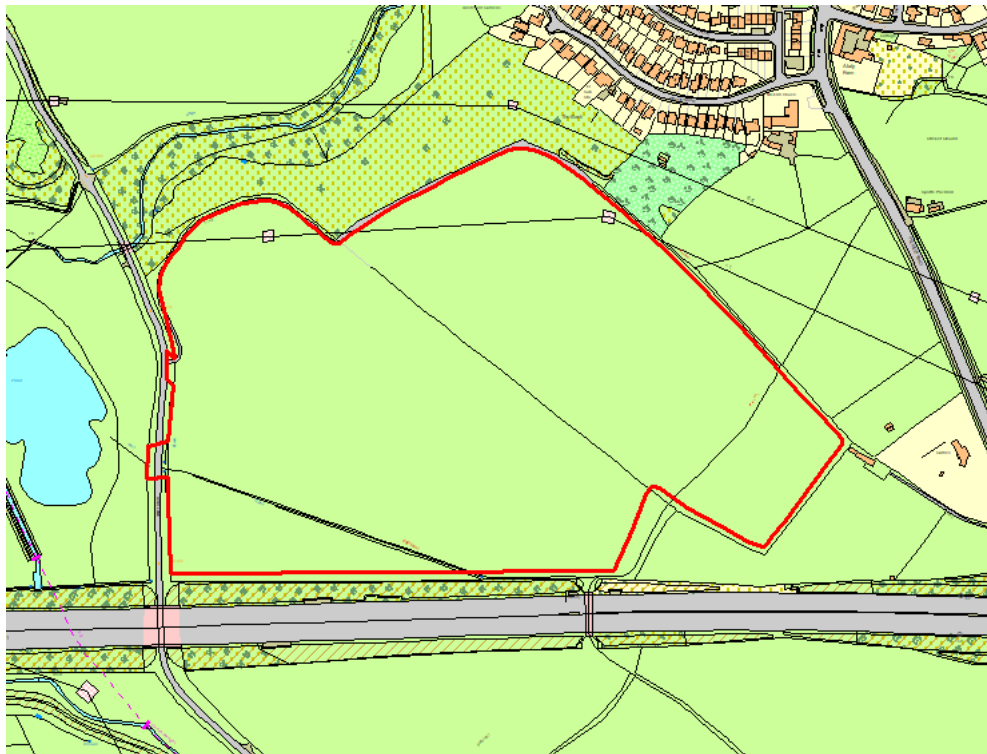


**REPORT TO THE PLANNING BOARD
TO BE HELD ON THE 16TH JULY 2026**

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

Application Number	RB2025/1468 - https://rotherham.planportal.co.uk/?id=RB2025/1468
Proposal and Location	Erection of a new 400kV Gas Insulated Switchgear (GIS) substation including gantries, internal access roads, a GIS building, parking, drainage, emergency diesel generator, lighting and CCTV, permanent access road from Long Lane, earthworks, landscaping and biodiversity enhancement, and fencing and the permanent realignment of Whiston Footpath 10
Recommendation	A. That the Council enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following: £24,954 towards Biodiversity Net Gain Monitoring over a period of 30 years B. Consequently upon the satisfactory signing of such an agreement the Council grants permission for the proposed development subject to the conditions set out in this report.

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



Site Description & Location

The application site consists of an area of land located off Long Lane, Whiston, Rotherham, set within a predominantly rural environment. The land is currently undeveloped and comprises open fields with grassland coverage, interspersed with areas of existing vegetation. Site levels vary gently across the parcel, reflecting the natural topography of the surrounding landscape, and there are no permanent buildings currently present on the site.

The wider context comprises a blend of agricultural land and established strategic infrastructure, notably including the M1 motorway, which runs in close proximity to the site and forms a prominent feature within the local landscape. The area also contains significant utility infrastructure, including the existing Brinsworth Substation, reinforcing the functional and operational character of the locality. Despite this, the surrounding land remains largely open and rural in appearance, with limited sporadic development.

Long Lane forms the principal local access route adjacent to the site, connecting into the wider road network, while a public right of way crosses the area, contributing to recreational use of the landscape. A Scheduled Ancient Monument is located nearby, representing an important heritage asset within the site's setting.

Background

RB1990/1779 - Outline for erection. of a centre for industrial/employment regeneration – WITHDRAWN

Adjacent application under consideration:

RB2025/1420 - Outline planning application for the construction of up to 170 dwellings with associated landscaping, open space, drainage infrastructure and associated works (all matters reserved except access from Long Lane)

EIA Screening Opinion

The proposed development falls within the description contained at Paragraph 3(a) "Industrial installations for the production of electricity, steam and hot water" 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 area of the development exceeds 0.5 hectares (when the blue edged plan is considered as well as the red edge plan). 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.

The development has been assessed against the following three factors:

- Major developments of more than a local importance;
- Development in particularly environmentally sensitive or vulnerable locations;
- Developments with unusually complex and potentially hazardous environmental effects.

The proposal is not considered to have more than a local importance due to the type and scale of the development proposed. The capacity of the facility is to serve the local area only and no additional off site works are required within or outside the borough to accommodate the development.

The site does not lie within an environmentally sensitive location as defined in the Regulations such as a SSSI, a National Park, the Broads, an Area of Outstanding Natural Beauty, a World Heritage Site or Scheduled Ancient Monument. As such it is considered that the proposal would not have a significant ecological impact within the locality.

The development would not have unusually complex and potentially hazardous environmental effects as the proposed battery technology is well established and mitigation measures are in place/can be conditioned to prevent/manage a fire, as well as any flood water pollution issues. The matters are not of more than local impact.

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

Proposal

The proposal relates to the development of a new 400kV Gas Insulated Switchgear (GIS) substation on land off Long Lane, Whiston. The development would establish a new strategic electricity infrastructure facility intended to support the operation and resilience of the wider transmission network. Part of the substation would be contained primarily within a purpose-designed building, allowing the majority of operational equipment to be enclosed and reducing the overall spatial footprint when compared to more conventional outdoor substations.

In addition to the main building, the proposals include associated electrical equipment, gantries and ancillary infrastructure required for the safe and effective operation of the facility. Internal access roads and parking areas would be provided within the site to accommodate operational and maintenance activities, alongside drainage infrastructure, lighting, CCTV and perimeter fencing. Earthworks would be undertaken as necessary to create appropriate development platforms and manage site levels, with all works contained within the defined site boundary.

Access to the site would be taken from Long Lane via a new permanent access arrangement. The proposals also include landscaping and biodiversity enhancement works designed to integrate the development into its surroundings and provide ecological improvements over time. Where necessary, changes to existing public rights of way would be implemented, including the permanent realignment of Whiston Footpath 10, to ensure continued public access while maintaining the safety and functionality of the operational site.

Cut & Fill Operations

The proposed development includes significant earthworks to create a suitable level platform for the new 400kV Gas Insulated Switchgear (GIS) substation and associated infrastructure. Cut and fill operations will be undertaken across the site, with material excavated from higher areas (cut) being reused where possible to raise lower ground levels (fill). These works will facilitate the construction of the GIS building, electrical equipment compounds, internal access roads, drainage infrastructure and the permanent access road from Long Lane, while ensuring appropriate site gradients and ground stability.

The earthworks strategy is also expected to support the wider landscaping and biodiversity enhancement proposals included within the development. Reused fill material may be incorporated into engineered landforms, screening bunds and landscaped areas to help integrate the substation into the surrounding landscape and assist with surface water management. The cut and fill approach aims to balance material movements across the site where practicable, reducing the need for imported or exported material and minimising construction-related impact.

Applicant's Green belt Assessment

The Scheme is located within the Green Belt but is assessed as being on grey belt land, which does not significantly contribute to the primary Green Belt purposes outlined in the NPPF. The assessment under Paragraph 155 of the NPPF demonstrates that the Scheme does not represent inappropriate development in the Green Belt and it is not necessary to give any weight to any harm to the Green Belt including to its openness. It is also not necessary to demonstrate very special circumstances for development of the Site.

In the event that this primary case is not accepted the benefits of the Scheme in any event constitute “very special circumstances”, which justify development in the Green Belt.

Noise Impact Assessment

The National Grid Electricity Transmission Environmental Engineering Team have undertaken a noise impact assessment for operational noise to accompany a full planning application for the Scheme of the new Long Lane 400kV Substation, approximately 1 km northeast of the M1 Junction 33. The

main noise sources of the Scheme are two SGTs, one Shunt Reactor, and power quality filter equipment indicatively consisting of a Static Compensator. Additional substation elements, such as circuit breakers, disconnectors or switches have been scoped out of this assessment.

An unattended noise survey was undertaken at one location considered representative of the most exposed receptors between 20th June 2025 to 28th June 2025.

A 3D noise model, without acoustic mitigation, was created to predict noise levels from the operation of the Scheme to Receptors. The assessment is considered in general accordance with BS 4142, to evaluate the potential impacts.

Without mitigation, negligible impacts are predicted for all Receptors, as all rating levels are below the representative background level. It is therefore recommended that enclosures are not required.

Given the context in which the negative rating level over background sound level calculated from the BS 4142 assessment at all Receptors is predicted, it is considered that an adverse impact from the site is not likely for any of the identified Receptors.

Flood Risk Assessment

Hydraulic modelling undertaken in support of this flood risk assessment has established that due to the elevated position of the Proposed Development relative to the floodplain it is not at risk from fluvial or surface water flooding for all events up to and including the 0.1% AEP plus climate change.

Hydraulic modelling also demonstrates that the Proposed Development does not encroach into the Canklow Washlands or the 0.1% AEP flood extent, consequently compensatory storage for encroachment into a flood storage area does not need to be provided.

Earthworks in the south of the Site, to form the elevated platform on which the Proposed Development will be located, do encroach into an overland flow route for water draining from a small catchment to the south of the M1. However hydraulic modelling demonstrates that flood water displaced by these earthworks does not result in increased flood depths or extents off-site for all events up to and including the 0.1% AEP plus climate change and hence there is a low risk of the Proposed Development exacerbating fluvial flood risk to third parties.

To mitigate the impact of the increase in impermeable area on surface water flood sources, the Proposed Development surface water drainage strategy (SWDS) demonstrates how sufficient attenuation storage can be provided within the development to limit discharge rates to greenfield runoff rates. Inclusion of these proposed discharges within the hydraulic model demonstrates negligible impacts on flood depths in the immediate vicinity of

the discharge point with no consequences off-site. With the inclusion of the SWDS there is a low risk of the Proposed Development exacerbating surface water flood risk to third parties.

The presence of existing flood risk on Long Lane does present a risk of the Proposed Development being cutoff during fluvial and/or surface water flood events. However, the substation will be unmanned, with visits to site only required for routine maintenance, inspection and any necessary repair works. These works can be planned / deferred to avoid dispatching staff to site during times of flood. Welfare facilities will be available on site should staff need to wait until egress from the site is safe.

Agricultural Land Classification Report

The majority of land across the surveyed area, as shown in Appendix B of this ALC Report, is non-BMV land (Grades 3b and Grade 4), which accounts for 94% of the area surveyed (16.4 ha). Grade 3b land is moderate quality agricultural land and Grade 4 land is poor quality agricultural land.

Grade 2 BMV land (very good quality agricultural land), accounts for 1.0 ha (6%). 6.1.3

The whole Site was predominantly limited by soil droughtiness.

It is recommended a detailed Soil Management Plan (SMP) is prepared postplanning consent and implemented during construction and operation to protect agricultural land quality and soil resources, ensuring that good practice measures are implemented for soil stripping, stockpiling and reinstatement. An Outline SMP (OSMP) (see Appendix T of the Long Lane New 400 kV Substation Environmental Appraisal Report) has been prepared and submitted alongside this report.

Cultural Heritage Desk-Based Assessment

This DBA has identified and assessed the significance of known heritage assets present within the Site and 1km study area. There are no designated heritage assets located within the Site.

The baseline established that human activity has occurred within the vicinity of the Site from the Prehistoric period onwards, with a focus on settlement and farming at Canklow Hill in the Iron-Age to Romano-British periods, and at Whiston from the Medieval period. The Site's historical land use and character was agricultural and still is today. This report anticipates that there would be no significant impacts (either physically or through changes to setting) to known designated and non-designated heritage assets, from the Scheme. No visible archaeological features have been identified within the Site. However, based on the findings of this DBA, there is potential, albeit low, for Prehistoric flint finds as well as buried Iron Age, RomanoBritish and Medieval features or deposits within the Site.

Based on the findings of this DBA and following advice from the archaeological advisor for Rotherham Metropolitan Borough Council (South Yorkshire Archaeology Service), it is recommended that further investigation in the form of a geophysical survey is undertaken initially, potentially with evaluation trenching to follow, dependent on the results, to establish the presence and significance of any undiscovered archaeological remains. This would enable a more conclusive understanding of the impact of the Scheme on the archaeological resource. A written scheme of archaeological investigation/evaluation should be agreed with the South Yorkshire Archaeology Service prior to the commencement of groundworks.

Following the submission of the application a geophysical survey of the Site was undertaken and the finding shared with South Yorkshire Archaeology Service.

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 Green Belt purposes in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):

CS4 - Green Belt.
CS20 'Biodiversity & Geodiversity'
CS21 'Landscape'
CS22 'Greenspace'
CS25 'Dealing with Flood Risk'
CS27 'Community Health and Safety'
CS28 'Sustainable Design'
CS30 'Low Carbon and Renewable Energy Generation'

Sites and Policies Document:

SP2 – Development in the Green Belt
SP16 'Land Identified for Industrial and Business Uses'
SP32 'Green Infrastructure and Landscape'
SP33 - Conserving & enhancing the natural environment
SP38 'Protecting Green Space'
SP33 'Conserving and Enhancing the Natural Environment'
SP47 'Understanding and Managing Flood Risk and Drainage'
SP52 'Pollution Control'
SP54 'Contaminated and Unstable Land'
SP55 'Design Principles'
SP56 'Car Parking Layout'
SP 69 - Utilities Infrastructure

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 revised 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.

Rotherham Adopted Supplementary Planning Documents:

- Air Quality and Emissions
- 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. 345 letters of objection have been received. One letter of support has been received.

A petition against the proposal has been received, signed by 61 people

The objections include letters from Thurgroft Parish Council, Treeton Parish Council, Aston Parish Council, Uley Parish Council, Conisborough parish Council, Whiston Parish Council and Killamarsh Parish Council

The objections submitted relate to the following:

1. Green Belt Concerns

- The site is designated Green Belt.
- Many objectors reject the applicant's use of the term "grey belt".
- Commenters argue that the development would cause permanent loss of open countryside and damage the rural character of the area.
- Many state that "very special circumstances" have not been demonstrated.

