

DECISION REGISTER

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

DECISIONS SENT OUT BETWEEN 31/12/12 AND 04/01/13 (INCLUDING CONDITIONS/REASONS FOR REFUSAL)

RB2012/1564

Case Officer: Matthew Peck

Erection of 2 No. detached dwellinghouses with detached garages and formation of vehicular access at land rear of 37 Woodsetts Road North Anston for Mr G Brignall

GRANTED CONDITIONALLY

02/01/2013

01

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

Reason

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

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below) except as shall be otherwise agreed in writing by the Local Planning Authority.

(Drawing numbers ND. 65, 2A)(received 18 December 2012)

(Drawing numbers .ND65, 4) (received 24 October 2012)

(Drawing numbers ND65, 3)(received 24 October 2012)

Reason

To define the permission and for the avoidance of doubt.

03

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with UDP Policy ENV3.1 'Development and the Environment'.

04

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation of the dwelling hereby approved.

Reason

In the interests of the visual amenity of the area and in accordance with UDP Policy ENV3.1 'Development and the Environment'.

05

Before the development is brought into use, that part of the site to be used by vehicles shall be constructed with either;
a/ a permeable surface and associated water retention/collection drainage, or;

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

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and 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 and in accordance with UDP Policy HG5 'The Residential Environment.'

06

Prior to the commencement of development hereby approved, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing how the use of sustainable/public transport will be encouraged. The agreed details shall be implemented in accordance with a timescale to be agreed by the Local Planning Authority.

Reason

In order to promote sustainable transport choices.

07

Before the development is brought into use the car parking area shown on the submitted 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.

Informative

01

INF 11A Control of working practices during construction phase (Close to residential)

It is recommended that the following advice is followed to prevent a nuisance/ loss of amenity to local residential areas. Please note that the Council's Neighbourhood Enforcement have a legal duty to investigate any complaints about noise or dust. If a statutory nuisance is found to exist they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Rotherham Magistrates' Court.

It is therefore recommended that you give serious consideration to the below recommendations and to the steps that may be required to prevent a noise nuisance from being created.

(i) Except in case of emergency, operations should not take place on site other than between the hours of 08:00 – 18:00 Monday to Friday and between 09:00 – 13:00 on Saturdays. There should 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 Local Planning Authority should be notified at the earliest opportunity of the occurrence of any such emergency and a

schedule of essential work shall be provided.

(ii) Heavy goods vehicles should only enter or leave the site between the hours of 08:00 – 18:00 on weekdays and 09:00 – 13:00 Saturdays and no such movements should take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).

(iii) 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 Local 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.

(iv) Effective steps should 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.

RB2012/1596

Case Officer: Luke Herring

Retrospective application for installation of 2 No. dormer windows to rear at 12 Ledsham Road Broom for Mr L Hussain

GRANTED CONDITIONALLY

04/01/2013

01

Within two months of the date of the approval, the dormer windows hereby approved shall be clad in materials to match that of the existing roof slope and thereafter retained and maintained in such condition.

Reason

In the interests of visual amenity and to comply with ENV3.1 'Development and the Environment'

RB2012/1612

Case Officer: Anita Heydon

Use of unit as hot food take-away (Use Class A5) and replacement flue at King Cod Fish Bar 92 Flanderwell Lane Sunnyside for Mr Singh

GRANTED CONDITIONALLY

02/01/2013

01

The use hereby permitted shall only be open to customers between the hours of 11:30 to 22:00 Mondays to Saturdays and at no time on Sundays.

Reason

In the interests of the amenities of the occupiers of nearby dwellings and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

02

The use hereby permitted shall only be open for deliveries between the hours of 09:00 to 20:00 Mondays to Saturdays and at no time on Sundays.

Reason

In the interests of the amenities of the occupiers of nearby dwellings and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

03

Within one month of the date of this decision a silencer shall be

fitted to the extractor fan to reduce the noise rating of the fan and ensure that:

- The BS4142 rating level of the plant, measured over 1 hour, shall not exceed the background (LA90) during the daytime hours (0700 to 2300).

- The BS4142 rating level of the plant, measured over 5 minutes shall not exceed the background (LA90) during the night-time period (2300 to 0700 hours).

The extraction/filtration system shall thereafter be maintained and operated in accordance with the manufacturer's specifications.

Reason

In the interests of the amenities of the occupiers of nearby dwellings and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

04

Within one month of the date of this decision, details of the siting of a litter bin to the forecourt or within building and arrangements for emptying shall be submitted to and approved in writing by Local Planning Authority. The approved details shall thereafter be implemented.

