by the 45 degree rule.

Further to the above the NPPF at paragraph 130 states, in part, that planning decisions should ensure that developments *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.*

It is noted that there are residential properties already present and occupied to the south and east of the application site on Mitchell Way and Stephenson Way which all form part of Waverley New Community. The new dwellings are proposed to be across a road from all of these properties and there is well over 21m separation distance from front elevation to front elevation across the roadways, and in this respect the layout is considered to be acceptable as it would not give rise to unacceptable levels of overlooking, loss of privacy or appear overbearing from existing neighbouring properties.

In relation to the inter-house spacing within the development site this is assessed against guidance contained within the SYRDG in relation to minimum separation distances and minimum garden areas. The initial scheme included 10 additional dwellings, however they have been removed from the scheme at the request of the Local Planning Authority as it was

considered that the layout did not achieve acceptable levels of amenity in terms of overlooking and overshadowing etc.

The amended scheme does not achieve the minimum separation distances between principle elevations of some of the proposed dwellings. However this scheme has been designed in accordance with the Master Plan to deliver a high density urban development with the closer distances of the dwellings helping to create a communal feel. The ability to achieve these distances within such a higher density scheme was noted and acknowledged at the outline planning stage. In this respect, due to the design and nature of the development it is considered that the shortfall would not have a significant adverse impact on the residential amenity of future occupiers of the dwellings and is therefore considered to be acceptable on this site.

The high density design of the development also results in the minimum private amenity areas for each individual dwelling not being achieved on all plots. In this respect the developers have submitted justification on the grounds that there are exceptional circumstances to allow reduced amenity space. Firstly, the design of the scheme aims to promote a close-knit community of medium density dwellings with shared amenity and external spaces. This is the approach taken by Sky House Co (the applicants) and the scheme aims to replicate the established successes of their other site in Waverley on Lescar Road, as well as Oughtibridge Mill, Sheffield. In addition to this, the reduced amenity space is off set by the proximity to public amenity space in the area, including Waverley Park which will provide valuable break-out space should residents require additional space on a weekly or monthly basis, whilst the amenity meets the day-to-day needs of the household. For these reasons it is considered that the level of proposed amenity space is acceptable in this form of development on this site.

With regard to the impact of the proposal on the amenity of future residents of the development, it is noted that the Technical housing standards- nationally described space standards provide minimum standards for internal spaces within dwellings. 30% of the dwellings proposed fall short of the minimum space standards, however most of these fall below by less than 10%. In this instance, due to the nature of the proposal being a high density urban development it is considered that the slight shortfall in space standards in some of the dwellings is considered acceptable to achieve a layout and design which complies with the requirements of the Master Plan.

With the above in mind, it is considered that the proposed development adequately addresses how the development proposed would not affect the amenity of existing or future residents. The proposal is therefore considered acceptable and in accordance with the guidance contained within the SYRDG and adopted Local Plan policy SP55 'Design Principles'.

#### Flood Risk and drainage

Policy CS24' Conserving and Enhancing the Water Environment' states:

Proposals will be supported which:

- a. do not result in the deterioration of water courses and which conserve and enhance:
  - i. the natural geomorphology of watercourses,
  - ii. water quality; and
  - iii. the ecological value of the water environment, including watercourse corridors;
- b. contribute towards achieving 'good status' under the Water Framework Directive in the borough's surface and groundwater bodies
- c. manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling;
- d. improve water quality through the incorporation of appropriately constructed and maintained Sustainable Urban Drainage Systems or sustainable drainage techniques as set out in Policy CS25 Dealing with Flood Risk,
- e. dispose of surface water appropriately according to the following networks in order of preference:
  - i. to an infiltration based system wherever possible (such as soakaways)
  - ii. discharge into a watercourse with the prior approval of the landowner and navigation authority (to comply with part a. this must be following treatment where necessary or where no treatment is required to prevent pollution of the receiving watercourse.)
  - iii. discharge to a public sewer.

