

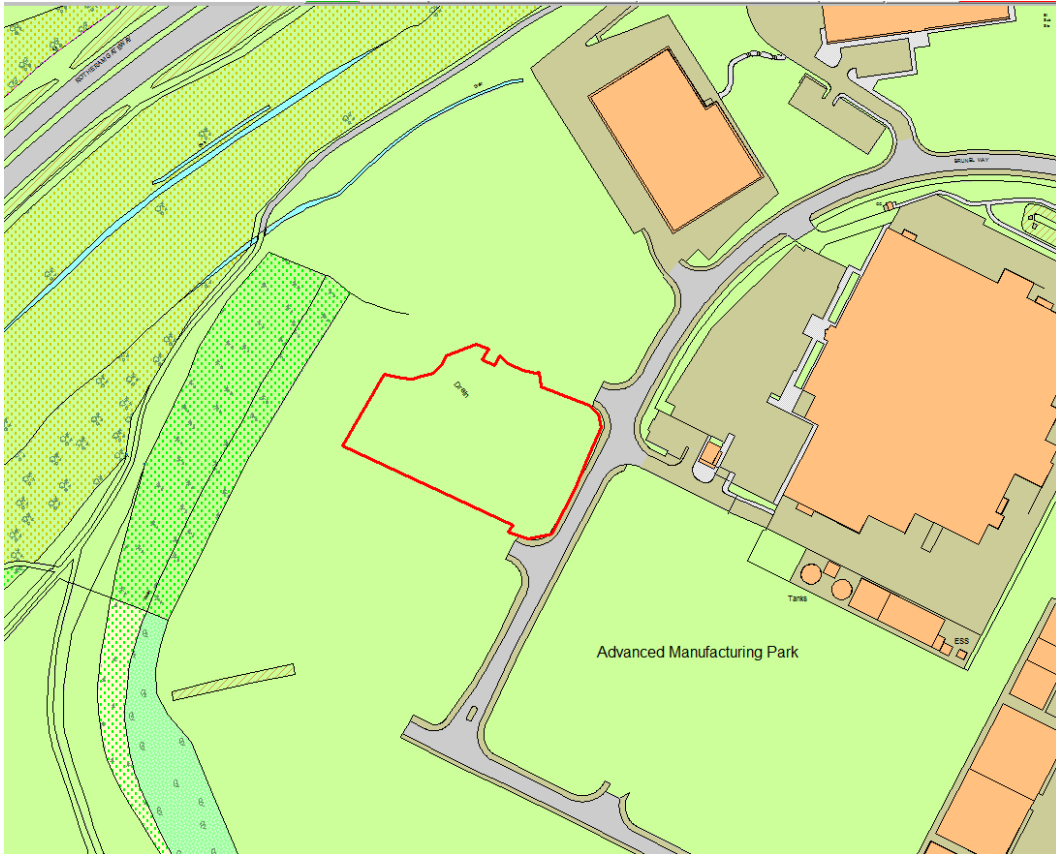
**REPORT TO THE PLANNING REGULATORY BOARD  
TO BE HELD ON THE 18 SEPTEMBER 2014**

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

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<b>Application Number</b>	<b>RB2014/0903</b>
<b>Proposal and Location</b>	Details of layout, landscaping, scale and appearance of Unit 2 (reserved by outline RB2013/1365) land off Brunel Way Catcliffe, S60 5WG
<b>Recommendation</b>	Grant subject to conditions



### Site Description & Location

The application site forms part of the Phase 2 development at the Advanced Manufacturing Park (AMP) at Catcliffe and is approximately 0.7 hectares in size. The site is accessed off a cul-de-sac form Brunel Way, for which planning permission has been granted. Planning permission has been granted for two units to the rear of the plot that are currently under construction. There is a vacant development plot to the north of the site with a strip of tree planting to the north west between the site and the Sheffield Parkway.

The site has previously been prepared as a development plateau, and is flat with some shrubs and grass.

### Background

There are a number of previous applications relating to this site, those relevant to this application are listed below –

RB2003/0046

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

RB2012/1416

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

RB2013/1039

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

RB2013/1365

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

RB2013/1568

Reserved matters application for units 3 and 4 with details of layout, landscaping, scale and appearance – Granted 31/01/14

#### EIA Screening Opinion

A screening opinion was carried out to determine whether an Environmental Impact Assessment should accompany the application. The proposed development falls within the description contained in paragraphs 10 (a) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and meets the criteria set out in column 2 of the table, i.e. that the area of the development exceeds 0.5 hectares. However, taking account of the criteria set out in Schedule 3, the opinion has been reached that the development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location and therefore an Environmental Impact Assessment was not required to accompany the application.