Reason

In the interests of visual amenity and to reduce the problem of litter and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

Informative(s)

INF 23 Adverts

The granting of this planning permission does not authorise any signage to be erected related to the development. Such signage is controlled by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and a separate application for advertisement consent may be required.

RB2012/1624

Case Officer: Robert Morrell

Change of use of land to stud farm, erection of stable block and associated landscaping at land west of Jumble Lane Thorpe Hesley for Mr J Rhodes

GRANTED CONDITIONALLY

02/01/2013

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

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

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with UDP Policy ENV3.1 'Development and the

Environment'.

03

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

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

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

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and to encourage drivers to make use of the parking spaces and to ensure that the use of the land for this purpose will not give rise to the deposit of mud and other extraneous material on the public highway in the interests of the adequate drainage of the site and road safety.

04

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 and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.1 'Development and the Environment', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

05

Prior to commencement of development, a detailed landscape scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape scheme shall be prepared to a minimum scale of 1:200 and shall clearly identify through supplementary drawings where necessary:

-The extent of existing planting, including those trees or areas of vegetation that are to be retained, and those that it is proposed to remove.

-The extent of any changes to existing ground levels, where these are proposed.

-Any constraints in the form of existing or proposed site services, or visibility requirements.

-Areas of structural and ornamental planting that are to be carried out.

-The positions, design, materials and type of any boundary treatment to be erected.

-A planting plan and schedule detailing the proposed species, siting, quality and size specification, and planting distances.

-A written specification for ground preparation and soft landscape works.

-The programme for implementation.

-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 and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.1 'Development and the Environment', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

06

The generator to be used on site shall only to be in operation between the hours of 8am and 6pm Monday to Saturday and 8am until 12pm on Sundays and Bank Holidays.

Reason

In the interests of the amenities.

Informative(s)

01

The applicant is advised that any muckheap must be located in a position to minimise nuisance to neighbours from odour or flies. In addition, any muckheaps must not be located within 10m of a watercourse or field drain. If there are any water sources used for human consumption, any muckheap must be placed at least 50m away from the supply.

02

The applicant is advised that a suitable collection arrangement must be in place to prevent excessive build up of manure. The collection frequency must be proportionate to the amount of waste produced. Burning of manure will not be permitted.

RB2012/1635

Case Officer: Andrew West

Conservatory to rear at 23
Haddon Way Aston for Mr
Yeardley

GRANTED CONDITIONALLY

02/01/2013

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with UDP Policy ENV3.1 'Development and the Environment'.

RB2012/1642

GRANTED

02/01/2013

Illuminated signs

Case Officer: Anita Heydon

Display 1 No. illuminated fascia,
2 No. illuminated projecting
signs and 1 No. illuminated
ATM surround at Lloyds TSB Plc
6 Grange Lane Maltby for
Lloyds Banking Group

RB2012/1644

Case Officer: Matthew Peck

Replace existing agricultural
building at 1 Manor Farm Croft
Woodsetts for Mr P Scholey

Most signs that require illumination are for those premises that will be open at night to indicate that they are open. It is recommended that after closure they are turned off, this may in some cases be because there are residential properties nearby and there is no need for them to be on once the shop is closed. For other locations it is good practice to ensure they are turned off after closure or on a timer until later at night if they close at 5pm and would like them on for advertising purposes though are not required to be on 24 hours a day.

For information and general guidance relating to the control of light pollution please refer to the Institution of Lighting Engineers website at:
<http://www.ile.org.uk/index.php?page=pollution>

GRANTED CONDITIONALLY

04/01/2013

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

No tree or hedge shall be cut down, uprooted or destroyed nor shall any tree or hedge be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning works approved shall be carried out in accordance with British Standard 3998 (Tree Work). If any tree or hedge is removed, uprooted or destroyed or dies, another tree or hedge shall be planted in the immediate area and that tree or hedge shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

In the interests of the visual amenities of the area and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.1 'Development and the Environment', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

03

Prior to commencement of development, a detailed landscape scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape scheme shall be prepared to a minimum scale of 1:200 and shall clearly identify through supplementary drawings where necessary:

- The extent of existing planting, including those trees or areas of vegetation that are to be retained, and those that it is proposed to remove.
- The extent of any changes to existing ground levels, where these are proposed.
- Any constraints in the form of existing or proposed site services, or visibility requirements.
- Areas of structural and ornamental planting that are to be carried out.
- The positions, design, materials and type of any boundary

treatment to be erected.