Policy CS25 'Dealing with Flood Risk' states proposals will be supported which ensure that new development is not subject to unacceptable levels of flood risk, does not result in increased flood risk elsewhere and, where possible, achieves reductions in flood risk overall. Furthermore, policy SP47 'Understanding and Managing Flood Risk and Drainage' states the Council will expect proposals to demonstrate an understanding of the flood route of surface water flows through the proposed development; control surface water run-off as near to its source as possible through a sustainable drainage approach to surface water management (SuDS) and consider the possibility of providing flood resilience works and products for properties to minimise the risk of internal flooding problems. These policies are supported by paragraphs 163 and 165 of the NPPF.

An Outline Surface Water Strategy Report was submitted as part of the outline application for the entire Waverley site, which was updated in RB2022/1076 and a Flood Risk Assessment Report has been submitted in support of this Reserved Matters application.

The Councils Drainage Engineers, The Environment Agency and Yorkshire Water have raised no objections to the application. Taking the above into

account, it is considered that the risks of flooding to the site have not changed from those identified within the original FRA and it is therefore considered that the reserved matters proposal satisfactorily conforms with the detail set out in the original Outline Surface Water Strategy and its later addendums as well as advice contained within the NPPF.

#### Landscaping, Green Infrastructure Provision and Ecology

Policy CS19 Green Infrastructure states, in part, that: "Rotherham's network of Green Infrastructure assets, including the Strategic Green Infrastructure Corridors, will be conserved, extended, enhanced, managed and maintained throughout the borough. Green Infrastructure will permeate from the core of the

built environment out into the rural areas...Proposals will be supported which make an overall contribution to the Green Infrastructure network based upon the principles set out below –

- d. Improving connectivity between new developments and the Strategic Green Infrastructure network and providing buffering to protect sensitive sites.

Policy CS21 'Landscapes,' states, in part, that: 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.

Policy SP32 'Green Infrastructure and Landscape' goes on to state in part that: "The Council will require proposals for all new development to support the protection, enhancement, creation and management of multi-functional green infrastructure assets and networks including landscape, proportionate to the scale and impact of the development and to meeting needs of future occupants and users.

The layout proposes the inclusion of green space and planted areas is wherever possible. This helps to soften the built environment by providing visual relief, create a better environment to live in, and aid with habitat creation. The two main areas of landscaping will be along the southeast and northeast boundaries to provide a buffer to the road. The play area will also form the other main landscaping feature.

The Council's Landscape Design Manager has assessed the application and notes that the site lies within former colliery land, now reclaimed to form Waverley New Community. The site is bounded by existing roads to three sides, Highfield Spring, Mitchell Way and Stephenson Way. The current Masterplan Framework for this site shows the intention to extend a Key Green Infrastructure route, Waverley Walk along the north eastern boundary of the site. This will extend and join with the existing Waverley Walk route through

providing a link between Employment uses to the North West at AMP and the housing of Waverley New Community to the south east and Lakes beyond.

The housing proposed is high density in nature and incorporates communal linear greenspaces along with a new Local Area for Play (LAP). The embankment which abuts Highfield Spring is to be planted with native woodland species with individual trees. This will assist with screen in the carpark area which serves nearby blocks. The main access roads are well landscaped with planted verges and tree planting.

Previous issues raised with the detailed landscape scheme relating to :-

1. The retention of the existing verge planting on Stephenson way.
2. Diversity of tree species for bio-security, and setting out adjustments.
3. Additional/ alternative planting requested in some locations.

The landscape has now been amended and all the above matters have now been satisfactorily addressed with the submission of the amended plans.

Therefore the proposed landscape scheme is considered to be acceptable for the proposed development.

The application was also supported by a Tree Report. Whilst it is noted that there are no trees within the application site, trees have previously been planted along the verges within Mitchell Way and Stevenson Way, and so the Tree Survey demonstrates how these will be protected. The Council's Tree Consultant has assessed the submitted report and considers that the development proposed is acceptable as it will not have an adverse impact on the existing trees. He therefore raises no objections subject to a condition being attached to ensure that the suitable protection is put in place through the works.