#### **Proposal**

The planning application seeks reserved matters approval for the layout, landscaping, scale and appearance of unit 2 of the R-evolution development approved in outline under permission reference RB2013/1365. Members may recall that details of units 3 and 4 have previously been approved by application RB2013/1568 in January 2014 and these units are currently under construction.

The floorspace proposed within this reserved matters application is approximately 2,275 sqm, similar in scale to the previous two buildings. In accordance with the outline consent, the unit is proposed to be used within B1 (b & c) research and development..

The scheme is proposed to be constructed in two phases, Phase 1 at the front of the site being developed firstly, with Phase 2 being constructed to the rear of the site (and physically attached) at a later date.

Phase 1 is proposed to be approximately 1,387sqm, 39m long and 37m wide with Phase 2 being 888sqm resulting in the building being 63m long and 37m wide; the building is proposed to be 8.45m high.

The design of the building is proposed to be “striking” and be welcoming for visitors. The proposed materials are grey flat panel cladding systems to the front elevation with metal profiled cladding systems to all other elevations. The front of the building has been designed on a curve, with the majority being glazed, with a small amount of wooden cladding on recessed areas.

The completed unit provides 43 car parking spaces for users including 2 disabled spaces as well as provision for cycle parking for 8 bikes.

The application has been supported by the following documents –

Design and Access Statement – This outlines that the proposed design and materials of the building will relate to the other sites located in close proximity. It states that the site is accessible to all modes of transport and incorporates a number of green objectives to achieve a BREEAM rating of Very Good.

Biodiversity and Mitigation and Enhancement Strategy – This has been submitted to show that the development will accord to the wider biodiversity plan for the site.

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

On the 9th July 2014, the Council's Cabinet recommended that the Council adopt its Core Strategy. A report regarding adoption is to be considered at the full Council meeting of 10 September and upon approval the Core Strategy will be adopted and published. The weight to be given to the Core Strategy policies in the determination of planning applications is therefore significant as the Council considers the Core Strategy proposals satisfy the relevant requirements under paragraph 215 of the NPPF.

The site is allocated for Industrial and Business Use within the adopted Rotherham Unitary Development Plan. Therefore the following policies are relevant to the determination of the planning application –

#### UDP Policies

EC1 ‘Existing Industrial and Business Areas’  
EC3.1 ‘Land Identified for Industrial and Business Uses’

#### Core Strategy Policies

CS9 Transforming Rotherham’s Economy  
CS21 ‘Landscape’

CS28 'Sustainable Design'

CS14 'Accessible Places and Managing Demand for Travel'

### **Other Material Considerations**

National Planning Policy Framework: The NPPF came into effect on March 27<sup>th</sup> 2012 and replaced all previous Government Planning Policy Guidance (PPGs) and most of the Planning Policy Statements (PPSs) that existed. It states that "Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision."

The NPPF notes that for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. The Rotherham Unitary Development Plan was adopted prior to this in June 1999. Under such circumstances 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 Unitary Development Plan policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

### **Publicity**

The application was advertised in the press and on site. No representations have been received.

### **Consultations**

Transportation Unit – No objections subject to conditions

Streetpride (Landscapes) - No objections

Streetpride (Drainage) – No objections

Streetpride (Ecology) – No objections

Environmental Health (contamination) – 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 principle of development was established under outline permission RB2013/1365 in December 2013, and the proposed use of the building for research and development purposes is considered to be appropriate.

The main considerations of this application therefore relate to the following:

- Scale, Layout, Design and Appearance
- Landscape and Ecology

### Scale, Layout, Design and Appearance

CS28 'Sustainable Design' states that: "Proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well designed buildings within a clear framework of routes and spaces. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping.

Design should take all opportunities to improve the character and quality of an area and the way it functions."

This is further emphasised in Paragraph 56 of the NPPF which states that "The Government attaches great importance to the design of the built environment. Good Design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people".