2. Flood Risk

- Long Lane is frequently described as an area already affected by surface water flooding.
- Concerns that the development will increase runoff and worsen flooding.
- Doubts are raised about the effectiveness of the proposed drainage measures.

3. Traffic and Highway Safety

- Significant concern about construction traffic, including HGVs and abnormal loads.
- Long Lane is regarded as unsuitable for heavy traffic.
- Concerns about congestion on local roads, the M1, M18 and nearby junctions.
- Safety concerns for pedestrians, horse riders and other road users.

4. Environmental and Ecological Impact

- Repeated criticism that a full Environmental Impact Assessment (EIA) has not been carried out.
- Concerns regarding impacts on wildlife, habitats and biodiversity.
- Objections mention harm to birds, bats, badgers and other protected species.

5. Relationship to Whitestone Solar Farm

- A large number of comments state that the substation is enabling infrastructure for the proposed Whitestone Solar Farm.
- Many say the applications should be considered together rather than separately.
- Concerns about cumulative impacts with the solar farm, housing developments and other energy infrastructure.

6. Public Rights of Way

- Concerns about the diversion and long-term closure of Whiston Footpath 10.

- Many objectors believe insufficient information has been provided regarding alternative routes and safety.

7. Visual Impact and Community Amenity

- Concerns about visual intrusion, industrialisation of countryside, noise and lighting.
- Loss of views, green space and separation between settlements are frequently cited

The letter in support states that:

- This proposal is helping to protect the environment by making our energy supply network connect to much needed clean green energy by helping reduce the reliance on gas.
- The Brinsworth B substation appears to be closely linked to the proposals for Whitestone Solar Farm, which I am sure and large numbers of residents across Rotherham and Rother Valley (and even as far as Doncaster).

Consultations

RMBC – Transportation Infrastructure Service: No objections subject to conditions, following the receipt of amended plans

RMBC – Environmental Health: No objections subject to relevant conditions, agrees with the findings of the submitted noise assessment.

RMBC - Trees & Woodlands: No objections subject to conditions

Landscape Consultant on Behalf of RMBC: After review of the LVA with the applicants Landscape Architect, the changes made by the applicant are sufficient enough to approve the LVA with respect to the proposals.

RMBC - Public Rights of Way Officer: No objections subject to appropriate diversion taking place.

RMBC – Land Contamination: No objection subject to standard land contamination conditions

Canal & River Trust: No Comments

South Yorkshire Archaeology Service: No objection following additional survey subject to relevant conditions

RMBC Ecology: No Objections subject to conditions, following additional bird surveys have taken place

Yorkshire Water: No objections subject to condition

Environment Agency: No objection subject to informative

South Yorkshire Police Architectural Liaison Officer: Recommends informative

Sheffield Area Geology Trust: No objections

South Yorkshire Mayoral Combined Authority: No comment received

Active Travel England: No objection subject to standing advice

South Yorkshire Digital Infrastructure Team: No objections

Ministry of Defence: No objections

Commercial Decarbonisation Officer: From both a climate change and energy decarbonisation perspective, this project is a high-impact enabler of net zero, delivering critical infrastructure for renewable integration and system resilience. Its design choices (GIS, SF₆-free, biodiversity net gain) reflect best practice in sustainable engineering. The planning balance strongly favours approval, provided mitigation measures are rigorously implemented.

Trans Pennine Trail: No objections

South Yorkshire Fire Safety: No objections subject to informative letter to be sent with any decision, relating to access, water supply and sprinklers.

Appraisal

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

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

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

The main considerations in the determination of the application are:

- Principle of Development
- Visual amenity of the landscape
- Loss of Agricultural Land
- Ecology
- Biodiversity Net Gain

- Tree Issues
- Drainage
- Archaeology and setting of Ancient Monument & Listed Buildings
- The impact on local amenity from noise and disturbance
- Design considerations
- Highway matters
- Land Contamination
- Public Rights of Way
- Other Issues

Principle of Development

Grey Belt

In respect of whether the site constitutes 'grey belt' land the NPPF states: "For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development."

Firstly, the site is not considered to be previously developed land, as defined in the NPPF, but is 'any other land'. In respect of the 'purposes' of the Green Belt, (a), (b), or (d) in paragraph 143, these are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- d) to preserve the setting and special character of historic towns; and

To constitute 'grey belt' the development must not conflict with any of these purposes.

Purpose (a) – Sprawl:

The Framework does not contain a definition of what might constitute 'sprawl'. Concluding on whether the development would conflict with Purpose (a) depends on the relationship of the site with the large built-up area. In this instance the site does not lie adjacent to a large built-up area, nor does it form part of an existing settlement edge. Instead, it is located within open countryside and visually associated with existing infrastructure, including the nearby Brinsworth Substation and the M1 corridor. Development of a substation on this land would be physically and visually discrete from nearby settlements and would not represent an outward extension of any large built-up area.

Accordingly, the site makes only a limited contribution to Purpose (a). Development here would not amount to sprawl.

Purpose (b) – Merging of towns:

In this instance, there would be a loss of Green Belt land between Whiston (Part of Rotherham conurbation) and the Village of Treeton. This would result in a substantial reduction in the gap between these settlements, though significant open land would remain between the sites. However, Treeton falls within the definition of a village and can not be considered a town, as such the merging of towns can not occur.

It is noted that further to the South of Treeton lies the more substantial settlement of Aston cum Aughton, which could be considered fall within the definition of a Town. A separation distance of over 2km would still exist between the application site and Aston cum Aughton as such it could not be considered the proposed development would result strongly in the merging of two towns.

Purpose (d) – Setting of historic towns:

There are no historic towns in the vicinity of the appeal sites, and as such Purpose 'd' is not compromised.

In terms of Footnote 7, this states: "The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change."

Although the applicant has asserted that there are no strong reasons for refusal under Footnote 7 and that the land should therefore be regarded as Grey Belt, the definition of Grey Belt also requires consideration of whether the application of Footnote 7 policies would provide a strong reason for refusing or restricting the specific development proposed. In this case, parts of the site are affected by flood risk and the associated policies within the NPPF are therefore engaged. However, the submitted Flood Risk Assessment demonstrates that the development has been designed to respond to those constraints through the siting of infrastructure, surface water management measures and other mitigation. Subject to the recommended planning conditions securing those measures, the development would be safe for its lifetime and would not increase flood risk elsewhere. Furthermore, whilst the site is close to an Ancient Monument and a number of Listed Building within Whiston, the proposal does not harm their settings.

Accordingly, whilst the setting of Heritage Assets and flood risk considerations have influenced the design of the proposal and require mitigation and planning controls, they do not provide a strong reason for refusing the development. Nor do they amount to a strong policy restriction such that the Footnote 7 exclusion within the Grey Belt definition is engaged. The flood risk

policies can therefore be satisfied in this case and do not prevent the site from being considered Grey Belt land for the purposes of the NPPF.

Paragraph 155 states: “The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”

Paragraph 155(a) - The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan

In this case, following the assessment above, the site is considered to constitute Grey Belt Land and given its scale, location and the extent and position with the Borough, the proposed development would not fundamentally undermine the remaining Green Belt.

Paragraph 155(b) Whether there is a demonstrable unmet need for the type of development proposed

Paragraph 155b requires there to be a demonstrable unmet need for the type of development proposed. This is taken to be an unmet need across the Borough of the development proposed (for example, does the Council have sufficient land for housing in the Borough), and not a question of whether there is a need for this specific development at this location.

Paragraph 168 of the amended NPPF goes on to state that:

“When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future;
- b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions; ...”

This situation is also recognised at a local level by Rotherham Borough Council. In 2019, the local authority declared a climate emergency and is now fully committed to supporting measures to work with partners to reduce carbon emissions. These measures arguably include considering proposals for new infrastructure associated with renewable energy installations such as that proposed for within this current application.

Demand for electricity is expected to increase significantly as homes, businesses and transport systems transition away from fossil fuels and towards low-carbon energy sources. This supports the UK Government's commitment to achieve net zero emissions by 2050, which requires the decarbonisation of the energy system and greater reliance on renewable electricity generation.

Growth in offshore wind generation in Scotland and the North East of England, together with increasing power transfers between the UK and European energy networks, is placing additional pressure on the existing transmission system. To maintain a secure, reliable and efficient electricity supply, National Grid has identified the need for significant network reinforcement through its Great Grid Upgrade programme, a major investment initiative designed to connect and transport increasing volumes of clean energy across the country.

As part of the Great Grid Upgrade, National Grid is proposing a new 400kV substation at Long Lane, Brinsworth, and the uprating of existing transmission lines between Brinsworth, Chesterfield and High Marnham from 275kV to 400kV. Operating at the higher voltage will increase the network's capacity to transfer electricity from the north of England to the Midlands, supporting the distribution of offshore wind generation and contributing to the UK's net zero ambitions.

The NPPF clearly identifies in its latest version that Local Planning Authorities should not require applicants to demonstrate the need for renewable and low carbon energy and significant weight should be given to the benefits and its contribution to net zero.

Moreover, by their nature Substations need to be positioned to fit in with existing electricity infrastructure, limiting their potential locations. In this case it also excludes any potential sites outside of the Green Belt as none are available close to the existing substation to accommodate the size of infrastructure required.

With the above circumstances in mind the Council considers that this substation to support the move to renewable forms of Energy within Rotherham would therefore meet an unmet need.

Paragraph 155(c) - Whether the developments proposed would be in a sustainable location.

This cross references paragraphs 110 and 115 of the NPPF. Those 2 paragraphs are concerned principally with patterns of growth, choice of transport modes, safe access and impacts on the transport network. The thrust of the advice relates to reducing the need to travel, especially by private car.

In this instance the substation is designed to be unmanned with engineers visiting occasionally to ensure the plants are safe and working efficiently.

As such there is no conflict with 155(c).

Paragraph 155(d) - Whether the 'Golden Rules' apply

The 'Golden Rules' do not apply in this case since they address major housing developments (developments of 10 or more dwellings).

Green Belt Conclusion

The assessment above concludes that the developments is on Grey Belt land and represents not inappropriate development within the Green Belt and is therefore acceptable in principle.

Furthermore, even if it were to be concluded that the proposal did not represent an appropriate type of Grey Belt development, very special circumstances are considered to exist by virtue of the need for important National Grid infrastructure to justify the development within the Green Belt as per paragraph 153 of the NPPF.

Visual amenity of the landscape

The proposal would introduce a new substation complex within an area that already contains existing electricity transmission infrastructure and is influenced by the presence of the M1 corridor, the urban edge of Rotherham and Whiston, and associated utility infrastructure. The site lies within the Coalfield Tributary Valleys – Canklow (LCA 5C) and Rother Valley Floor (LCA 6) Landscape Character Areas, where the existing landscape is characterised by a mixture of agricultural land, transport infrastructure, woodland blocks and utility installations. In this context, whilst the proposal would result in the permanent loss of a section of agricultural farmland and hedgerow, together with the introduction of engineered landforms associated with the proposed cut and fill operations, the development would be viewed alongside existing pylons and transmission infrastructure and would not fundamentally or harmfully alter the wider landscape character of the area.

At a local level, the development would inevitably introduce built infrastructure and associated earthworks into an agricultural field parcel, resulting in a degree of change to the immediate landscape character. The cut and fill operations are required to establish a suitable development platform for the substation and associated infrastructure and would alter existing ground levels within parts of the site. However, these earthworks would be contained

within the application boundary and would form part of a comprehensive landscape strategy incorporating new planting and landform integration. Furthermore, the site's relationship with existing transmission infrastructure, together with the adjacent M1 motorway and urban influences to the north and west, reduces the sensitivity of the receiving landscape to this type of development. The wider landscape framework, including established woodland to the north, roadside vegetation along Long Lane, and the wooded motorway embankment to the south, would remain largely intact and continue to provide containment to the development.

The submitted landscape strategy incorporates a range of mitigation measures designed to soften the appearance of both the substation infrastructure and the associated engineered landforms created through the cut and fill process. These measures include the retention of existing vegetation where possible, reinstatement of disturbed boundary features, new species-rich hedgerow planting, woodland planting along the southern boundary, and areas of species-rich grassland. The proposed earthworks also provide opportunities for landform modelling that will assist in integrating the development into the surrounding landscape. Over time, these landscape enhancements would strengthen the site's vegetated framework and assist in filtering views of the development from surrounding receptors, particularly from nearby public rights of way and residential properties.

In visual terms, the most notable effects would be experienced by users of the adjacent public rights of way, particularly Whiston Footpaths 10 and 12, where the proximity of the development would result in direct views of the substation infrastructure and associated regraded landform. Whilst these views would represent a noticeable change to the visual experience, they would be experienced within a landscape that already contains prominent pylons, transmission infrastructure and other utility features. As mitigation planting establishes and matures, the visual influence of both the development and the associated earthworks would progressively reduce, with hedgerow and woodland planting providing increased filtering and screening of the operational substation.

Residential receptors are generally well screened by existing topography, woodland and hedgerow vegetation. Views from properties to the south, including those around Guilthwaite, are substantially limited by the M1 embankment and associated vegetation, whilst views from Whiston are restricted by intervening woodland and the site's landform. Consequently, the development would have a limited influence on the visual amenity of the majority of nearby residents, and where views are available they would be experienced as part of an established infrastructure corridor rather than as an isolated feature within an undeveloped countryside setting.

Overall, having regard to the site's baseline context, the existing presence of electricity transmission infrastructure, the proposed cut and fill operations, the landscape mitigation measures and the contained nature of available views, the proposal is considered to give rise to localised adverse landscape and visual effects but would not result in significant harm to the wider landscape

character of the area. The engineered landforms associated with the earthworks would be integrated into the site's landscape strategy and, with the implementation of the proposed planting scheme, landscape and visual effects would reduce over time as mitigation planting matures and the development becomes more assimilated within the surrounding landscape framework.

Loss of Agricultural Land

Policy CS23 'Valuing the Historic Environment, Natural Assets and Landscapes' of the Rotherham Local Plan requires the protection and management of natural assets, including soil resources. This aligns with Paragraph 187 of the NPPF (December 2024), which seeks to safeguard the long-term potential of best and most versatile agricultural land.

The application site extends to approximately 18ha and is currently in agricultural use. Agricultural Land Classification (ALC) evidence indicates that the majority of the site (approximately 94%) comprises lower quality agricultural land (Grades 3b and 4), with only a small proportion (around 6%, approximately 1ha) identified as Best and Most Versatile (BMV) land (Grade 2).

The proposal would result in the permanent loss of agricultural land. However, the loss would predominantly affect land of lower agricultural quality, with only a limited extent of BMV land impacted.