This proposed scheme includes a LAP (Local Area of Play) which is a small area of open space specifically designated and primarily laid out for very young children to play close to where they live i.e. within one minute's walking time. LAPs are designed to allow for ease of informal observation and supervision and primarily function to encourage informal play and social interaction for toddlers. A LAP requires no play equipment as such, relying more on demonstrative features indicating that play is positively encouraged. The LAP is to be located on the site of the former playground which had been located on this site for a temporary period. The Council's Green Space Manager has been consulted on the application and has stated that the proposed LAP does not meet the technical specifications for a LAP which requires flat open space for play. However, the proposal is obviously aimed at very young children as a LAP should be and will provide good imaginative play opportunities and a play value in excess of a true LAP. In the context of the built environment around it, it is considered that the proposed design will meet the needs of younger children and is an acceptable provision.



Turning to the issue of management and maintenance, there is a requirement under the S106 agreement attached to the outline permission to establish a management company to maintain all areas of open space within the site. This has been established by Harworth Estates as the main landowner and will fund a maintenance regime for the landscaping features spaces within this phase

An objection has been received that the land given to parks is not enough in relation to the amount of land that houses are built on, and being critical that a cycle path and jogging track have not been provided for the wider site. Whilst not currently provided, Highwall Park, which is to the north east of the site, will run all the way from the lakes, up towards the school and then across the site towards Olive Lane. The whole of the Waverley New Community was planned with the park running through it along with smaller pocket of parks within the housing areas. Highwall Park will be a large park area and will accommodate numerous areas for play and activities and nature and will provide opportunities for jogging etc. Harworth are aiming to commence work on the delivery of the park, which includes various areas of equipped play this year. Once complete this large multifunctional park will provide outdoor areas for people to use.

An objection has also been received regarding the loss of the existing park area adjacent to Stevenson Way. The park that is currently on the application site gained a temporary planning permission in 2014, and as such it was never planned that it would be there permanently. It was provided in isolation on this site at the beginning of the development of the area to allow residents to use it until Highwall Park is provided. This proposed scheme includes a LAP as detailed above which will be located in the area where the playground currently is.

This feature was approved at the outline stage and the conditions required the details to be included within this application. The Councils Green Spaces manager has been consulted on the application and raises no objections.

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

In assessing Biodiversity issues, Policy CS20 'Biodiversity and Geodiversity,' notes in part, that: The Council will conserve and enhance Rotherham's natural environment and that resources will be protected with priority being given to (amongst others) conserving and enhancing populations of protected and identified priority species by protecting them from harm and disturbance and by promoting recovery of such species populations to meet national and local targets.

Policy SP33 'Conserving and Enhancing the Natural Environment' states, in part, that: Development should conserve and enhance existing and create new features of biodiversity and geodiversity value, and adds that:

“Development will be expected to enhance biodiversity and geodiversity onsite with the aim of contributing to wider biodiversity and geodiversity delivery including, where appropriate, direct contribution to Ecological Networks, the Green Infrastructure network, Biodiversity Opportunity Areas, Nature Improvement Areas and Living Landscapes.

The outline application was accompanied by an Biodiversity Survey and a condition was attached to the outline requiring the provision of bird boxes and hedgehog highways. The Councils Ecologist has assessed the submitted details and considers their provision to be acceptable.

Having regard to the above, it is considered that subject to adequate safeguards being put in place by reason of a condition, sufficient information is available in the form of annual surveys which review species and habitat. Accordingly, the development is not considered to have an unacceptable impact on ecology in accordance with guidance contained within the NPPF.

#### General Amenity – Noise, Contaminated Land and Air Quality

Policy CS27 ‘Community Health and Safety’ states, in part, that: Development will be supported which protects, promotes or contributes to securing a healthy and safe environment and minimises health inequalities. Development should seek to contribute towards reducing pollution and not result in pollution or hazards which may prejudice the health and safety of communities or their environments. Appropriate mitigation measures may be required to enable development. When the opportunity arises remedial measures will be taken to address existing problems of land contamination, land stability or air quality.