Having regard to the layout and form of the proposed building, it is situated in a position that provides a strong elevation fronting the road whilst allowing a sufficient area for the provision of landscaping, parking and servicing. Externally, the proposed buildings reflect the appearance/quality of existing buildings within the wider AMP site, and the design of the building is considered appropriate in this location.

The whole scheme is proposed to be constructed in two phases. The first phase will face towards Brunel Way, and an area of land at the rear of the site will be planted with wildflowers. 26 parking spaces will be provided for the first phase with a further 17 parking spaces being provided when the second phase is built out. This phased approach is considered acceptable and will not have any adverse impact on the visual amenity of the area.

In summary, and taking into account of the surrounding buildings, it is considered that the proposed development is appropriate for its location and would not have a materially detrimental impact on the visual amenity of the locality in line with Core Strategy Policy CS28 and Paragraph 56 of the NPPF.

Access to the site and the impact of the development on the local highway network were considered as part of the outline application and subsequently considered to be acceptable. Therefore this current application deals solely with the detail of the proposals which includes the location and quantum of car and cycle parking and the implementation of travel plan measures.

In this regard the proposed level of car parking is consistent with the provisions of the Council's Maximum Car Parking Standards, approved in June 2011, and is therefore considered to be acceptable. The site is also accessible by public transport and is accessible for pedestrians and cyclists. The proposal is therefore considered to comply with Core Strategy Policy CS14 which promotes the location of new development in locations that are highly accessible which are well served by a variety of modes of travel; and through supporting high density development near to public transport interchanges.

### Landscape and Ecology

Core Strategy Policy CS21 'Landscape' states that new development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the boroughs landscape.

Paragraph 109 of the NPPF states that: "The planning system should contribute to and enhance the natural and local environment by amongst other things, minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitments to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"

The application is accompanied by a landscaping layout scheme which provides for planting to the front of the unit. The proposed quantum and location of planting has been considered by the Council's Landscape Section as well as the Ecologist. The application was supported by a Biodiversity Mitigation and Enhancement Strategy, which is considered to incorporate all necessary measures, and is therefore a positive and welcome provision.

Having regard to the above, it is considered that subject to the imposition of conditions the proposed landscaping scheme and net ecological gain is acceptable and in accordance with paragraph 109 of the NPPF and Core Strategy Policy CS21 'Landscape.'

### Conclusion

The principle of development was established under the outline permission ref. RB2013/1365 granted in December 2013. The scale, appearance and external appearance of the proposed development is considered to be appropriate for its location and would not have a materially detrimental impact on the visual amenity of the locality in line with Core Strategy Policy CS28 and paragraph 56 of the NPPF. The level of car and cycle parking provision accords with the Councils maximum car parking standards and cycle provision guidance and is therefore considered acceptable, and the site is considered to be located in a sustainable location in accordance with Core Strategy Policy CS14.

Having regard to landscaping and ecology, the landscape scheme and biodiversity mitigation and enhancement strategy are considered acceptable and appropriate for the plots, and are considered to be in accordance with paragraph 109 of the NPPF and Core Strategy Policy CS21.

The application is therefore recommended for approval subject to the following 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) except as shall be otherwise agreed in writing by the Local Planning Authority.

- Site Location Plan – Drawing Reference Number – NIK BBA Z0 00 DR A 01007 D5 Rev P9 – received 24-06-2014
- Proposed Phase 2 Site Plan – drawing Number NIK BBA Z0 00 DR A 01009 D5 Rev P8 – received 24-06-2014
- GA Elevations – Phase 1 – Drawing Number – NIK BBA 00 ZZ DR A 03001 D5 Rev P5 – received 24-06-2014
- GA Elevations – Phase 2 – Drawing Number NIK BBA 00 ZZ DR A 03002 D5 Rev P1 – received 24-06-2014
- Proposed Phase 1 Site Plan – Drawing Number – NIK BBA Z0 00 DR A 01008 D5 Rev P9 – received 24-06-2014
- GA Ground Floor Plan – Phase 1 – Drawing Number NIK BBA Z0 GF DR A 02011 D5 Rev P15 – received 24-06-2014
- GA Ground Floor Plan – Phase 2 – Drawing Number – NIK BBA Z0 GF DR A 02014 D5 Rev P2 – received 24-06-2014