Paragraph 187 of the National Planning Policy Framework (NPPF) (December 2024) seeks to protect and enhance soils and advises that significant development of BMV agricultural land should be avoided where possible. In this case, the extent of BMV land affected is limited and is not considered to represent a significant loss in the context of the overall site area.

Accordingly, whilst some loss of agricultural land is acknowledged, the proposal is considered to accord with the aims of the NPPF, and the impacts are acceptable in principle, subject to the overall planning balance.

Ecology

Paragraph 170 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.

- a. Protected species;
- b. Species of principal importance for the conservation of biodiversity;
- c. Species prioritised for action within the Rotherham Biodiversity Action Plan;
- d. Populations of species associated with statutorily protected sites.

Measures to mitigate and, or compensate for, any impact must be agreed prior to development commencing and should be in place by the time development is brought into use."

The application is supported by a Preliminary Ecological Appraisal and subsequent protected species surveys which establish the baseline ecological conditions of the site and surrounding area. The site comprises predominantly intensively managed arable land with small areas of improved grassland, hedgerows and a dry ditch, and is therefore of generally low intrinsic ecological value. However, the site is located adjacent to Whiston Meadows Local Wildlife Site (LWS) and areas of woodland and hedgerows which qualify as Habitats of Principal Importance, and these features are material considerations in the assessment of the proposals.

The submitted surveys identify potential for protected and notable species including breeding birds, bats, badger, reptiles and amphibians. In particular, the site is assessed as having high suitability for breeding birds and for commuting and foraging bats associated with hedgerows and adjacent woodland features, although no roosting features were identified within the site itself. Targeted surveys have confirmed bat activity to be relatively low and largely associated with linear landscape features, while great crested newt surveys returned negative results and habitat suitability was assessed as poor. Overall, subject to appropriate mitigation, the ecological constraints associated with protected species are considered to be manageable.

The Ecology Report recommends a range of mitigation and precautionary measures including timing restrictions for vegetation clearance to protect nesting birds, ecological supervision where necessary, protection of retained habitats, and the implementation of measures to control invasive non-native species. These measures are capable of being secured through planning conditions, including a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity), which will ensure that impacts during construction are appropriately avoided or minimised.

In addition, the Council's ecologist raises no objection to the proposed development subject to the imposition of conditions securing mitigation,

enhancement measures and biodiversity net gain delivery. Subject to these controls, it is considered that the proposal would comply with relevant local and national policy in respect of conserving and enhancing biodiversity and would not result in an unacceptable impact on designated sites, priority habitats or protected species.

Biodiversity Net Gain

The proposals are supported by a Biodiversity Net Gain (BNG) Assessment undertaken using the statutory biodiversity metric. The baseline site is dominated by low distinctiveness habitats, primarily arable land, with a calculated baseline value of approximately 35.07 habitat units and 9.17 hedgerow units. The development proposals include a comprehensive package of habitat creation and enhancement measures, including species-rich grassland, scrub, woodland planting, ponds and new hedgerows.

The submitted metric demonstrates that the scheme would deliver a substantial net gain in biodiversity, significantly exceeding the statutory minimum requirement of 10% set out in the Environment Act 2021. The assessment identifies an uplift of approximately +158.67% in habitat units and +38.68% in hedgerow units, representing a significant enhancement in ecological value across the site. This level of gain reflects the transition from low value arable land to a more diverse mosaic of habitats, including medium and higher distinctiveness habitats.

The Council's ecologist supports the findings of the BNG assessment and confirms that the proposed habitat creation measures and metric outputs are acceptable, subject to securing delivery and long-term management. In accordance with statutory requirements, a Biodiversity Gain Plan will be required prior to commencement, alongside a Habitat Management and Monitoring Plan (HMMP) to secure the management and monitoring of habitats for a minimum period of 30 years.

As the scheme involves the creation of significant new habitat, that needs to be maintained for a minimum of 30 years, the Council has agreed an appropriate monitoring fee with the applicant of £24,954. This will ensure that appropriate monitoring of the newly created habitat is undertaken and that the cost burden of such extensive monitoring is not unduly placed upon the Council.

Additional biodiversity enhancements are also proposed, including installation of bat and bird boxes, habitat piles and native planting, which will further contribute to biodiversity improvements on site. These measures are consistent with the objectives of the National Planning Policy Framework to secure measurable gains for biodiversity and integrate ecological enhancements into development design.

Tree Issues

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..."

An Arboricultural Impact Assessment (AIA) has been submitted in support of the application, which identifies a total of 12 arboricultural features within and adjacent to the site, comprising individual trees, groups, hedgerows and a woodland. These features are largely of low to moderate quality, with the majority categorised as Category C, alongside a small number of higher value Category A and B features.

The proposed development has been designed to largely avoid direct impacts on higher value trees. No Tree Preservation Orders or ancient woodland are present within the site, and no incursions into Root Protection Areas (RPAs) of retained trees are anticipated.

The primary arboricultural impact relates to the removal of hedgerows to facilitate development, with approximately 481.7 metres of predominantly low-quality Category C hedgerow to be removed. The AIA concludes that this represents a low impact on the overall arboricultural value and visual amenity of the site.

Mitigation is proposed through replacement planting, including new hedgerows and woodland as part of the wider landscape scheme, which would offset losses and contribute to biodiversity enhancement.

The Council's Tree Service has reviewed the submission and raises no objection in principle, subject to conditions securing a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) to ensure retained trees are adequately protected during construction.

Subject to the imposition of these conditions, the proposal is considered to accord with relevant local and national policy in respect of tree protection, landscaping and biodiversity.

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. 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.

A Flood Risk Assessment (FRA) and Surface Water Management Strategy have been submitted in support of the application, assessing all sources of flood risk including fluvial, surface water, groundwater, reservoirs and drainage infrastructure. The site is predominantly located within Flood Zone 1, with only limited areas at greater risk located at the periphery of the site. The proposed development platform itself is located wholly within Flood Zone 1.

The FRA concludes that the proposed development will be at low risk of flooding from all sources. While parts of the wider site are subject to fluvial and surface water flood risk, the infrastructure has been designed on an elevated platform, ensuring it remains unaffected even during extreme flood events, including allowances for climate change

With regard to flood risk elsewhere, detailed hydraulic modelling confirms that the development will not increase flood risk to third parties. Although some displacement of floodwater may occur as a result of site earthworks, this would remain confined within the site and would not result in increased flood levels or extents beyond the site boundary.

In terms of drainage, a sustainable drainage strategy has been proposed in accordance with national guidance and local policy. Surface water runoff will be attenuated on-site and discharged at greenfield rates, ensuring that the development does not increase runoff or exacerbate flood risk. Attenuation measures, including on-site storage and controlled discharge, will accommodate extreme rainfall events with an appropriate allowance for climate change.

Whilst there is potential for access to the site to be affected during extreme flood events, the facility will be unmanned with only occasional maintenance visits. Appropriate operational measures, including a flood preparedness plan, will ensure safe access arrangements can be managed.

Overall, the proposal is considered to appropriately manage flood risk and surface water drainage and would not increase flood risk on or off site. The development is therefore considered acceptable in flood risk terms and accords with the requirements of the NPPF and Local Plan policies relating to flood risk and drainage.

Archaeology and setting of Ancient Monument & Listed Buildings

Local Plan Policy CS23 'Valuing the Historic Environment' states that: "Rotherham's historic environment will be conserved, enhanced and

managed, in accordance with the principles set out below (which includes amongst other things that): d. Proposals will be supported which protect the heritage significance and setting of locally identified heritage assets such as buildings of local architectural or historic interest, locally important archaeological sites and parks and gardens of local interest.”

Policy SP 43 ‘Conserving and Recording the Historic Environment’ states that: “All proposals affecting a heritage asset will require careful assessment as to the impact and appropriateness of development to ensure that the historic, architectural, natural history, or landscape value of the asset and / or its setting are safeguarded and conserved, and any conflict avoided or minimised in accordance with the policies of this Local Plan.”

The Site is located within an area of demonstrated archaeological potential, with evidence of human activity dating from the Prehistoric period through to the Medieval and post-Medieval periods. Desk-based assessment and supporting survey data indicate the presence of potential sub-surface remains, including elements of an Iron Age to Romano-British field system and associated enclosures, alongside dispersed prehistoric flint finds. Whilst no designated heritage assets are located within the Site boundary, a range of designated and non-designated assets are present within the wider study area, contributing to a landscape of long-term agricultural and settlement activity.

In accordance with national policy, the significance of heritage assets derives not only from their physical fabric but also from their setting and the way in which this setting contributes to their understanding and appreciation. The surrounding historic landscape, characterised by agricultural fields, historic routeways, and the settlement of Whiston, forms an important backdrop to nearby heritage assets. This includes Scheduled Monuments such as Blue Man’s Bower and listed buildings within Whiston Conservation Area, whose significance is partly derived from their rural context and historical continuity of land use.

The proposed development has the potential to result in direct impacts on buried archaeological remains through ground disturbance associated with construction activities, including foundations, services, and earthworks. Such impacts may lead to the partial or total loss of archaeological deposits and features, resulting in harm to their evidential and historical value. The archaeological advisor has identified that remains of regional significance may be present within the Site and could experience substantial harm if not appropriately mitigated.

However, in line with the National Planning Policy Framework (NPPF), this harm can be appropriately managed through a programme of archaeological mitigation. This will include a Written Scheme of Investigation (WSI), incorporating staged evaluation, targeted excavation where necessary, and preservation by record. This approach ensures that any loss of archaeological resource is offset by the creation of a comprehensive archive and improved understanding of the Site’s historic environment.

In terms of the impact on the Setting of Designated Heritage Assets. The assessment concludes that the proposed development would not result in substantial harm to the setting of nearby designated heritage assets. Intervisibility between the Site and key assets is limited due to topography, including intervening ridge lines and vegetation, which restrict views from Whiston Conservation Area and associated listed buildings. As such, the Site makes a negligible contribution to the significance of these assets through their setting.

For Scheduled Monuments such as Blue Man's Bower, the Site is not considered to form part of their functional or experiential setting, and therefore long-term impacts on their significance are limited. Nevertheless, temporary construction-related effects, including increased traffic, noise, and activity, may cause short-term changes to the way these assets are experienced. These impacts are reversible and, with appropriate management measures such as traffic routing and construction controls, are unlikely to be significant.

Overall, the proposed development is expected to result in less than substantial harm to the historic environment, primarily through potential impacts on below-ground archaeological remains. The significance of this harm will be reduced through appropriate mitigation secured by planning condition. Effects on the setting of designated heritage assets are limited and largely neutral, with only temporary and minor adverse effects during construction. The scheme is therefore considered to be compliant with relevant heritage policy, subject to the implementation of mitigation measures and further archaeological investigation.

The impact on local amenity from noise and disturbance

Core Strategy Policy CS27 states that: "Development will be supported which protects, promotes or contributes to securing a healthy and safe environment..." Local Plan Policy SP55 Pollution Control indicates that the Council will seek to minimise the adverse effects of nuisance, disturbance and pollution associated with development and transport. Planning permission will not be granted for new development which is likely to give rise unacceptable noise or light pollution.

The location is predominantly surrounded by agricultural fields, with the M1 located approximately 250m to the south. The nearest residential receptors are located on Whiston Vale approximately 200m to the northeast and Garnes a residential property located approximately 250m east of the site. The proposed substation will operate at voltages up to 400kV, with equipment including two Supergrid Transformers (SGTs), a shunt reactor, a power quality filter, circuit breakers, disconnectors, relay room and a Gas Insulated Switchgear (GIS) control building.

The Appendix P Noise Impact Assessment has been carried out using the methodology as contained within BS4142:2014+A1:2019. The assessment includes the main noise sources of the scheme which are the two Supergrid

Transformers (SGTs), a shunt reactor, and power quality equipment. The specific sound level used in this assessment for the SGTs is based on 102.5% voltage and 50% load. Typically, the transformers will operate at a lower voltage and load and, subsequently, with a lower sound power level. However, there is the potential for this load to be exceeded in emergencies/exceptional circumstances.

The Noise Impact Assessment concludes that no additional mitigation measures are necessary as the calculated noise levels from the scheme are considered as having a low impact and therefore acceptable given the distance away from residential receptors. The predicted Noise Rating Levels at the receptor locations range from 12dB to 16dB below background noise levels at nearest noise sensitive receptors. It can therefore be assumed that adverse impact to sensitive receptors is unlikely as a result of the development.

The External Lighting Plan shows the positioning of lighting columns and the maximum illuminance lux levels around the site. When the lux levels are compared to those stated in the Institution of Lighting Professionals Guidance – Reduction of Obtrusive Light Guidance Note 01/21, they appear to comply with this document with regard to Zone E2.

The Outline Construction Environmental Management Plan (OCEMP) provides details of what needs to be considered and included in a detailed Construction Environmental Management Plan (CEMP) that will be developed prior to works commencing. National Grid have stated that as a minimum, the Main Works Contractor(s) will be required to comply with applicable environmental legislation at the time of construction of the Scheme, together with any additional environmental controls imposed by the planning approval. Therefore, a further CEMP based on the OCEMP which includes full details of all mitigation measures to be taken will need to be submitted at a later stage.

There is the potential for noise disturbance from the development to nearby sensitive receptors should plant, machinery and equipment on site operate at a higher load than accounted for in the noise impact assessment. It would therefore be recommended that conditions be imposed to ensure noise emissions from site do not adversely impact nearby sensitive receptors.

There is also the potential for light nuisance should lighting not be installed in accordance with the submitted plans.

Whilst the majority of the content of the Outline CEMP is acceptable it is noted that the development is close to residential dwellings. Therefore, the construction times will need to be amended to the following hours in order to protect these receptors from adverse impact/disturbance when the final CEMP is submitted: 08:00-18:00 Mondays to Fridays and 09:00-13:00 Saturdays with no working on Sundays or Bank Holidays.

It is therefore concluded that subject to conditions, the proposed development would not give rise to any amenity issues and would therefore comply with policy SP52 and SP55 on Pollution Control matters.

Design considerations

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 131 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.”

The proposed substation is a standard utilitarian design which reflects the proposed use. The Gas-Insulated design has helped to reduce the scale of the development and is visually similar to an industrial building with an overall height of 14.23m. The proposal also includes a comprehensive landscaping scheme to mitigate the visual impact of the development. Overall, whilst the substation will be visible and will change the character of the area, it will be seen against the backdrop of other electrical infrastructure within the local area and in the context of the M1 motorway. On the basis of the above assessment and identified need, it is not considered that the proposal would be significantly or materially harmful to the visual amenity of the locality.

Highways

Paragraph 116 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, following mitigation, would be severe, taking into account all reasonable future scenarios.”