Policy SP52 ‘Pollution Control’ states that: Development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that mitigation measures will minimise potential impacts to levels that protect health, environmental quality and amenity. When determining planning applications, particular consideration will be given to:

- a. the detrimental impact on the amenity of the local area, including an assessment of the risks to public health.
- b. the presence of noise generating uses close to the site, and the potential noise likely to be generated by the proposed development. A Noise Assessment will be required to enable clear decision-making on any planning application.
- c. the impact on national air quality objectives and an assessment of the impacts on local air quality; including locally determined Air Quality Management Areas and meeting the aims and objectives of the Air Quality Action Plan.
- d. any adverse effects on the quantity, quality and ecology features of water bodies and groundwater resources.
- e. The impact of artificial lighting. Artificial lighting has the potential to cause unacceptable light pollution in the form of sky-glow, glare or

intrusion onto other property and land. Development proposals should ensure that adequate and reasonable controls to protect dwellings and other sensitive property, the rural night-sky, observatories, road-users, and designated sites for conservation of biodiversity or protected species are included within the proposals.

Policy SP54 'Contaminated and Unstable Land' states that: "Where land is known to be or suspected of being contaminated, or development may result in the release of contaminants from adjoining land, or there are adverse ground conditions caused by unstable land, development proposals should:

- a. demonstrate there is no significant harm, or risk of significant harm, to human health or the environment or of pollution of any watercourse or ground water;
- b. ensure necessary remedial action is undertaken to safeguard users or occupiers of the site or neighbouring land and protect the environment and any buildings or services from contamination during development and in the future;
- c. demonstrate that adverse ground conditions have been properly identified and safely treated;
- d. clearly demonstrate to the satisfaction of the Local Planning Authority, that the land is suitable for its current or proposed use."

In terms of noise, the outline planning permission contained a condition requiring the submission of a noise report to assess predicted noise climates within garden areas, bedrooms and other habitable rooms and to include design mitigation if required. A Noise Impact Assessment was submitted with the application. The Councils Environmental Health Officers have assessed the report and note that the assessment concludes that there will be no adverse impact on future occupiers of these dwellings provided mitigation measures as suggested in the report are implemented. This includes specifications for glazing and ventilation. In this respect they raise no objections subject to relevant conditions being imposed.

The Air Quality Officer, notes that Electric Vehicle Charging Points have been included in line with the Councils SPD, and in this respect raises no objections.

There are no objections to the application from the Land Contamination Officer.

It is therefore considered that the proposal is in compliance with Local Plan policies CS27, SP52 and SP54

#### Affordable Housing

Of the 96 dwellings proposed, 25% affordable units are required which is 24. Additionally in accordance with S106 Agreement for the whole of the site an additional 8 units are required in lieu of being delivered on the site to the north. Therefore a total of 32 affordable units are required.

It has been agreed that there should be 18 units of affordable housing delivered on site. All of these units would be 2 bedroom houses, of which 6 would be for social rent tenure, 6 for shared ownership and 6 to be delivered as First Homes.

In addition to this a commuted sum would be given in lieu of onsite delivery of 14 affordable housing units. This sum will be 40% of the open market value of the 2 bedroom houses. this value equates to £74,580 per unit. Therefore, for the 14 units not delivered on site the commuted sum will be  $14 \times £74,580 = £1,044,120$ .

The Affordable Housing Officer has confirmed that the number of units and the commuted sum are acceptable, however has raised concern about the size of the units proposed. The units proposed are below the National Space Standards and would not normally be appropriate for affordable housing units. However, in this instance the applicant has confirmed that a Registered Provider for affordable housing is already lined up to take the affordable units. It should also be noted that a lot of affordable housing units within the wider Waverley area are family homes, and that these higher density urban living units may appeal to a different demographic who are eligible for such units.

This is secured via a S106 Agreement attached to the outline permission.

#### **Other issues Raised by Objectors**

Numerous objections have been received in relation to the lack of infrastructure provided at the wider Waverley site as a whole. This generally relates to shops, doctors and accessible school places. Objectors also say that they feel that they have been misled as they were promised such facilities when they bought their houses some as long as 10 years ago, and that they pay full Council Tax.