- A planting plan and schedule detailing the proposed species, siting, quality and size specification, and planting distances.
- A written specification for ground preparation and soft landscape works.
- The programme for implementation.
- 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 and in accordance with the appropriate standards and codes of practice 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 and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.1 'Development and the Environment', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

04

Any plants or trees which within a period of 5 years from completion of planting die, are removed or damaged, or that fail to thrive shall be replaced within the next planting season. Assessment of requirements for replacement planting shall be carried out on an annual basis in September of each year and any defective work or materials discovered shall be rectified before 31st December of that year.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.1 'Development and the Environment', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

RB2012/1645

Case Officer: Anita Heydon

Single storey side & rear extension at 66 Sorby Way Wickersley for Mr S Flanagan

GRANTED CONDITIONALLY

02/01/2013

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

Notwithstanding the details submitted on the application form, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with UDP Policy ENV3.1 'Development and the Environment'.

RB2012/1653

Case Officer: Stacey Waller

Demolition of existing conservatory and erection of a two storey & single storey rear extension at 50 McKenzie Way Kiveton Park for Mr & Mrs D Goldbourne

GRANTED CONDITIONALLY

02/01/2013

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with UDP Policy ENV3.1 'Development and the Environment'.

RB2012/1693

Case Officer: Andrew West

Application to prune 3 No. silver birch trees protected by RMBC Tree Preservation Order No.3 2009 at Church Hall/Railway Children Nursery Wood Lane Treeton for Mr Saddiq

GRANTED CONDITIONALLY

02/01/2013

01

All tree works shall be carried out in accordance with B.S.3998: 2010 and shall not exceed the attached recommended schedule of tree work, unless otherwise agreed in writing with the Local Planning Authority. In addition no tree work shall commence until the applicant or his contractor has given at least seven days notice of the intended starting date to the Local Planning Authority. The authorised works should be completed within 2 years of the decision notice otherwise a new application for consent to carry out any tree work will be required.

Reason

To ensure the tree works are carried out in a manner which will maintain the health and appearance of the trees in the interests of the visual amenities of the area and in accordance with UDP Policies ENV3 'Borough Landscape', ENV3.1 'Development and the Environment', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

Informative

INF 25 Protected species

Wildlife Legislation

The protection afforded to protected sites and species under UK and EU legislation is irrespective of the planning system and the applicant should therefore ensure that any activity undertaken, regardless of the need for any planning consent, complies with the appropriate wildlife legislation. If any protected species are found on the site then work should halt and an appropriately qualified ecologist consulted.

The main piece of legislation relating to nature conservation in Great Britain is the Wildlife and Countryside Act 1981. This Act is supplemented by the Conservation of Habitats and Species Regulations 2010 (Habitat Regulations), the Countryside and Rights of Way (CRoW) Act 2000 (in England and Wales) and the

Natural Environment and Rural Communities (NERC) Act 2006 (in England and Wales).

All species of bats and their roosts are protected by UK and European legislation. Roosts are equally protected whether bats are present or not.

The Great Crested Newt is protected by UK and European legislation. The legislation covers all life stages; eggs, tadpoles and adult newts are all equally covered.

Otters and their holts, including hovers and couches, which are otter resting places above ground, are protected by UK and European legislation.

Water Vole are protected against killing, injuring or taking; possession or control; damage or destruction of its places of shelter, or disturbance while such animals are occupying places of shelter.

All birds, their nests and eggs are protected by UK law and it is an offence, with certain exceptions, to kill, injure or take any wild bird, to take, damage or destroy the nest of any wild bird while it is in use or being built, and to take or destroy the egg of any wild bird. Certain species receive increased protection making it an offence to disturb any wild bird listed on Schedule 1 while it is nest building or is at (or near) a nest with eggs or young; or disturb the dependant young of such a bird.

Badgers and their setts are protected under the Protection of Badgers Act 1992, which makes it illegal to kill, injure or take badgers or to interfere with a badger sett. Interference with a sett includes blocking tunnels or damaging the sett in any way.

The information provided is a summary only; for definitive information, primary sources should be consulted.

RB2012/1706

Case Officer: Matthew Temperton

Non-material amendment to application RB2007/1666 to include repositioning of rear building (8 No. apartment block) at 3 - 10 Pennington Court off Rotherham Road Maltby for Gemini Properties

GRANTED

31/12/2012

Drawing Number(s) or reference(s)

AES-0365 Sheet 1

received on 23 November 2012

which replaces drawing number(s) or reference(s)

AES-0196 Sheet 2

received 24 August 2007