SP56 'Car Parking Layout' states that layouts should be designed to: "discourage the obstruction of footways by kerb parking, and parking that compromises the operation of the highway"

During the application process the applicant has submitted revised drawings indicating the proposed location of the vehicle access to the site with supporting documentation / drawings in support of the application. The applicant has now demonstrated that visibility at the proposed access is in accordance with industry standards, using recorded vehicle speeds to calculate the distances required.

A stage 1 road audit has been undertaken on the proposed access and forward visibility has also been demonstrated to be satisfactory, as shown on the amended plan, in conjunction with the swept path of vehicles entering and exiting the site.

It is noted that the scheme when completed does not represent a significant intensification of the existing access, with only minimal maintenance visits required periodically, which will be undertaken in small van type vehicle.

The applicant has also provided a Construction Management Plan (CMP) in support of the application, which sets out amongst other things how the applicant will mitigate

the increase in vehicle numbers during the construction period and includes construction traffic routeing to the site. This CMP is a live document which requires updating as the project progresses. The CMP shows that it is anticipated that there will be a maximum total of 210 (105 in and 105 out) movements per day. This equates to 130 HGVs (two-way movements) and 80 cars/LGVs (two-way movements). Therefore, there will be approximately 10–11 HGV two-way movements, and six to seven Car/LGV two-way movements an hour along the construction route. This number of vehicles can be accommodated on the existing highway network.

The proposed access as shown in draft form on will require the applicant to enter into a s278 legal agreement with RMBC. The works required include the formation of a vehicle access to the site, including new kerbing works. A reduction in the height of the existing hedge opposite the site entrance to facilitate forward visibility requirements as shown on the approved plans.

Land Contamination

NPPF Paragraph 196 states that: "Planning policies and decisions should ensure that:

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”

NPPF Paragraph 197 States: “Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.”

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 water course 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.”

The site has historically been in predominantly agricultural use, with limited disturbance from former opencast coal workings. Site investigations (including trial pits, boreholes, and chemical testing of soil, groundwater and surface water) confirm that soils are generally uncontaminated and suitable for an industrial end use, with no asbestos or hazardous materials identified.

While some groundwater exceedances (including sulphate and phenol) were recorded, these are considered to be naturally occurring and do not pose a significant risk to the proposed development. Ground gas monitoring has not identified a requirement for gas protection measures.

Geotechnical risks associated with former mining activity and opencast backfill have been identified, and further site-specific investigation is recommended to inform foundation design. Earthworks, including substantial cut and fill, will require appropriate management through a Materials Management Plan.

Overall, subject to further investigation and appropriate mitigation and verification, the site is considered capable of being made suitable for its proposed use, in accordance with relevant national and local planning policies.

Other Issues

A significant number of objectors have raised links between this application and the proposed Whitestone Solar Farm project within the borough, which has recently been accepted as a DCO. The proposed substation is required irrespective of the Whitestone Solar Farm and as such is not a material consideration in any decision. Furthermore, as the Whitestone Solar Farm is not determined, the cumulative impact of Whitestone Solar Farm cannot be considered in determining this application.

Where planning consent is granted, National Grid will establish a dedicated Community Fund for the project. For Brinsworth to Chesterfield, a Local Fund will focus on communities closest to the new infrastructure. Community Funds

form part of National Grid's regulated project costs, which are reviewed and approved by Ofgem to ensure they are appropriate and represent value for money. Where approved, the funding is delivered through our regulatory allowances and ultimately funded in the same way as other essential electricity transmission infrastructure. This funding is separate to Planning and will not form part of any legal agreement should the application be approved, it is also not a material consideration as to whether the application should be approved or not.

South Yorkshire Fire and Rescue Service have been consulted in relation to the safety and potential emergency response to an incident at the site. There have been no objections raised by the Authority. The South Yorkshire Fire & Rescue notes that fire service access arrangements and water supplies will be designed in accordance with Approved Document B, Sections 13 and 14. The development will accommodate the loading and turning requirements of fire appliances, and consideration will be given to the provision of sprinkler protection as part of the detailed design process.

Finally, the proposal involves the diversion of a public right of way in order to accommodate the new platform for the substation. The Council Public Rights of Way Officer and the Trans Pennine Trail have no objections to the re-routing and the applicant has commenced the Public Path Diversion Order under Section 119 of the Highways Act 1980. This process is separate to Planning is open to its own public consultation and can still be refused irrespective of Planning Permission being granted.

Conclusion

The proposed development represents a significant investment in strategic electricity transmission infrastructure that will support the resilience and future capacity of the national electricity network, contributing towards the transition to a low-carbon energy system and the delivery of net zero objectives. Having regard to the provisions of the Development Plan and all other material considerations, the principle of development is considered acceptable. The site is assessed as Grey Belt land for the purposes of the National Planning Policy Framework and the proposal is not considered to constitute inappropriate development within the Green Belt. Furthermore, even if the proposal were to be considered inappropriate development, the substantial public benefits associated with the provision of critical National Grid infrastructure are considered to amount to very special circumstances sufficient to outweigh any Green Belt harm. The proposal has also been carefully assessed in relation to landscape impact, ecology, biodiversity net gain, flood risk, archaeology, highway safety, residential amenity and other environmental considerations, and no overriding technical objections have been identified by statutory consultees.

Whilst it is acknowledged that the development will result in the loss of some agricultural land and will introduce a new built form within a predominantly rural landscape, these impacts are considered to be localised and capable of being appropriately mitigated through the proposed landscaping, biodiversity

enhancements and planning conditions. The development will deliver significant biodiversity net gain, secure long-term habitat improvements and provide infrastructure of regional and national importance. Subject to the completion of the Section 106 Agreement to secure biodiversity net gain monitoring contributions and the imposition of the recommended planning conditions, the proposal is considered to accord with the relevant policies of the Rotherham Local Plan and the National Planning Policy Framework. Accordingly, planning permission is recommended for approval.

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 **05,07,10,15,17, 18 19, 20 & 21** of this permission require matters to be approved before development works begin; however, in this instance the conditions are justified because:

- i. In the interests of the expedient determination of the application it was considered to be appropriate to reserve certain matters of detail for approval by planning condition rather than unnecessarily extending the application determination process to allow these matters of detail to be addressed pre-determination.
- ii. The details required under condition numbers **05,07,10,15,17, 18 19, 20 & 21** are fundamental to the acceptability of the development and the nature of the further information required to satisfy these conditions is such that it would be inappropriate to allow the development to proceed until the necessary approvals have been secured.'

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 location plan and the development shall only take place in accordance with the submitted details and specifications and as shown on the approved plans:

Location Plan - PDD-203717-LAY-401 P01

Existing Site Plan - PDD-203717-LAY-441 P01

Proposed Site Layout (Block Plan) - PDD-203717-LAY-440 P02

Proposed Site Layout - PDD-203717-LAY-442 P02

Overall Elevations Long Lane 400kV Substation Sheet 1 - PDD-203717-ELE-415 P02
Overall Elevations Long Lane 400kV Substation Sheet 2 - PDD-203717-ELE-416 P02
Building Elevations North and South Elevations Long Lane GIS 400kv Substation - PDD-203717-ELE-417 P02
Building Elevations East and West Elevations Long Lane GIS 400kv Substation - PDD-203717-ELE-418 P02
GIS Hall Building Layout - PDD-203717-LAY-443 P01
Block Plan: Substation Works - PDD-203717-LAY-432 P01
Proposed Site Layout Substation Works - PDD-203717-LAY-433 P01
Typical Fencing Details - PDD-203717-LAY-446 P02
Junction Layout & Typical Details - PDD-203717-LAY-447 P02
Access Road Layout & Long Section - PDD-203717-LAY-448 P01
Drainage Layout - PDD-203717-LAY-409 P01
Landscape Mitigation Plan - 30184504-ARC-XX-LAN-DWG-00002 P4
External Lighting Plan - PDD-203717-LAY-431 P01
Cut And Fill General Arrangement and Sections - PDD-203717-LAY-421 P04
Overall Layout - PDD-203717-LAY-408 P01
Access General Arrangement Plan – EDEU-WSP-SS50-XXXXXX-DRW-CE-000004 P01

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 buildings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the buildings.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity

Highways

04

Prior to the first operation of the approved substation, 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

In the interest of sustainable drainage.

05

The development shall not be commenced until details of the proposed alterations in the highway on Long Lane, indicated on plan reference EDEU-WSP-SS50- XXXXXX-DRW-CE-00 Rev P01 (new access), and EDEU-WSP-SS50-XXXXXXDRW-CE-000005 Rev P01 (reduction in the height of the hedgerow opposite the site entrance to 500mm above the adjacent carriageway) 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.

Reason

In the interest of Highway Safety.

06

Before the development is brought into use the sight lines indicated on the Drg EDEU-WSP-SS50-XXXXXX-DRW-CE-000001 Rev P03. shall be rendered effective by removing or reducing the height of anything existing on the land between the sight line and the highway which obstructs visibility at any height greater than 900mm above the level of the nearside channel of the adjacent carriageway and the visibility thus provided shall be maintained.

Reason

In the interest of Highway Safety.

07

Prior to the commencement of works a Construction Method Plan shall be submitted to and approved in writing by the Council and the approved statement shall be adhered to throughout the construction period. The Statement shall provide for; Storage / loading / unloading of materials / plant; and car parking facilities for the construction staff and include reference as to how the development will legally take access from the adjacent highway i.e. s278 or s184 agreement.

Reason

In the interest of Highway Safety.

Landscaping

08

Prior to the development being brought online, a revised landscape scheme for the existing landscape bund shall be submitted for approval by the Local Planning Authority. This shall include:

- 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.
- Written details of the responsibility for maintenance and a schedule of operations, including replacement planting, that will be carried out for a period of 5 years after completion of the planting scheme.

The scheme shall thereafter be implemented in accordance with the approved landscape scheme within a timescale agreed, in writing, by the Local Planning Authority.

Reason

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

09

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. 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

Construction

10

Prior to the commencement of any works on site, a Construction Environmental Management Plan (CEMP) shall be provided to the Local Planning Authority. The plan 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
- Biodiversity:
 - Identification of “biodiversity protection zones”.
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - The location and timing of sensitive works to avoid harm to biodiversity features.
 - The times during construction when specialist ecologists need to be present on site to oversee works.
 - Responsible persons and lines of communication.
 - The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason

To safeguard the amenities of the occupiers of nearby properties, and promote sustainable development, conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Part 15 of the NPPF and RMBC Policy SP52.

11

The combined noise from all fixed plant, machinery and equipment located on site shall be effectively controlled so that the combined Noise Rating Level of noise from all such plant, machinery and equipment does not exceed the representative background noise level as assessed in accordance with the methodology and principles set out in BS 4142:2014+A1:2019 Methods for Rating and Assessing Industrial and Commercial Sound at nearby dwellings as detailed in Table 4.7 of the Appendix P Noise Impact Assessment undertaken by National Grid dated 7th November 2025. All fixed plant, machinery and equipment located on site shall be maintained following installation and throughout the lifetime of the consent.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and parts 12 & 15 of the NPPF.

12

Where a verified complaint is received by Rotherham Metropolitan Borough Council that suggests that the Noise Rating Level from all fixed plant, machinery and equipment located on site exceeds the background sound level at receptor locations as detailed in Table 4.7 of the Appendix P Noise Impact Assessment undertaken by National Grid dated 7th November 2025, the operator of the site shall complete an assessment in accordance with the methodology and principles set out in BS 4142:2014+A1:2019, to demonstrate that the Noise Rating Level does not exceed the background sound level. The combined Noise Rating Level of all fixed plant, machinery and equipment located on site should account for any reasonable character corrections, i.e., tonality, intermittency, impulsivity, and other sound characteristics. The assessment shall be completed by a competent person (see footnote) agreed in writing with the Local Planning Authority in advance of the assessment. If the Noise Rating Level exceeds the background sound level a further scheme incorporating further measures to achieve a Noise Rating Level of no more than 0dB above background sound level at receptor locations as detailed in Table 4.7 of the Appendix P Noise Impact Assessment undertaken by National Grid dated 7th November 2025, shall be submitted to the Local Planning Authority for approval. All works comprised within those further approved measures shall be completed.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and parts 12 & 15 of the NPPF

Land Stability/Contamination

13

No development works involving cut and fill operations, excavation, regrading or the

importation/exportation or reuse of materials within the area shown outlined in red on the approved location plan shall commence until a detailed Earthworks and Materials Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The Earthworks and Materials Management Plan shall include details but not be limited to, details on the proposed earthworks and phasing, the excavation/handling/testing/storage/reuse and disposal of materials, measures to control dust /instability/impacts to the environment and verification testing and validation procedures. The approved works shall be carried out in accordance with the approved Earthworks and Materials Management Plan. Following completion of the approved earthworks, a Verification Report demonstrating compliance with the approved plan, shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework, December 2024.

14

In the event that contamination is found at any stage when carrying out the development that was not previously identified, it must be reported in writing within one working day to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary, a remediation scheme shall be submitted to and approved by the Local Planning Authority. Following completion, a Verification Report shall be submitted to demonstrate the effectiveness of the remediation works.

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework, December 2024.

Archaeology

15

No development within the area shown outlined in red on the approved location plan, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of

Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason

To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

Ecology

16

Prior to the installation of any permanent external lighting within the area shown outlined in red on the approved location plan, the proposed lighting details shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans, drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

The lamps shall be suitably angled and if necessary shielded[MP11.1] as to prevent glare and light trespass beyond the site boundary as per the guidance provided by the Institution of Lighting Professionals Guidance – Reduction of Obtrusive Light Guidance Note 01/21. The lighting shall be maintained following installation and throughout the lifetime of the consent.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and parts 12 & 15 of the NPPF and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).[M

17

The development within the area shown outlined in red on the approved location plan shall not commence until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. This shall be prepared in accordance with the approved Biodiversity Gain Plan and include:

- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- b) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- d) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

Reason

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition), to ensure Biodiversity Net Gain.

18

Prior to commencement of development a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

Reason

To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2025 and s40 of the NERC Act 2006 (Priority habitats & species).

19

No development shall commence on site until:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The details shall be implemented in accordance with the timescales set out in the approved Biodiversity Gain Plan.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted

and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK (www.gov.uk)

Reason

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition), to ensure Biodiversity Net Gain.

Employment

20

Prior to the commencement of development, the attached Local Labour Agreement pro forma for the construction phase of the development shall be completed in its entirety and submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Agreement and within 3 months of completion of the approved development, data shall be submitted to the Local Planning Authority demonstrating how the indicators were met.

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'

Trees

21

No development or site preparation works within the area shown outlined in red on the approved location plan (including demolition, groundworks or drainage) shall commence until a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), in accordance with BS5837:2012, have been submitted to and approved in writing by the Local Planning Authority.