A planning application for the development of Olive Lane was submitted in 2021, however since this time, the applicants Harworth have commented that there have been significant cost price inflation caused by several factors outside of their control including the Covid-19 pandemic and the ongoing war in Ukraine which have resulted in the significant rise in construction costs. However, they are in the process of finalising the design for an amended scheme with the intention of being on site before the end of 2023, with completion of construction expected in winter 2024 subject to the approval of planning permission. Harworth have submitted a new planning application have undertaken a community engagement session recently, which members of the community council, local residents and ward members attended.

In relation to the Medical Centre, this has received planning permission and Harworth are working closely with NHS England, with a view to being on site to commence construction in autumn this year.

With regard to schools, it was never anticipated that a Secondary School would be provided at Waverley as there is sufficient capacity in surrounding schools. In relation to Primary Schools Waverley Community Primary has

been provided as a 2 form entry, and due to the numbers of houses that have now been constructed at the site the trigger for a part payment to extend the school to a 3 form entry school has recently been reached and the funds have been paid to the Councils and the design process is under way.

The Masterplan for Waverley Community has always included the provision of infrastructure and associated facilities, however this was never planned to be provided early on in the development, and no date for these provision was included within the previous schemes. The development site as a whole is very large and as such infrastructure and facilities are coming forward in a phased manner to serve the community as it grows. Many objectors state that no more houses should be built until the facilities are provided. In this respect much of the remaining land has outline planning permission for residential use already, and so planning applications which are submitted for consideration cannot be refused on this basis. Objections refer to paying sufficient Council Tax but having no facilities, however the Council Tax payments are not for the provision of shops etc, which is the responsibility of the developer to provide in accordance with their planning permission.

### **Conclusion**

The principle of residential development on this site has been established under outline permission RB2021/1736 and is considered to be acceptable.

The overall layout of the site offers an acceptable balance between achieving an efficient use of the land available as recommended in the NPPF whilst safeguarding a satisfactory provision of individual private amenity space for each dwelling. The design of the proposed scheme as a whole is considered to have regard to the approved Highfield Commercial Masterplan.

There are no objections to the proposals from the Council's Transportation Unit.

Internal layout geometries have been set out in accordance with the South Yorkshire Residential Design Guide and Supplementary Planning Document No 12.

A comprehensive Flood Risk Assessment has been accepted and in terms of the landscaping within the site, the applicants have provided an acceptable level of landscaping appropriate for the site. There are no objections to the proposed planting schemes from the Landscape Design team.

It is therefore recommended that planning permission be granted in accordance with the following 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 numbers 8, 12 & 15 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 **8, 12 & 15** 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.'

01

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

09-000 LOCATION PLAN Rev A  
 09-001 PROPOSED SITE PLAN Rev H  
 09-002 ADOPTION PROPOSALS Rev E  
 09-003 SITE PLAN - MASONRY Rev E  
 09-004 PROPOSED BIN STORE LOCATIONS Rev E  
 09-005 GARDEN AREAS Rev G  
 09-006 AFFORDABLE HOUSING PLAN Rev D  
 09-008 ELECTRICAL PARKING SPACES PLAN Rev A  
 0509 PROPOSED SUBSTATION Rev A

09-095 HOUSE TYPE MH-T1 PLANS Rev B  
 09-096 HOUSE TYPE MH-T1 ELEVATIONS Rev A  
 09-100 HOUSE TYPE MH-T2 PLANS VARIES Rev A  
 09-101 HOUSE TYPE MH-T2 ELEVATIONS  
 09-105 HOUSE TYPE MH-T2A PLANS  
 09-106 HOUSE TYPE MH-T2A ELEVATIONS  
 09-110 HOUSE TYPE MH-T3 PLANS VARIES  
 09-111 HOUSE TYPE MH-T3 ELEVATIONS  
 09-115 HOUSE TYPE MH-T4 PLANS Rev B  
 09-116 HOUSE TYPE MH-T4 ELEVATIONS Rev B  
 09-120 HOUSE TYPE MH-T4A PLANS  
 09-121 HOUSE TYPE MH-T4A ELEVATIONS  
 09-125 HOUSE TYPE MH-T5 PLANS Rev A  
 09-126 HOUSE TYPE MH-T5 ELEVATIONS  
 09-130 HOUSE TYPE TH-T3 PLANS Rev B  
 09-131 HOUSE TYPE TH-T3 ELEVATIONS  
 09-135 HOUSE TYPE TH-T3A PLANS Rev A  
 09-136 HOUSE TYPE TH-T3A ELEVATIONS  
 09-140 HOUSE TYPE TH-T5 PLANS Rev A  
 09-141 HOUSE TYPE TH-T5 ELEVATIONS