- GA First Floor Plan – Phase 1 – Drawing Number KIK BBA Z0 M0 DR A 02013 D5 Rev P5 – received 24-06-2014
- GA First Floor Plan – Phase 2 – Drawing Number NIK BBA Z0 M0 DR A 02015 D5 Rev P1 – received 24-06-2014
- GA Roof Plan – Phase 1 – Drawing Number – NIK BBA Z0 RF DR A 02012 D5 Rev P3 – received 24-06-2014
- GA Roof Plan – Phase 2 – Drawing Number NIK BBA Z0 RF DR A 02016 D5 Rev P1 – received 24-06-2014
- Proposed Drainage Layout – Drawing Number – 35207 10 rev – Received 24-06-2014
- Proposed Landscape Plan – Phase 1 – Drawing Number NIK BBA Z0 00 DR A 010011 D5 Rev P2
- Proposed Landscape Plan – Phase 2 – Drawing Number NIK BBA Z0 00 DR A 010011 D5 Rev P2

Reason

To define the permission and for the avoidance of doubt.

02

Before each phase of 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.

03

Before each phase of the development is brought into use the car parking area shown on the approved plan for each phase 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.

04 Landscaping of the site as shown on the approved plans (Phase 1 – Drawing Number NIK BBA Z0 00 DR A 010011 D5 Rev P2 and Phase 2 – Drawing Number NIK BBA Z0 00 DR A 010011 D5 Rev P2 ) shall be carried out during the first available planting season after commencement of the development of each phase. 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', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows' Core Strategy Policy CS21 Landscape.

05

The permission hereby granted shall be implemented in accordance with the details included within the Biodiversity Mitigation and Enhancement Strategy prepared by AES-LTD dated April 2014.

**Reason**

In the interest of biodiversity at the site in accordance with 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.

<b>Application Number</b>	<b>RB2014/0915</b>
<b>Proposal and Location</b>	Alterations to front elevation and improvement to parking area at Cranworth Hotel, Fitzwilliam Road, Eastwood, S65 1QB
<b>Recommendation</b>	Grant subject to conditions



### Site Description & Location

The application site is occupied by 'The Cranworth Hotel' that is located on the southern side of Fitzwilliam Road at the junction with Cranworth Road in the Eastwood area of the Borough. The site is surrounded by various uses with residential properties adjacent to the side and rear of the site and commercial / retail units on the opposite side of Fitzwilliam Road.

The public house is two-storey in height and is of mock-tudor style where the external appearance of the building at first floor level is half-timbered with render and red brickwork on the ground floor level. The public house is set back from the public highway with a car park and external seating area to the front and side of the building. The vehicular access to the site is via Cranworth Road with a dwarf stone wall along the site boundary with Fitzwilliam Road.

## **Background**

There are a number of previous applications relating to this site:

RB1987/0999 – Extension to improve toilet facilities to public house – Granted

RB1992/1102 – Display of several illuminated signs – Granted

RB1999/1122 – Display of an illuminated free-standing advertisement display unit – Refused

RB2008/0844 – Display of an illuminated free standing double sided advertisement unit – Granted conditionally

## **Proposal**

This proposal seeks planning permission for some alterations to the front elevation of the building and the car parking area. The details of the proposal have been revised during the determination period.

The proposed alteration to the building is solely to the front elevation and is on the ground floor only. It is proposed to retain the existing bay windows including the glazing. The existing entrance would be replaced with a glazing panel and a new double sliding door entrance will be created between the existing bay windows. It is also proposed to have an additional window to the side of the existing entrance which will be of similar width and height as the bay windows. All new glazing is to be aluminium framed and powder coated in the colour of dark grey (BS18B25).

The proposed alteration to the car parking area would clearly define 12 car parking spaces, 2 disabled spaces and 2 cycle stands.

It is also noted from the site plan that soft landscaping is proposed to the perimeter of the site.

The application has been supported by a Design and Access Statement which outlines that the purpose of the proposal is to ensure the public house is compliant with the Disability Discrimination Act.

## **Development Plan Allocation and Policy**

On the 9th July 2014, the Council's Cabinet recommended that the Council adopt its Core Strategy. A report regarding adoption is to be considered at the full Council meeting of 10 September and upon approval the Core Strategy will be adopted and published. The weight to be given to the Core Strategy policies in the determination of planning applications is therefore significant as the Council considers the Core Strategy proposals satisfy the relevant requirements under paragraph 215 of the NPPF.