These documents shall include:

- Timing and phasing of all relevant works;
- Location and specification of tree protection fencing and ground protection;
- Construction Exclusion Zones;
- A schedule of tree works in accordance with BS3998;
- Details of access, storage areas, service routes, and proposed changes in ground levels;
- Specifications for works within Root Protection Areas (RPAs), including surfacing, foundation design and excavation methods;
- A supervision schedule, including the appointment of a qualified Arboriculturist at key inspection stages.

All approved tree protection measures shall be installed in accordance with the approved details prior to the commencement of any development or site works within the area shown outlined in red on the approved location plan.

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.

Drainage

22

Prior to the installation of the operational drainage system within the area outlined in red on the approved location plan, details of the operational surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) Design and layout of the drainage system;
- b) Location and design of the outfall (other than to the public sewer network); and
- c) Maintenance and management arrangements.

The drainage system shall be installed in accordance with the approved details and operational prior to the first operation of the substation.

Reason: To ensure the site is properly drained and to prevent overloading of the public sewer network, in accordance with Policy CS25 of the Local Plan.

23

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network.

Informative

01

Condition 05 You will require an Agreement under S278 Highways Act, 1980 and involve the provision of a new vehicle access, a reduction in the height of the existing hedgerow opposite the site entrance as indicated over the length required to achieve forward visibility as shown on Drg EDEU-WSP-SS50-XXXXXX-DRW-CE-000005 Rev P01. Contact should be made with David Phillips david.phillips@rotherham.gov.uk as soon as is practical to commence this process.

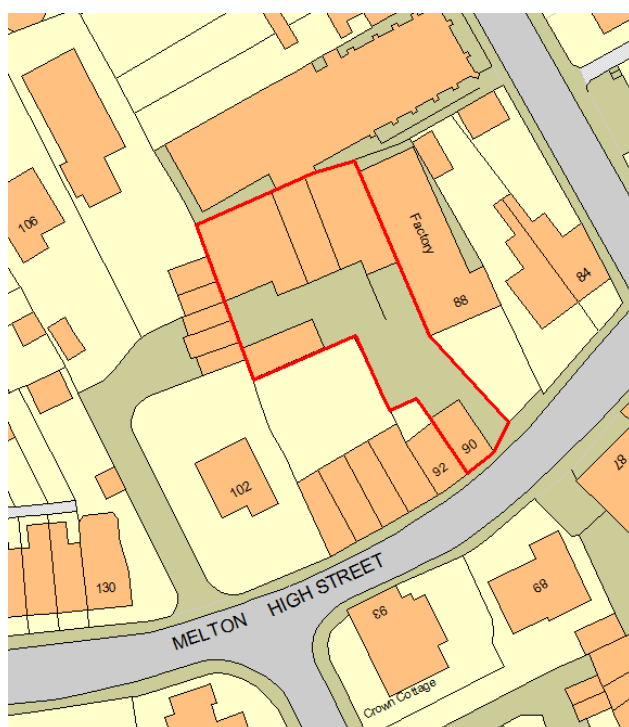
Please note that the Local Planning Authority will not discharge Condition 05 until the required works have received full technical approval from the Highway Authority. Applicants are therefore advised not to submit any application for the discharge of this/these condition(s) until written confirmation of technical approval has been issued by the Highway Authority.

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.

Application Number	RB2026/0241 - https://rotherham.planportal.co.uk/?id=RB2026/0241
Proposal and Location	Installation of steel roller shutter doors, galvanised steel palisade fence and gates, and replacement roof, Rear of 94 to 100, Melton High Street, West Melton, Rotherham
Recommendation	Grant subject to conditions

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



Site Description & Location

The application site comprises no. 90 Melton High Street and the land to the rear. The property was formerly a slaughterhouse in the 1960s.

The area surrounding the site is predominantly residential with approximately 4no. individual garden areas being directly adjacent to the boundary of the site. The area to the north is the West Melton Methodist Church and there is a long established industrial building immediately to the east.

No adverts of the business are currently visible from the Melton High Street.

Background

In terms of the previous and relevant site history, the site recently had a lawful development certificate refused for a continuation of a car repair garage at the site.

RB2026/0239 – Application for Lawful Development Certificate re: change of use to vehicle repairs (use class B2) – REFUSED

The reason for refusal was as follows:

01

The Council considers that the applicant has failed to provide sufficient evidence to demonstrate that, on the balance of probability, the use of the land for a car repair business has been in place on a continuous basis for ten years prior to the submission of the current application. As such the Local Planning Authority is not satisfied that the use as described above is lawful.

Proposal

This application is retrospective and is to regularise the physical changes made to the existing building. These include the installation of steel roller shutter doors, galvanised steel palisade fence and gates, and replacement roof in the eastern part of the site.

Planning Statement

The application has been submitted by a short Planning Supporting Statement which can be summarised below:

- Steel Roller shutter doors were fitted to the Old Slaughterhouse, Bay 2 and the large storage unit in Late 2022, as the existing timber double doors were rotten and were presenting a security and safety issue.
- The roof to the L-shaped unit was also rotten and in danger of collapse and this was replaced in the latter half of 2024.

1. Installation of three Steel roller shutter doors

The roller shutter doors are galvanised steel doors installed to replace the former rotten timber double doors. The roller shutter doors on the L-shaped storage unit is finished in green, the other two are left in the original silver galvanised finish.

2. Roof replacement

The roof to the Old Slaughterhouse was replaced as it had become rotten, we are advised that it was replaced to the same configuration as the existing as well as a section of the side wall, that was rebuilt on the same footprint, as it had become unstable. Similarly, the roof to the L shaped storage unit was also replaced, however its height was raised during this process by approximately 1.5m to the rear and 400mm to the front, as can be seen on the associated drawings.

*3. Installation of palisade fence and gates in excess of 2m high
A galvanised steel palisade fence and pair of double gates were installed to improve security to the Site, from the Old Slaughterhouse adjacent to the shared car park to the Domestic dwellings across to the side of 88 Melton High Street. The fence and gates are 2460mm high (at their highest point).*

Development Plan Allocation and Policy

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

Local Plan policies

CS28 'Sustainable Design'

CS33 'Presumption in Favour of Sustainable Development'

SP11 'Development in Residential Areas'

SP26 'Sustainable Transport for Development'

SP52 'Pollution Control'

SP55 'Design Principles'

In addition the advice within the NPPF is also relevant.

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. It was last updated on 17th September 2018.

The NPPF states that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

The revised NPPF came into effect in December 2024. It 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.

Publicity

The application has been advertised by way of a site notice along with individual neighbour notification letters to adjacent properties. A total of 15 objections have been received and the following concerns have been raised:

Highway Safety & Access Obstruction

- Shared access obstruction — Gates and fencing installed across shared access land.
- Unsafe manoeuvring — Vehicles struggle to turn; access frequently blocked.
- Risky reversing — Residents forced to reverse onto the main road.
- Outward-opening gates — Reduce manoeuvring space and increase safety risks.

Residential Amenity Harm

- Visually intrusive fencing — 2.46m palisade fencing is overbearing and unattractive.
- Poor condition — Rusting, bent sections, temporary screening.
- Gates left open — Unsecured gates worsen visual and amenity impacts.
- Safety Concerns with unsecured gates — Held open with loose materials; risk of uncontrolled movement.
- Unsuitable design — Concerns about long-term safety in a constrained space.

Roof Alteration Issues

- Raised roof height — Increased by ~1.5m, making building more prominent.
- Industrial appearance — Visually incongruous with surroundings.
- Roller Shutters
- Noise disturbance — Opening/closing likely to disturb neighbours.
- Industrialisation — Adds to cumulative industrial character.

Drainage & Pollution

- Contaminated drainage — Evidence of oil and waste entering drains.
- Past blockages — Required Yorkshire Water intervention.
- Lack of safeguards — No evidence of oil interceptors or proper controls.
- Vehicle repair activity — Multiple vehicles, customer visits, noise, fumes.
- Extended hours — Activity beyond stated 09:00–16:00 hours.
- Access pressure — Site operating beyond capacity.
- Inaccurate/Misleading Information
- Incorrect site plan — Includes land not owned by applicant.
- Inaccurate operating hours — Application does not reflect real activity.
- Incomplete built-form description — Application does not match what is already built.

Existing Harm

- Damage to property — Residents had to install bollards.
- Noise & fumes — Frequent revving, exhaust fumes.
- Hazardous incidents — Fires and an explosive event observed.

It is understood that following the refusal of the LDC the car repair has ceased. However, objections have also raised concerns around the following:

- Submission of false information on application documents. Certificate A has been incorrectly submitted.
- Trespass and unauthorised attaching of the roof structure to a neighbouring commercial building.

A total of 1no. Right to Speak requests have been received.

Consultations

RMBC Transportation Infrastructure Service – no objections

Environmental Health – no objections, 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) PCPA 2004.

The main considerations in the determination of the application are:

- The principle of the development
- Impact on neighbouring properties
- Design and Appearance
- Transportation issues

The principle of the development

The proposal has a residential allocation in the Local Plan. Although this is a commercial property and there are non-residential uses in the surroundings, it is considered that the wider area is mainly residential and this is the predominant character.

The use of the building for car repair has now ceased. However, this planning application relates to a number of changes to the exterior of the existing building which have been completed and would still need to be considered on their own merits.

Design and Appearance and impact on neighbouring properties

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"*.

Policy SP11 'Development in Residential Areas' states areas identified for residential shall be primarily retained for residential uses and all residential uses shall be considered appropriate in these areas and will be considered in light of all relevant planning policies.

Policy SP52 'Pollution Control' indicates 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 the detrimental impact on the amenity of the local area.

A number of the objections all raise the utilitarian structures that are present, the overbearing impact on residents and the poor design and appearance of the changes.

Roller shutter doors

The replacement roller shutter doors are considered to be similar in appearance to the original doors and are considered to represent an updated design to this building. This part of the site has a limited visibility from the street scene. Overall, this element is considered to be in conformity with the advice within policy SP55 'Design Principles'.

Fencing and gates

It is acknowledged that the palisade fencing has a moderately utilitarian appearance and design. However, it is limited in length being less than 10m in total and set well within the site area which minimises its visual impact on the street scene. The fencing is not easily visible from outside of the immediate site area and it is also noted that the total height, being under 2.5m in total is not considered to be excessive in scale and is not significantly above 2m which would be considered permitted development. Overall, it is not considered that a refusal could be justified and this is considered to adequately meet the criteria within SP55 'Design Principles'.

Replacement roof

The replacement roof structure, although approximately 1.5m higher than the existing roof is considered to be a more modern design and is understood to

have replaced a previous roof which was in a poor condition. In terms of appearance to the surroundings there are no immediately adjacent residential properties and the impact in terms of dominance is considered to be limited.

The attachment of the garage onto a neighbouring commercial building without obtaining the owners consent is also noted. However, this is a civil issue between the landowners and can only be given very limited weight in the determination of this application.

In terms of noise, the Councils Neighbourhoods Unit (Environmental Health) have not raised any objections from a residential amenity perspective, subject to a condition that the roller shutter door not be open between the hours of 08:00 – 20:00 Mondays to Saturdays and 10:00 – 20:00 on Sundays. The proposed use is not therefore considered to have significant new impact on residential amenity and is considered to be in conformity with policies SP11 'Development in Residential Areas' and SP52 'Pollution Control'.

Overall, the retrospective changes to the external appearance of the building are considered to be acceptable from a design perspective.

In summary, it is considered that the changes made would meet Local Plan Policies and SP55 'Design Principles' and the advice contained within the NPPF.

Transportation issues

The Transportation Unit note from the submitted details that the changes have already been carried out. There are no objections from a highway safety perspective.

Other issues

Landscaping and Biodiversity Net Gain

In terms of Biodiversity Net Gain, the application being a change of use does not have the statutory requirement to provide +10%. However, the development still needs to demonstrate no net loss, in accordance with Policy SP33 'Conserving and Enhancing the natural Environment'. There are no proposals to extend the built form or building footprint of the existing site and therefore no loss of biodiversity.

Drainage

There are no changes being proposed to the external building or drainage systems.

Conclusion

Overall and whilst noting the large volume of objections received, it is noted that a number of these relate to the previous car repair business which had recently started on the site. However, this is not under consideration in regards to this application.

The regularisation of the external changes is recommended for approval.

The unauthorised attachment of the roof structure onto a neighbouring building (no. 88 Melton High Street) is a civil matter which cannot be considered in the determination of the planning application.

The application is recommended for approval subject to conditions.

Conditions

01

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 25/3839/001/A, site plan 25/3839/002/A, Site Layout 25/3839/008/A, Floor plan 25/3839/009/A, elevations 25/3839/010/A and 25/3839/011/A)(received 16/03/26).

Reason

To define the permission and for the avoidance of doubt.

Hours of use

02

All roller shutter doors installed on the buildings shall only be opened and closed between the hours of 08:00 – 20:00 Mondays to Saturdays and 10:00 – 20:00 on Sundays.

Reason

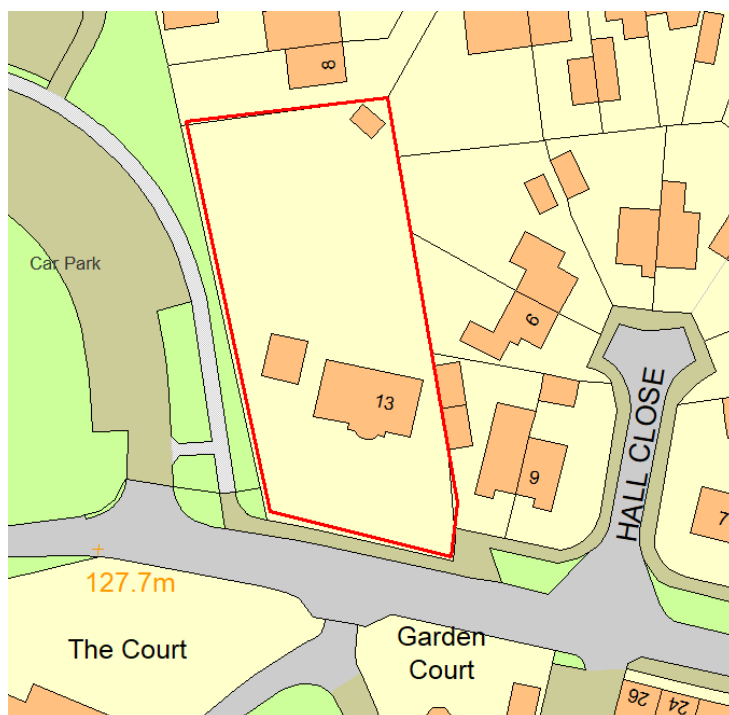
To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with Part 15 of the NPPF and RMBC Policy SP52.