09-142 HOUSE TYPE TH-T5 END SPECIAL PLANS  
09-143 HOUSE TYPE TH-T5 END SPECIAL ELEVATIONS  
09-145 HOUSE TYPE T6 PLANS Rev A  
09-146 HOUSE TYPE T6 ELEVATIONS  
09-150 HOUSE TYPE T7 PLANS Rev A  
09-151 HOUSE TYPE T7 ELEVATIONS  
09-155 HOUSE TYPE T8 PLANS Rev B  
09-156 HOUSE TYPE T8 ELEVATIONS Rev A  
09-160 SINGLE GARAGE  
09-200 BLOCK A PLANS Rev A  
09-201 BLOCK A ELEVATIONS Rev A  
09-210 BLOCK D PLANS Rev B  
09-211 BLOCK D ELEVATIONS Rev A  
09-220 BLOCK F PLANS Rev A  
09-221 BLOCK F ELEVATIONS Rev A  
09-230 BLOCK G PLANS Rev B  
09-231 BLOCK G ELEVATIONS Rev B  
09-240 BLOCK H PLANS Rev A  
09-241 BLOCK H ELEVATIONS Rev A  
09-250 BLOCK L PLANS Rev B  
09-251 BLOCK L ELEVATIONS 1:50 A0 Ø A  
09-260 BLOCK P PLANS Rev A  
09-261 BLOCK P ELEVATIONS Rev A  
09-270 BLOCK Q PLANS Rev B  
09-271 BLOCK Q ELEVATIONS Rev B  
09-280 BLOCK R PLANS VARIES Rev A  
09-281 BLOCK R ELEVATIONS Rev A  
09-290 BLOCK U PLANS Rev B  
09-291 BLOCK U ELEVATIONS Rev A  
09-300 BLOCK V PLANS Rev B  
09-301 BLOCK V ELEVATIONS Rev A  
09-310 BLOCK W PLANS Rev A  
09-311 BLOCK W ELEVATIONS Rev A  
09-320 BLOCK X PLANS Rev A  
09-321 BLOCK X ELEVATIONS Rev A  
09-330 BLOCK Y PLANS Rev A  
09-331 BLOCK Y ELEVATIONS Rev A  
09-340 BLOCK Z PLANS Rev B  
09-341 BLOCK Z ELEVATIONS Rev A  
09-350 BLOCK AA PLANS Rev B  
09-351 BLOCK AA ELEVATIONS Rev A  
09-360 BLOCK AE PLANS Rev B  
09-361 BLOCK AE ELEVATIONS Rev B  
09-370 BLOCK AF PLANS Rev A  
09-371 BLOCK AF ELEVATIONS Rev A  
09-380 BLOCK AG PLANS Rev B  
09-381 BLOCK AG ELEVATIONS Rev B

Reason

To define the permission and for the avoidance of doubt.

02

No above ground development shall take place until details of the materials to be used 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

03

No above ground development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The approved boundary treatment shall be implemented prior to the occupation of each dwelling.

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

04

Notwithstanding the submitted information no above ground development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the design and materials of bin stores and bin collection points to be erected. The approved details shall be implemented prior to the occupation of each dwelling.

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

05

The Electric Vehicle Charging Points shown on the approved plan 09-008 ELECTRICAL PARKING SPACES PLAN Rev A shall be provided for each dwelling/car parking space prior to the occupation of each dwelling or each car parking space being brought into use.

Reason

To promote sustainability in accordance with the Local Plan and the NPPF.

06

Before the development is brought into use, that part of the site to be used by



vehicles shall be properly 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.