POSITIVE AND PROACTIVE STATEMENT

Whilst the applicant did not enter into any formal pre application discussions with the Local Planning Authority, the proposals were in accordance with the principles of the National Planning Policy Framework and did not require any further alterations or modification.

Application Number	RB2026/0371 https://rotherham.planportal.co.uk/?id=RB2026/0371
Proposal and Location	Demolition of existing dwelling and garage, and erection of 5 residential dwellings, at 13 Quarry Lane, North Anston
Recommendation	Granted Subject to conditions

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



Site Description & Location

This application relates to a large detached dormer bungalow constructed of artificial stone with a tiled roof located on Quarry Lane, North Anston. The site is located next to the car park for Greenlands Park. To the east of the site are a number of dwellings fronting Hall Close whilst to the north are residential properties on Greenland Close. The site is roughly rectangular in shape.

The area immediately adjacent to the site is predominately residential. There are a number of shops located across the road from the site to the south east on Quarry Lane.

The boundary of North Anston Conservation Area is directly to the south of the site.

Background

KP1962/1339: Outline app to erect dwelling

- GRANTED CONDITIONALLY 02/07/62

KP1963/1339A: Bungalow

- GRANTED 01/07/63

RB2009/0926: Outline application for demolition of existing bungalow and erection of 6 No. detached dwellinghouses

- GRANTED CONDITIONALLY 24/09/09

RB2012/1046: Outline application for demolition of existing bungalow and erection of 6 No. detached dwellinghouses (renewal of RB2009/0926)

- GRANTED CONDITIONALLY 11/09/12

RB2015/1258: Outline application for the demolition of existing bungalow and erection of 6 No. detached dwellinghouse with all matters reserved – GRANTED CONDITIONALLY 06/11/15

RB2020/1783: Outline application for the demolition of existing bungalow and erection of 6 No. dwellinghouses with all matters reserved - GRANTED CONDITIONALLY 09/04/21

CIL

The development is Community Infrastructure Levy (CIL) liable. CIL is generally payable on the commencement of development though there are certain exemptions. 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 the demolition of the existing property and the erection of 5 No. dwellinghouses.

The development will comprise:

- 3 Three four Bed detached dwellings accessed from Quarry Lane on a private drive.
- 2 four bed link detached dwellings with attached single garages. The dwellings would be two storey with rooms in the roofspace. These properties would front Quarry Lane and would be accessed directly off Quarry Lane.

The dwellings would be constructed of brick with tiled roofs.

The layout of the proposals has been amended during the course of the application to overcome concerns raised by the Council's Highway Engineer.

Stage 1 Geo-Environmental Desk Study Report

The report sets out to identify feasible remediation options in respect of coal mining, gas protection and potential ground contamination.

Biodiversity Assessment

The purpose of the assessment is to determine the baseline biodiversity value of the Site and to assess if there are sufficient biodiversity enhancement opportunities available within the Site boundary to compensate for any residual biodiversity losses as a result of the Proposed Development. The report sets out potential mitigation measures.

Biodiversity Metric

The report submitted in March 2026 with the application provides the base line habitat value of the site of 0.25 Area habitat units and 0.42 Hedgerow units.

The report provides a preliminary post development assessment figure of -55.98% Area habitat units and -19.21% Hedgerow units resulting in a net change of -55.98% Area habitat units and -19.21% Hedgerow units.

To achieve a 10% net gain and satisfy the trading rules the development will need to provide 0.28 Area habitat units and 0.46 Hedgerow units off site.

The applicant is proposing to provide onsite mitigation, with offsite compensation to be purchased from a habitat bank.

Preliminary Ecological Appraisal

A desk study and field survey were undertaken in order to assess the potential of the site to support protected habitats and species and species of conservation concern. Recommendations for further survey, avoidance, mitigation and enhancement (where appropriate) have been made.

A Bat Roost Assessment and Bat Emergence and Re-Entry Survey Report has been submitted in support of the application. The Report concludes that there are no bats present at the property.

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

Local Plan policy(s):

Core Strategy Policies

CS1 'Delivering Rotherham's Spatial Strategy'
CS3 'Location of New Developments'
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 'Landscapes'
CS23 'Valuing the Historic Environment'
CS25 'Dealing with Flood Risk'
CS27 'Community Health and Safety'
CS28 'Sustainable Design'
CS30 'Low Carbon and Renewable energy generation'
CS33 'Presumption in Favour of Sustainable Development'

Sites and Policies Document Policies

SP26 'Sustainable Transport for Development'
SP32 'Green Infrastructure and Landscape'
SP33 'Conserving the Natural Environment'
SP35 'Protected and Priority Species'
SP41 'Conservation Areas'
SP47 'Understanding and Managing Flood Risk and Drainage'
SP52 'Pollution Control'
SP55 'Design Principles'

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. It was last updated on 17th September 2018.

The NPPF states that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

The revised NPPF came into effect in December 2024. It 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 National Planning Practice Guidance (NPPG)

The National Design Guide

National Internally Prescribed Internal Space Standards

South Yorkshire Residential Design Guide

Rotherham Adopted Supplementary Planning Documents:

- Air Quality and Emissions
- Transport Assessments, Travel Plans and Parking Standards
- Biodiversity Net Gain

Publicity

The application has been advertised by way of site notice along with individual neighbour notification letters to adjacent properties. Eight letters of representation have been received objecting to the application.

- Overdevelopment of the site which is harmful to the character of the immediate area and the setting of the adjacent Conservation Area.
- Concerns about the loss of green space and garden land.
- The proposal would increase on street parking and traffic on Quarry Lane.
- The access point is dangerous and would lead to reduced visibility for local residents entering Greenlands Park.
- Construction traffic could damage the road surface and create issues with access and parking.
- The proposed dwellings would overlook the children's play area in Greenland's Park which raised safeguarding concerns.
- The proposed dwellings would overlook neighbouring properties and appear overbearing and harm the outlook of neighbouring residents.
- Concerns about noise and dust during the construction phase.
- Need for a traffic management plan and restrictions on working hours.
- Potential health risks from asbestos within the property.
- Concerns about the loss of this attractive property.
- Concerns about the loss of a 200 year old stone wall fronting the site.
- Concerns about potential damage to the historic environment such as potential damage to Anston Hall gate piers.
- Concerns about potential habitat loss for wildlife.
- The proposal should have an Environmental Impact Assessment.

- Concern about increased carbon footprint from the demolition of the building and construction of new dwellings.
- The site is at risk from historic quarrying and mine workings and the ground may not be stable.
- Potential ground contamination.
- Concerns raised that all neighbours weren't correctly notified in accordance with national and local guidelines.
- The proposal could be amended to retain the existing property and build fewer dwellings to the rear or the layout could be reconfigured to protect heritage features and reduce traffic impact.

A total of 2no. Right to Speak requests have been received.

Consultations

RMBC Transportation Infrastructure Service: No objections to the amended layout subject to conditions.

RMBC Environmental Health: No objections.

RMBC Drainage: No objections subject to conditions.

RMBC Land Contamination: No objections subject to conditions.

RMBC Ecology: No objections subject to conditions.

The Coal Authority: No objections.

SY Police Designing Out Crime Officer: The scheme should be developed to secured by design standards.

Appraisal

The main issues in the determination of the application are considered to be:

- Principle
- Design, Size, Scale, Appearance
- Impact on existing residents
- Highways
- Air Quality and Emissions
- Ecology and Biodiversity Net Gain
- General Amenity
- Land Contamination and ground stability
- Other issues raised by objectors

Principle

The application site is located within an area identified as 'Residential' within the Council's adopted Local Plan Policies map.

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." The proposed residential development meets this Policy.

Policy SP12 'Development on Residential Gardens' states: "Proposals involving development on a garden or group of gardens, including infill of corner plots, will only be permitted where:

- a. The proposals would allow for a comprehensive scheme in the wider area to be achieved in the future; and
- b. The proposal does not harm the amenity of existing properties by overlooking, loss of privacy, loss of light or obtrusiveness; and
- c. Development would not result in harm to the character of the area."

In respect of criteria (a) listed above, no adjoining land is available for potential residential development so the scheme is considered to be comprehensive.

In terms of criteria (b) and (c) these will be assessed in greater detail in the following sections of this report.

Core Strategy Policy CS1 - Delivering Rotherham's Spatial Strategy states that: "Most new development will take place within Rotherham's urban area and at Principal Settlements for Growth. At Principal Settlements and Local Service Centres development will be appropriate to the size of the settlement, meet the identified needs of the settlement and its immediate area and help create a balanced sustainable community. Our strategy will make the best use of key transport corridors, existing infrastructure, services and facilities to reduce the need to travel and ensure that wherever possible communities are self-contained."

The NPPF notes at paragraph 68 that: "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should: (amongst other things) c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes."

This is also supported by Core Strategy Policy CS33 'Presumption in favour of Sustainable Development' states that for existing communities to grow in a sustainable way new development should, wherever possible, be located where accessibility between new housing, existing centres, facilities and services can be maximised.

In this instance, Table 1 of the Sites and Policies Local Plan 'Distribution of housing, employment and retail growth' identifies Dinnington, Anston and

Laughton Common as a 'Principal settlement for growth' and notes that they will provide 9% of the Borough's housing requirements during the Plan period. It adds that this figure is not a ceiling and that windfalls will provide additional flexibility.

It is considered that the site is within a sustainable location, given the site's close proximity to local amenities including medical centre and local shops, and being sited close to a bus route. In addition, the scheme amounts to a windfall site providing valuable additional housing within the Borough.

As such the site is within a highly sustainable location and would accord with the requirements of CS33 'Presumption in Favour of Sustainable Development' and SP64 'Access to Community Facilities'.

Design, Size, Scale, 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 131 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 139 states *"Development that is not well designed should be refused, especially where it fails to reflect 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. 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 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.

With regard to the site layout, it has been sympathetically designed taking account of existing dwellings and the character of the immediate surrounding area. It is noted that the site is directly to the north of the North Anston Conservation Area. However, it is considered that the proposals would not harm the setting of the Conservation Area.

All the proposed properties have been provided with their own garden space, and the new dwellings all have their own parking space next to or in front of the individual dwellings. There is also an area of soft landscaping retained to the front elevations of each Plot.

The boundary treatments have been put forward and are considered sympathetic and appropriate for the site and its surroundings.

With regard to the house types hereby proposed, they are different to the existing surrounding dwellings but have drawn some design features from the existing properties and thus the proposed design and would not be out of keeping and would enhance the character and appearance of the area.

Further to the above, whilst the design of the dwellings is different to that of the existing neighbouring properties, they do incorporate some design elements and would be constructed of similar materials to ensure that they amalgamate into the fabric of the area. Furthermore, the proposal is considered not to harm the setting of the adjacent North Anston Conservation Area.

It is therefore considered that the design of the properties is acceptable and raise no design issues. In addition, the size, scale, form and proposed materials will ensure the development would not be at odds with the character of the immediate surrounding area and would not introduce an incongruous feature.

It is noted that neighbouring residents raised concerns that the loss of the property would harm the character and appearance of the surrounding area.

Whilst this is noted, the property is not considered to have any architectural or historic merit and therefore its loss is considered to be acceptable in this instance. A neighbouring resident also raised concerns about the loss of an historic stone boundary wall to Quarry Lane. Whilst this is regrettable it is not considered to be sufficiently harmful to justify a reason for refusal in this instance.

Impact on existing residents

The South Yorkshire Residential Design Guide sets out appropriate spacing distances between properties. The SYRDG states that there should be a minimum of 21m between principal elevations or elevations with habitable room windows; and that an elevation with a habitable room window should be a minimum of 10m from a boundary with another property.

The development site has been designed to ensure there is minimal impact on existing residents to the north and east of the site.

Further to the above, the rear elevation of plots 2 would be 12m from the side elevation of plot 3 and a section drawing has been submitted which shows a 25 degree horizontal sight line would clear the ridge line.

With regard to the neighbouring property to the north No. 8 Greenland Close, the applicant has submitted a 45 degree line from the nearest habitable room window on the rear elevation of this property. The 45 degree line comfortably clears the nearest proposed dwelling Plot 5.

Therefore, having regard to the above it is considered that given the distance of the proposed properties from the rear gardens of neighbouring properties and between the proposed properties, they will not appear overbearing or oppressive and would not impact on outlook from these properties. It is also considered that due to the orientation of the site and relationship with existing neighbouring and proposed properties, the proposal would not result in any loss of direct sunlight or natural daylight to habitable rooms or rear gardens.

Accordingly, by virtue of the distance between properties, proposed boundary treatments, land levels and orientation of the site there would be no overlooking or privacy issues between new properties and there would be no detrimental overshadowing of habitable room windows or proposed private rear amenity spaces.

Highways

Paragraph 115 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, following mitigation, would be severe, taking into account all reasonable future scenarios.”*

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.

The application will result in each dwelling having a parking allocation which is in accordance with the Council's parking standards. No concerns are raised with regards to visibility at the junction or any highway concerns. Therefore, in light of the above there are no objections to the granting of the application in a highway context subject to the recommended condition.

Air Quality and Emissions

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 SPD 'Air Quality and Emissions'.

NPPF states at paragraph 117 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 SPD notes that there should be 1 charging point per space (unallocated parking). Details have been submitted that show each space will be provided with a charging point and this will be secured via condition.

Ecology and Biodiversity Net Gain

Paragraph 187 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."*

Ecological reports and surveys including a BNG metric have been submitted in support of the application and have been assessed by the Council's Ecologist. Who has commented as follows:

A bat survey report has been submitted and confirms that no bats were observed emerging from any of the buildings site. The survey was undertaken within the survey season and the conditions were suitable. As such, I am content with the results.

The majority of habitats on site will be removed to accommodate the proposal; this will result in the loss of grassland and hedgerows resulting in a net loss of habitat and hedgerow units. Therefore, the metric indicates that 0.17 habitat units and 0.12 hedgerow units are required to ensure a minimum 10% gain and meet the trading rules. However, please note that an area of modified grassland is noted as being retained within the BNG assessment, however this grassland is not shown on the site plan. If the grassland is to be removed then it should be accounted for within the metric. This will impact the total net loss of habitats on site. This can be clarified when the biodiversity gain condition on is discharged. As no significant habitats are being proposed on site a HMMP is not required.

As it is intended to purchase off-site biodiversity units to meet the developments BNG requirements, these would ideally be purchased within the Rotherham LPA boundary, where possible.

If it is intended to purchase statutory biodiversity credits to meet the developments BNG requirements, the applicant should refer to government advice (<https://www.gov.uk/guidance/statutory-biodiversity-credits>). As the advice states the developer should discuss use of credits with the LPA prior to purchasing them. If a development needs less than 0.25 biodiversity units (area or linear) to achieve 10% net gain, statutory credits can be purchased without having to give evidence that insufficient off-site options (i.e. habitat banks) are available.

The Council's Ecologist has raised no objections to the proposals and has confirmed that the proposals are acceptable in ecology terms, subject to conditions relating to the development being in accordance with the submitted Preliminary Ecological Appraisal and the Roost Assessment and Bat Emergence and Re-Entry Survey Report. A condition is also recommended that a Biodiversity Mitigation Scheme to be submitted, which should include protection of retained features and retention and/or enhancement of habitats.

It is considered that the proposal is acceptable in ecology terms subject to the recommended conditions.

Land Contamination and Ground stability

The submitted Geoenvironmental Risk Assessment and Coal Mining Risk Assessment document identified contamination within 'Parcel 2', following the site investigation that has been undertaken on the development area. The report has provided a comprehensive assessment of the site, and the sampling results show elevated contamination within the site area.

As such it is considered that there will be the requirement for remediation measures to be undertaken on the proposed development site, and this will require conditions attaching to the application to address these requirements.

With regards to ground stability, the Coal Authority have confirmed that *"We have reviewed the site location plan provided and can confirm that the site falls within the Coal Authority's defined Development Low Risk Area. On this basis we have no specific comments to make."*

As such, it is considered that no concerns are raised about ground stability and the Coal Authority's Standing Advice Note should be relayed to the applicant in terms of an informative.

Other issues raised by neighbouring residents

It is noted that neighbouring residents raised concerns about potential safeguarding issues from the proposed dwellings overlooking Greenland's Park play area. Whilst this is noted, it is considered that the dwellings themselves are located at a significant distance from the children's play area and as residential properties would not lead to any safeguarding concerns. Furthermore, it is noted that a number of other existing dwellings also directly overlook the park and the playground which are located closer than the proposed.

Neighbouring residents raised concerns about the potential noise and disturbance from construction traffic during the construction phase. They also raised concerns about the risks from asbestos in the property. Whilst this is noted, the removal of asbestos is covered by separate regulations. Furthermore, the proposed Construction Environmental Management Plan should mitigate the impacts on neighbouring residents during the construction phase.

Concerns were raised about potential damage to the historic environment including potential damage to the gate piers at the entrance to Anston Hall. Whilst this is noted, any damage to neighbouring buildings or structures would be a civil matter and cannot be taken into consideration with regard to this application.

Neighbouring residents requested that an Environmental Impact Assessment (EIA) should be submitted with the application. Whilst this is noted, it is

considered that the small scale of the scheme does not represent EIA development and therefore an EIA would not be required in this instance as the impacts are only local.

Concerns were raised about the embedded carbon and increased carbon generated by the development. Whilst this is noted, the new dwellings would all be constructed to modern building regulations which require a high degree of insulation and therefore the new dwellings would be more energy efficient than the existing dwelling. Whilst the loss of the dwelling on the site would lead to loss of embodied carbon the proposal would provide net increase of 4 dwellings which is a public benefit which is considered to outweigh the impact of the embodied carbon from the loss of this existing dwelling.

A neighbour raised concerns that neighbouring residents weren't properly notified of the application. However, this was not the case as the publicity was carried out in accordance with our scheme of notification with all adjoining neighbours being notified in writing and a site notice posted near the site.

Conclusion

Having regard to the above it is concluded that for the reasons set out in this report, the development for the demolition of the existing dwelling and erection of 5 No. dwellings complies with the relevant national and local planning policies and thus outweighs the objections raised and is subsequently recommended for approval.

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 and/or carried out before development can start. Conditions number 06 of this permission requires matters to be approved and/or carried out 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 06 is 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, or matters carried out.'

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 location plan and the development shall only take place in accordance with the submitted details and specifications and as shown on the approved plans

EC-83-10 – Location Plan (received 07/07/2026)

EC-83-30 Rev B (received 10/03/2026)

EC-83-10 – Site Plan Rev D (received 24/06/2026)

EC-83-15 Rev D1 – Boundary Treatment (received 07/07/2026)

EC-83-40 – Fire Appliance Plan (received 24/06/2026)

EC-83-60 (received 07/07/2026)

Reason

To define the permission and for the avoidance of doubt.

Materials

03

No development above ground level 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 Core Strategy Policy CS28 Sustainable Design.

Highways

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.

Electric Vehicle Charging Points

05

Prior to the occupation of each dwelling, details of one vehicle charging point per dwelling shall be submitted to and approved by the local planning authority. 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.

General Amenity

06

Prior to the commencement of any works (including demolition) on site, a Construction Environmental Management Plan (CEMP) shall be provided to the Local Planning Authority for approval. The plan 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 BS5228-1:2009+A1:2014: '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 Institution 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 in accordance with Part 15 of the NPPF and RMBC Policy SP52.

Contaminated Land

07

Prior to any ground works commencing, a Phase 2 Intrusive Site Investigation shall be undertaken to assess the geotechnical and geo-environmental constraints at the site complete with ground gas monitoring. A detailed scope of works including the methodology for investigation shall be submitted to and approved in writing by the Local Authority prior to any site investigation works commencing. The site investigation shall thereafter be undertaken in accordance with the approved details. The investigation and subsequent risk assessment must be undertaken by competent persons, and a written report of the findings must be produced and will be subject to approval in writing by this Local Planning Authority. The above should be conducted in accordance with the new guidance document 'Land Contamination Risk Management' (June 2025) 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 the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 187, 196 and 197 of the National Planning Policy Framework, December 2024.

08

Subject to the findings of item 1 above and prior to above ground works commencing, a Remediation Method Statement shall be provided for the approval of this Local Authority prior to any remediation/ground improvement works commencing on site. The works shall be of such a nature as to render harmless any possible 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 approved Remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the

proposed methodology and best practice guidance. The Local Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 187, 196 and 197 of the National Planning Policy Framework, December 2024.

09

If virgin material, subsoil/topsoil materials are required to be imported to site for remedial works, then these materials will need to be tested at a rate and frequency to be agreed with the Local Authority to ensure they are free from contamination and will not present a risk to future users of the site and the environment.

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 187, 196 and 197 of the National Planning Policy Framework, December 2024.

10

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

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 187, 196 and 197 of the National Planning Policy Framework, December 2024.

11

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

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 187, 196 and 197 of the National Planning Policy Framework, December 2024.

Ecology and Biodiversity Net Gain

12

The development shall be completed in line with the Preliminary Ecological Appraisal and Roost Assessment and the Bat Emergence and Re-Entry Survey Report, and the conditions of the planning permission. All the recommendations in the reports shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason

To protect species protected by law.

13

Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Biodiversity Mitigation Scheme (BMS) has been submitted to and approved in writing by the Local Planning Authority. The BMS will set out any precautionary measures to be adopted on site during construction, such as protection of retained features, reasonable avoidance measures for protected and priority species and appropriate removal of non-native invasive species. Incorporation of features such as creation, retention and/or enhancement of habitats, integral bat and bird boxes (minimum of one of each per dwelling) on proposed buildings and hedgehog access points within proposed fencing.

Reason

In the interests of biodiversity and ecology.

Drainage

14

Prior to the commencement of ground works, details of the, surface water and all related works necessary to drain the site shall 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.

Informative(s)

01

Biodiversity Net Gain

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that **development may not begin** unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be Rotherham MBC. Failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered, which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) the pre-development biodiversity value of the onsite habitat;
- c) the post-development biodiversity value of the onsite habitat;
- d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- e) any biodiversity credits purchased for the development;
- f) any information relating to irreplaceable habitat making up onsite habitat
- g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.
- h) any additional information requirements stipulated by the secretary of state.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the

biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

1. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
 2. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.
- Listed exemptions from Statutory BNG and transitional arrangements can be found at Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)
 - The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>
 - Minimum legal requirements for the Biodiversity Gain plan can be found at [https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015\).-,Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015).-,Biodiversity%20gain%20plan,-14)
 - Irreplaceable habitats for the purposed of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>
 - Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and may be subject to the nature of your application <https://www.legislation.gov.uk/uksi/2015/595#:~:text=Additional%20content%20of%20plan>
 - Where a Habitat Management and Monitoring Plan is required: <https://publications.naturalengland.org.uk/publication/5813530037846016>

02

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.

03

These are new residences and as such must comply with approved document Q of the Building Regulations, this is exactly the same standard as required by Secure by Design but using Police approved products. This being the case there is no additional financial cost to the development being built to Secure by Design, but it will add significant value to the properties and to the quality of life for the future residents. As such the development should be designed and built to **Secured by Design** www.securedbydesign.com. The following is recommended:

Defensible Space

Each dwelling should have a front boundary to a height of 1 metre to allow for visible surveillance into and from the dwellings in question.

Boundary Treatment

All rear gardens should be secured with a min 1.8m high fence.
A 1.8m lockable gate should be fitted as close the front boundary line as possible to secure the rear of the dwellings.

Surveillance

Any landscaping and front boundaries should be kept low at no more than 1 metre high and any trees to have no foliage below 2m to aid natural surveillance. Positioning of trees should be careful not to mask any Lighting Column's.

Lighting

Any external paths and car parking areas should be well lit with an LED lighting scheme to standard BS5489 with no dark areas.
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.

Security of Dwellings

In line with SBD standards, all front / rear doors and ground floor windows should comply with PAS 24:2022.

04

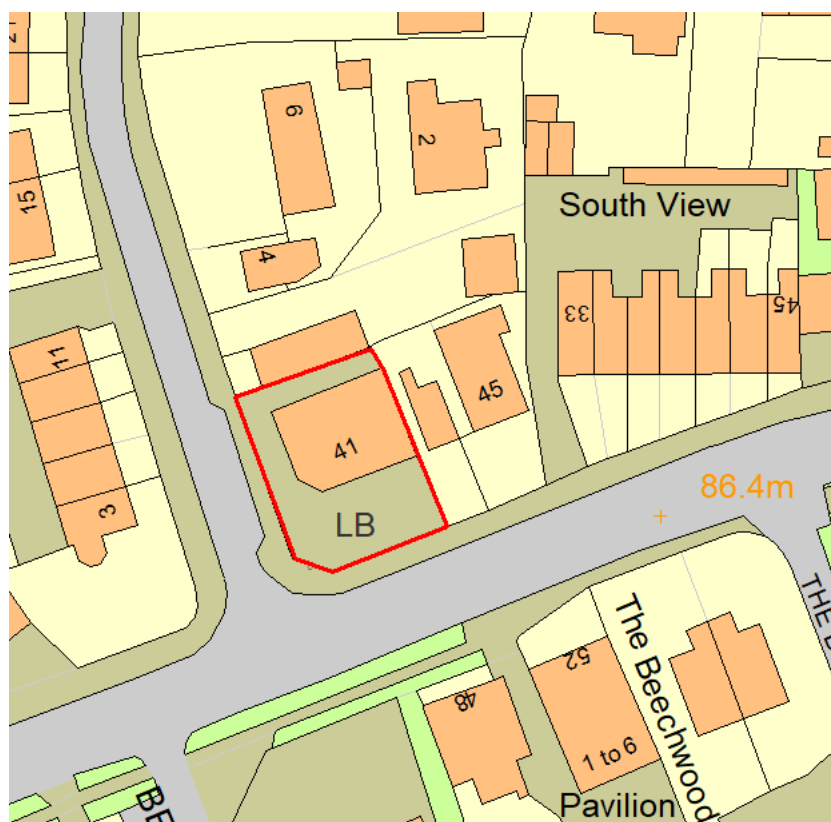
Development Low Risk Area - Standing Advice The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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.

Application Number	RB2026/0480 https://rotherham.planportal.co.uk/?id=RB2026/0480
Proposal and Location	Construction of 4 apartments over existing buildings with rooms in roofspace, balconies to front and stairs and access balcony to rear, conversion of laundrette to cycle/bin store and erection of 2.1m high fence to rear at 41 Worksop Road Swallownest Rotherham S26 4WA
Recommendation	Grant with conditions

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



Site Description & Location

The site occupies a corner plot at the junction of Worksop Road and Manvers Road in Swallownest. It currently comprises two commercial units: a main building, which is occupied by a bathroom sales company and will be retained, and a smaller unit, which is presently vacant and will be incorporated into the proposed development.

There are other retail premises located to the rear of the site and a health centre and church further to the east on Worksop Road. The building to the rear on Manvers Road (the former post office) is indicated to be in the applicant's ownership and now consists of a hairdressers with a flat above which has an external terrace.

The site itself, whilst relatively level is located on a hill with the properties on Manvers Road to the western side being located at a much lower level and those to the east being considerably higher.

The existing commercial unit has a car parking area to the front accessed from Worksop Road.

Background

There have been several applications relating to this site and the adjacent former post office on Manvers Road:

RB2004/2519	Change of use to beauty salon – Granted (former post office)
RB2006/0694	Change of use from A1 (retail) to A5 (hot food takeaway) -Granted (No. 41)
RB2007/1459	First floor extension over existing beauty salon to form flat – Granted conditionally (former post office)
RB2008/0181	Change of use from shop to hot food restaurant (use class A3) – Granted conditionally (No.41)
RB2010/1499	First floor extension over existing beauty salon to form flat – Granted conditionally (former post office)
RB2022/0833	Siting of storage container and erection of 2.8m high gates – Granted conditionally (No. 41)

Community Infrastructure Levy (CIL)

With regard to CIL, the Council have now adopted its charging strategy which came into force on 3rd July 2017, full details of which are available at: www.rotherham.gov.uk/cil

CIL is generally payable on the commencement of development though there are certain exemptions, such as for affordable housing and self-build developments. It should be noted that the payment of CIL is not material to the determination of the planning application or to the viability of a project.

Biodiversity Net Gain

The development being located above existing properties will not impact on biodiversity by way of any loss of existing habitat and as such is exempt from the BNG +10% requirements.

Proposal

The proposed development is for the construction of 4no. duplex apartments above the existing retained ground floor commercial unit. This will include the

provision of a rear external staircase to provide access via an external walkway to each apartment. The walkway is indicated to be screened by a 2.1m high latted fence.

Each apartment provides an open plan living area with a balcony fronting onto Worksoy Road to provide external amenity space and two bedrooms in the roof space. Additional shared external amenity space is provided to the rear of the development via a gated entrance.

Car parking is provided to the front of the property with 4 spaces allocated for the apartments which include EV charging points in addition to 2 parking spaces for the commercial unit/visitors.

A bin and cycle store will also be provided through the former small commercial unit

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

A Planning Statement which includes the following:

- The proposal has been carefully designed with regard to the scale, massing, height, and grain of surrounding development
- The height is appropriate to the street scene and will not be overly dominant or incongruous in this setting
- The proposal incorporates a palette of high-quality, durable materials that reflect local character
- The mixed-use format contributes to a vibrant streetscape, supporting active frontage at ground level while residential uses above add vitality and natural surveillance
- The development will contribute positively towards local housing delivery, which is of particular importance given that the Council is currently unable to demonstrate a full five-year housing land supply.