All to the satisfaction of the Local Planning Authority and shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained in accordance with Local Plan Policies

07

Before the development is brought into use the car parking area shown on Drg No 3017-CDA-SP-SL-DR-A-09-001 Rev H shall be provided, marked out and thereafter maintained for car parking.

Reason

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

08

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

Reason

No details having been submitted they are reserved for approval.

09

Prior to the commencement of above ground development hereby approved, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing how the use of sustainable/public transport will be encouraged. The agreed details shall be implemented in accordance with a timescale to be agreed by the Local Planning Authority

Reason

To promote sustainability in accordance with the Local Plan and the NPPF.

10

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) the car ports at plots 1,2,3,13,14,15,16,21,22,31,32,33,34,39,40,41,42,75,76,77 and 78 shall be made available at all times for car parking purposes and no garage doors,

gates, sides, walls, extensions or other additions shall be fitted without the prior consent of the Local Planning Authority.

Reason

In the interests of highway safety and the visual amenity of the locality

11

The amended Construction Environmental Management Plan received on 07-03-2023, and the Wheel Wash details shall be fully implemented on site throughout the construction phase of the development.

Reason

In the interests of residential amenity and highway safety.

DRAINAGE

12

The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

Reason

To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin and in accordance with Policy CS25 of the Local Plan.

ENVIRONMENTAL

13

Before first occupation, the developer shall provide written evidence to the Local Planning Authority to demonstrate that the following indoor ambient noise levels have been achieved in accordance with BS8233:2014:

- a) The 16-hour LAeq shall not exceed 35dB between 0700 and 2300 hours when measured inside any noise sensitive rooms in the development.
- b) The 8-hour LAeq shall not exceed 30dB between 2300 and 0700 hours when measured inside any bedroom in the development.
- c) The 15-minute LAF1 shall not exceed 45 dB between 2300 and 0700hrs when measured inside any bedroom in the development.

Reason

To safeguard the amenities of the occupiers of the hotel development and nearby properties in accordance with Parts 12 & 15 of the NPPF.

LANDSCAPE AND TREES

14

Landscaping of the site as shown on the approved plan (Urban Wilderness drawing nos 489-UW-P-004 Revision D and 489-UW-P-005 Revision B.) 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 Local Plan Policies.

15

No operations (including initial site clearance) shall commence on site in connection with development hereby approved until a suitable scheme (Arboricultural Method Statement) for the protection of existing trees and hedgerows has been submitted and its installation on site has been approved in writing by the Local Planning Authority.

All protection measures must fully detail each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

- Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837\*, with tree works proposals. All trees must be plotted on a scaled site plan\*\*, clearly and accurately depicting trunk locations, root protection areas and canopy spreads. (Provided)
- A plan\*\* detailing all trees and hedgerows planned for retention and removal.
- A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
- Soil assessments/survey
- Timing and phasing of works
- Site specific demolition and hard surface removal specifications
- Site specific construction specifications (e.g. in connection with foundations, bridging, water features, surfacing)
- Access arrangements and car parking
- Level changes
- Landscaping proposals
- A Tree protection plan\*\* in accordance with BS5837\* detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.

- Soil remediation plans, where unauthorised access has damaged root protection areas in the construction exclusion zones.
- Details of the arboricultural supervision schedule.

All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

\*Using the most recent revision the of the Standard

\*\* Plans must be of a minimum scale of 1:200 (unless otherwise agreed by the Local Planning Authority)

#### Reason

To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of Rotherham's environment, air quality and adapting to and mitigating climate change in accordance with Rotherham's Core Strategy Policies CS3: Location of New Development, CS19: Green Infrastructure, CS20 Biodiversity and Geodiversity, Policy CS21 Landscape, Policy CS28 Sustainable Design.

#### BIODIVERSITY

16

The bird boxes and hedgehog highways as shown in the submitted Biodiversity Enhancement Plan reference SQ-1195 shall be provided within each plot shown, prior to the occupation of each dwelling on that plot.

17

The Local Area for Play as detailed on Urban Wilderness drawing No. 489-UW-P-003 Rev A shall be provided on site prior to the commencement of the development of the 60<sup>th</sup> dwelling on site unless otherwise agreed in writing by the Local Planning Authority.