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 retail purposes within a District Centre in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

Local Plan policy(s):

CS3: Location of New Development

CS14 'Accessible Places and Managing Demand for Travel,

CS27 'Community Health and Safety'

CS33 'Presumption in Favour of Sustainable Development'

CS28 'Sustainable Design.'

SP 19 'Development Within Town, District and Local Centres'
SP26 'Sustainable Transport for Development'
SP55 'Design Principles'

SPD no.2 – Air Quality and Emissions
SPD 12 Transport Assessments Travel Plans and Parking Standards June 2021
National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
Nationally Prescribed Space Standard
South Yorkshire Residential Design Guidance (SYRDG)

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 revised NPPF came into effect in February 2019. It 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 site notices along with individual neighbour notification letters to adjacent properties. 11 letters of representation have been received. The objections received can be summarised as follows:

- Loss of privacy due to overlooking of home and garden;
- It will block views from nearby homes and create a closed in feeling;
- The building would dominate the surrounding properties as well as over shadowing them;
- The tall buildings on Manvers Road replaced existing tall buildings therefore these do not set a precedent;
- Building would be dominant and out of keeping with area;
- Increased demand for on street parking which is already limited;
- Additional vehicles could contribute to congestion and reduced road safety;
- Safety of pedestrians due to illegal parking;

- Goods vehicles already block Manvers Road when making deliveries;
- The removal of greenery and soil could result in flooding;
- Potential damage to utility pipes during construction;
- Hygiene issues from bin storage area;
- May obstruct legally protected drainage easements;
- Current issues of storage and disposal of commercial waste; and
- Construction noise

At the time of writing this report there has been one Right to Speak request from the applicant's agent.

Consultations

RMBC Transportation Unit: Raise no objections to the proposal subject to conditions regarding the marking out and formation of the parking spaces.

RMBC Environmental health: No objections.

RMBC Drainage: No objections.

Yorkshire water: No objections.

Appraisal

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

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

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

The main considerations in the determination of the application are:

- The principle of the proposal
- Design and Layout
- Residential Amenity
- Highways issues
- Drainage
- Air Quality
- Other Issues raised by objectors

The principle of the proposal

The site has been identified for retail use in the adopted Local Plan and the existing building has a retail/business use. The site is located within the Swallownest District centre.

Local Plan Policy SP 19 'Development Within Town, District and Local Centres' states that proposals for residential use above ground floors will be supported providing that the development would not compromise the successful operation of the ground floor premises for commercial uses.

The proposal maintains the main commercial use within the majority of the ground floor, with the change of use of the former small laundrette to incorporate the area into the proposal as a bike and bin storage area and access to the external stairs.

Residential use is listed as an acceptable use within the designated district centre. The supporting text to Policy SP 19 states that the policy sets out the uses which will be acceptable in principle within town, district and local centres. It recognises the role that housing can play in supporting the vitality and viability of centres by supporting residential proposals within centres.

Housing will be limited to above ground floor level within Main Shopping Areas, recognising the importance of these areas as the focus for shopping facilities. This also recognises the need to support mixed use development within centres, with active uses at ground floor level."

The National Planning Policy Framework (NPPF) requires that development plans include policies that will promote sustainable development in economic, social and environmental terms. They should provide improved access for all to jobs, services, shops, and facilities, by ensuring that new development is located where possible to allow access to services or facilities on foot, bicycle and should aim for a balance of land uses within the area so that people are encouraged to minimise journey lengths.

The proposal retains the primary commercial use at ground floor level and provides four additional residential units above. It is located in a sustainable area with shops and services within walking distance and is therefore considered acceptable in principle.

Design 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. These policies and guidance are backed up by the NPPF and the NPPG which both support good design.

Representations have been received raising concerns that the proposed development would result in a building that is out of keeping with the character of the surrounding area, appearing unduly dominant within the street scene and giving rise to overshadowing of neighbouring properties.

In assessing the proposal, it is acknowledged that the development would increase the height of the existing building through the addition of a further full storey above the current single-storey structure. However, the proposed design incorporates a hipped roof form, with the upper-floor accommodation largely contained within the roof space. This approach reduces the perceived bulk of the building and moderates its visual impact when viewed from the surrounding area.

The resultant scale and massing are considered comparable to Pavilion Apartments located on the opposite side of Worksop Road, which provides an established example of a similarly scaled residential development within the locality. As such, the proposal would not appear incongruous within the wider context of the area.

In terms of appearance, the use of rendered wall finishes with brick detailing, together with a slate roof, reflects materials commonly found within neighbouring residential properties and more recent developments along Worksop Road. The proposed palette of materials is therefore considered appropriate and sympathetic to the prevailing character of the area.

Overall, it is considered that the proposal would maintain and enhance the character and appearance of both the host site and the wider street scene. The design, scale, massing and choice of materials are therefore regarded as acceptable and compliant with Policies CS28 and SP55 of the adopted Local Plan.

Residential Amenity

With regard to the impact of the proposals on residential amenity, Local Plan Policy SP55 states: "Proportionate to the scale, nature, location and sensitivity of development, regard will be had to the following when considering development proposals: (amongst others):

- a) the setting of the site, including the size, scale, mass, volume, height, orientation, form, and grain of surrounding development;
- 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.”

There are residential properties to the side across Manvers Road, on the opposite side of Worksop Road and further up on Worksop Road and to the rear on Manvers Road.

Objections have been received regarding the potential for overlooking and loss of privacy. The nearest residential property to the rear is located in excess of 21 metres from the proposed development and is positioned at an offset angle to the north-east rather than directly opposite the site. Whilst there may be some limited views from the second-floor bedroom windows towards neighbouring properties, it is considered that the separation distance, together with the relationship and orientation between the buildings, would ensure that any overlooking would not result in an unacceptable impact on the living conditions of neighbouring occupiers or a significant loss of privacy.

With regard to the properties located opposite the site on Manvers Road, these dwellings are situated at a considerably lower ground level than the application site. Whilst the proposed side-facing bedroom window would be located at a distance below the 21-metre separation generally sought between opposing habitable room windows, the significant difference in levels between the properties means that views would be directed predominantly over, rather than into, neighbouring dwellings. As such, it is not considered that the proposal would result in unacceptable overlooking or a material loss of privacy for the occupants of these properties.

The residential properties on Worksop Road are located at a sufficient distance from the proposed development such that no adverse impacts are anticipated in terms of overlooking or loss of privacy.

With regard to the potential impact on daylight and outlook, the applicant has submitted a 25-degree assessment measured from the habitable room windows of properties on Manvers Road. The South Yorkshire Residential Design Guide (SYRDG) advises that, for daylighting purposes, development facing neighbouring windows should generally remain below the 25-degree line and also recommends a minimum separation distance of 12 metres between a habitable room window and a blank elevation (or an elevation containing only non-habitable room windows).

Whilst the proposed development does not fully comply with the 25-degree guideline, this assessment is intended as a tool to assist in evaluating potential impacts on daylight and outlook and should be considered in the context of the specific site circumstances. In this instance, the proposed

building is separated from the affected dwellings by the full width of Manvers Road and there is also a notable difference in site levels. Furthermore, the proposed separation distance between the nearest habitable room windows on Manvers Road and the blank elevation of the development is approximately 16.6 metres, which exceeds the SYRDG's recommended minimum separation distance of 12 metres. Taking these factors into account, it is considered that the degree of separation is sufficient to ensure that the development would not result in a materially harmful overbearing effect, unacceptable loss of outlook, or significant loss of daylight to neighbouring occupiers.

Finally, the NPPF at paragraph 135 (f) states that Planning policies and 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 proposed apartments meet the prescribed internal size as set out in the nationally described space standards. The SYRDG advises on garden space and for this type of development there needs to be at least 50 sq m of shared private amenity space with an additional 10 sq m per unit either as balcony space or added to shared private space. The submitted plans address this by the inclusion of balconies to the front of each apartment and a shared amenity space to the rear.

The apartments are therefore considered to be of an appropriate design and layout to ensure the standard of amenity for future occupiers

Detrimental impacts caused by construction noise and disturbance have been raised by nearby residents and Environmental Health officers have also raised concerns that there could be the potential for disturbance during the construction phase due to noise and dust. To minimise any disturbance, they recommend that conditions are imposed on any permission granted to advise the applicant how to mitigate against this.

Highways

Local Plan Policy SP26 'Sustainable Transport for Development' states that: "Development proposals will be supported where it can be demonstrated that: (amongst others);

- b. local traffic circulation, existing parking and servicing arrangements are not adversely affected;
- c. the highway network is, or can be made, suitable to cope with the traffic generated in terms of the number, type and size of vehicles involved, during construction and after occupation;

The NPPF at paragraph 109 states that "Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: (amongst others)

- c) understanding and addressing the potential impacts of development on transport networks;
- e) identifying and pursuing opportunities to promote walking, cycling and public transport use;

At paragraph 116 the NPPF further adds that: "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."

Objections have been received from nearby residents with regard to existing parking problems on Manvers Road causing congestion and difficulty at the junction with Worksop Road.

The proposal includes parking to the front of the building. Highways officers have assessed the proposals and note that 4 parking bays are proposed for the residential units and 2 for the commercial building.

Cycle storage facilities are to be provided, and the site is close to local amenities such as a health centre, local shops and bus stops the site is therefore considered to be in a sustainable location.

Highways officers note that there is a layby adjacent to the site on Manvers Road without any parking restrictions which is available to visitors, residents or for loading and unloading.

Whilst highways officers note the concerns raised by residents in terms of congestion and illegal parking in the area they state that there are significant lengths of 'no waiting at any time' restrictions at the junction of Worksop Road and Manvers Road to prevent vehicles obstructing the visibility at the junction and any illegal parking is a matter for highways enforcement.

Drainage

Concerns have been raised that removal of soil could cause increased flooding, the Councils drainage engineer has assessed the proposal and considers that there is no increase in flood risk and no increase in surface water run off.

Further concerns with regard to potential damage to utility pipes during construction

and obstruction of legally protected easements have also been received. Yorkshire Water have raised no objections to the development and any damage or obstruction would be a civil matter that the applicant would need to address.

Air Quality

Supplementary Planning Document No. 2 Air Quality and Emissions aims to assist in reducing emissions to air in Rotherham. New developments have the

potential to affect air quality and local planning policy will play a significant role in ensuring that development schemes are designed to be sustainable.

The NPPF at paragraph 117 states that applications for development should :

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

A secure covered bike store is to be provided to encourage cycling and minimise car usage and the proposal includes 4 new EV charging points for the proposed apartment parking spaces and as such complies with the SPD which recommends the provision of one charging point per parking space for flats.

Other Issues raised by objectors

Damage to gas and water pipes from construction work

The liability for any damage to utilities lies with the construction company that carries out the work.

Hygiene issues from bin storage area

The proposed bin storage is within the area of the previous small retail unit, and it would be the tenants responsibility to maintain this area as per any other residential property.

Construction noise

There is always the potential for noise and disturbance from any new development, conditions are being recommended to advice best practice to address this but ultimately any serious issues of this nature would be investigated by Environmental health officers

Conclusion

The proposed development would provide four new residential apartments above an existing commercial unit within the Swallownest District Centre, retaining the established commercial use at ground floor level and supporting the vitality and viability of the centre. The proposal represents an appropriate form of mixed-use development in a sustainable location with good access to local services, facilities and public transport.

The scale, design and appearance of the development are considered to be sympathetic to the character of the surrounding area and would not result in harm to the visual amenity of the street scene. Furthermore, having regard to the separation distances, the difference in ground levels, the relationship with

surrounding properties and the submitted daylight assessment, it is considered that the proposal would not result in unacceptable overlooking, loss of privacy, overbearing impact, loss of outlook or significant loss of daylight to neighbouring occupiers. Future residents would also benefit from accommodation that meets nationally prescribed space standards together with private and shared amenity space in accordance with the South Yorkshire Residential Design Guide.

The proposal provides an appropriate level of parking, cycle storage and electric vehicle charging infrastructure and raises no objections from the Council's Transportation, Drainage or Environmental Health consultees. Subject to the recommended conditions, the development would not have an unacceptable impact on highway safety, drainage, residential amenity or air quality.

Accordingly, the proposal is considered to accord with the relevant policies of the Rotherham Local Plan and the National Planning Policy Framework, and approval is therefore recommended subject to the conditions set out in this report.

Conditions

01

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

Reason

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

02

The permission hereby granted shall relate to the area shown outlined in red on the approved location plan and the development shall only take place in accordance with the submitted details and specifications and as shown on the approved plans

Drawing numbers:

- 1164-A1.1B Location Plan and Site Plan
- 1164-A2.1C GF Proposed Ground Floor Plan
- 1164-A2.2C FF Proposed First Floor Plan
- 1164-A2.3C SF – Proposed Second Floor Plan
- 1164-A1.4C Parking Area – Proposed Car Parking Plan
- 1164-A3.1A EI – Proposed Elevations
- 1164-A3.3A Street Scene – Existing and Proposed Street Scene Plans
- 1164-A4.1 A-A – Building Section A-A
- 1164-A4.2 B-B – Building Section B-B
- 1164-A4.3 C-C – Building Section C-C
- 1164-A2.0 FD Foundations and Drainage Plan

- 1164-A1.8 Shading – Shading Analysis Plan
- 1164-A1.4A GF Area – Areas for Proposed Ground Floor
- 1164-A1.5B FF Area – Areas for Proposed First Floor
- 1164-A1.6C SF Area – Areas for Proposed Second Floor
- 1164-A1.2 - Vision Lines at 25 Degrees
- 1164-A2.3B SF – Vision Lines at 25 Degrees to Second Floor
- 1164-A3.3C Street Scene – Vision Lines at 25 Degrees on Street Scene Plan

Reason

To define the permission and for the avoidance of doubt.

03

The construction of the apartments shall not commence 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 Local Plan Policy CS28.

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 brought into use the car parking area shown on the approved plan shall be provided, marked out and thereafter maintained for car parking.

Reason

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

06

The development shall be completed in accordance with the approved electric vehicle charging details shown on plan ref: 1164.A2.1C and retained in perpetuity. Each dwelling shall not be occupied until the charging point is provided.

Reason

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

07

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.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and Part 15 of the NPPF.

08

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', and Minerals Planning Guidance Note 11 (1993) 'The Control of Noise at Surface Mineral Workings'.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and Part 15 of the NPPF.

09

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.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and Part 15 of the NPPF.

10

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.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and Part 15 of the NPPF.

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.