#### Reason

To ensure the timely provision of the area for plan in accordance with the submitted documents.

#### Informatives

01

#### Drainage

The Developer should be aware that a Sustainable Drainage System (SuDS) is the LPA's preferred option. A detailed explanation of any alternative option and reasons for rejecting a SuDS solution will be required.

In order to discharge (drainage details), the applicant is advised that they would be expected to submit information including but not limited to the following:

1. Flood resilience should be duly considered in the design of the new building/s or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.

2. Surface water drainage plans should include the following:

- Rainwater pipes, gullies and drainage channels including cover levels.
- Inspection chambers, manholes and silt traps including cover and invert levels.
- Pipe sizes, pipe materials, gradients and flow directions.
- Soakaways, including size and material.
- Typical inspection chamber / soakaway / silt trap and SW attenuation details.
- Site ground levels and finished floor levels.

3. On Site Surface Water Management:

The site is required to accommodate rainfall volumes up to 1 in 100 year return period (plus climate change) whilst ensuring no flooding to buildings or adjacent land.

The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas etc. to demonstrate how the 100 year + 40% CC rainfall volumes will be controlled and accommodated.

Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within highway.

Guidance on flood pathways can be found in BS EN 752.

4. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable)

5. For major developments, the LPA is required to ensure there are suitable ongoing

maintenance arrangements over the lifetime of the development (see NPPF paragraph 169, page 48).

Options for SuDS adoption and maintenance include:

a) Adoption by Water and Sewerage Company (WSC) - The developer may enter

into a section 104 agreement (Water Industry Act 1991) with the local WSC.

b) Private Maintenance Arrangement.

Provide all drainage management and maintenance plans for the lifetime of the

development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime (e.g. signed Section 104 agreement).

02

## Yorkshire Water

1.) It is noted from application details that surface water will discharge to surface water sewer network, which discharges to watercourse (the River Rother). These private sewers have been brought forward for adoption by Yorkshire Water, subject to agreement (under Section 104, Water Industry Act 1991).

2) As mentioned above, private sewers - that may or may not have spare capacity available

- are understood to be located near to the site. The developer should contact the original developer of these private sewers for consent if they are to be utilised. Please note, however, that these private sewers are believed to be contained in a sewer adoption agreement made with Yorkshire Water (or our predecessor/agent) under the provisions of Section 104 of the Water Industry Act 1991 (or similar earlier legislation that this has replaced).

a.) To avoid prejudicing any prospective adoption of these sewers, Yorkshire Water's approval to the use of such sewers should also be sought.

03

## Wildlife Legislation

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.

Furthermore, vegetation removal should be undertaken outside of the bird breeding season, March to September inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present, work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

04

## Police Architectural Liaison

Would strongly recommend that the development is designed and built to Secured by Design standards. [www.securedbydesign.com](http://www.securedbydesign.com)

The dwellings will need to comply with approved document Q which specifically states the minimum standards for door and window security, this is the same as the Police approved standard for Secure by Design, therefore there is no additional cost

but considerable value will be added to the development.

I make the following comments:-

#### Defensible Space

Any boundary treatments onto active street frontage to increase defensible space should not be flat topped as this could provide seating for youths or passers-by and may cause gathering of youths and facilitate ASB.

#### Surveillance

Any landscaping and front boundaries should be kept low at no more than 1 metre high to aid natural surveillance.

#### Vehicle Parking

The exterior parking areas must be well lit, and use a scheme compliant with BS 5489.

#### Lighting

All public realm lighting should be to a standard BS 5489 .

#### Security of Dwellings

In line with SBD standards, all front / rear doors and ground floor windows should comply with PAS 24:2016. All front and rear doors should be lit with a wall mounted luminaire to provide lighting in line with standard BS5489 which should operate on a dusk to dawn sensor and spread the light downward. For the apartments, all front doors should also conform to this standard.

### **POSITIVE AND PROACTIVE STATEMENT**

During the determination of the application, the Local Planning Authority worked with the applicant to consider what amendments were necessary to make the scheme acceptable. The applicant agreed to amend the scheme so that it was in accordance with the principles of the National Planning Policy Framework.