The site is allocated for residential use within the adopted Rotherham Unitary Development Plan. Therefore the following policies are relevant to the determination of the planning application –

Core Strategy Policy

CS28 'Sustainable Design'

CS21 'Landscaping'

UDP Policy

T8 'Access'

**Other Material Considerations**

National Planning Policy Framework: The NPPF came into effect on March 27<sup>th</sup> 2012 and replaced all previous Government Planning Policy Guidance (PPGs) and most of the Planning Policy Statements (PPS's) that existed. It states that "Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.

The NPPF notes that for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. The Rotherham Unitary Development Plan was adopted prior to this in June 1999. Under such circumstances 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 Unitary Development Plan allocation and Core Strategy policy referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

**Publicity**

Neighbouring properties were notified by letter and a site notice was displayed at the site.

The revised proposals were also re-advertised in the same manner.

Two representations and a petition with approximately 1150 signatures have been received. The objections relate to:

The new proposal is going to result in a change of use of the public house to a convenience store (Tesco Express) and would result in:

- the closure of the only pub left in the Eastwood area
- increase traffic and danger for school children crossing Cranworth Road
- affect local small businesses and the local community do not need more supermarket

- the landlady of the Cranworth Hotel would lose her job and her home which would have significant impact to her family
- the building has its own history with it being used as an air raid shelter before it became a public house
- the application is misleading as the applicant is submitting the application on behalf of Tesco

Both bay windows have the crest on them with the front door having an old sign (The British Institute of Inn keeping) above the door. The external appearance of the building should not be allowed to change given the historic feature on the building.

Three right to speak requests have been received, one from the landlady of Cranworth Hotel and two from the business owners on Fitzwilliam Road.

### **Consultations**

Streetpride (Highways & Transportation): No objection subject to conditions

Neighbourhood (Environmental Health): No objection

### **Appraisal**

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

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

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

The main considerations of this application therefore relate to the following:

- Principle of Development
- Visual impact of the development
- Transportation Issues

### **Principle of Development**

The planning application has been submitted with the intention of ensuring that the building is in compliance with the Disability & Discrimination Act and a proposed floor plan has been submitted which identifies that the building would remain as a public house.

It should be noted however, that under Part 3, Class A of the 1995 General Permitted Development Order (as amended), development consisting of the change of use of a building from a Public House (Class A4) to a shop (Class A1) would be permitted development and would not require planning permission.

Given that the principle of the use of the building as a shop instead of as a public house is established by current planning legislation, the Local Planning Authority cannot consider the acceptability of the principle of the potential change of use of the Cranworth Hotel to a shop and what implications this would have on highway safety, local businesses or the public house business itself.

Although the application site is allocated for residential use in the adopted UDP, it has been used as a public house for many years and as the proposed development would only affect the external appearance of the building and the layout of the car park, it is therefore considered that the proposal is acceptable in principle.

UDP Policy T8 'Access' states that 'The Council will seek to meet the access needs of people with mobility and sensory handicaps by promoting careful design and improved provision in both the refurbishment and development of buildings, public spaces, community facilities and transport network through the development control process and in the course of public service delivery.' It is therefore considered that the proposed alteration is in accordance with this policy and has been appropriately designed to improve the accessibility into the building.

### Visual Impact of the Development

The NPPF notes at paragraph 56 that: "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people." Paragraph 64 adds that: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

In addition to the above the NPPF at paragraph 17 details 12 core planning principles, one of which states planning should always seek to secure a high quality design. Core Strategy policy CS28 'Sustainable Design' states 'Proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well designed buildings within a clear framework of routes and spaces. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping. Design should take all opportunities to improve the character and quality of an area and the way it functions' which seeks to ensure that all development make a positive contribution to the environment by achieving an appropriate standard of design.'

The proposal to alter the external appearance of the building has been revised during the consideration of this application such that both bay windows will be retained and the size of the window to the side of the original entrance and the width of the new entrance has been reduced.

These revisions ensure that the original character of the building is preserved and that the front elevation of Cranworth Hotel by virtue of its design and materials would form an acceptable alteration.

Core Strategy Policy CS21 'Landscaping' states 'Landscape works shall be appropriate to the scale of the development. Developers will be required to put in place effective landscape management mechanisms including long term landscape maintenance for the lifetime of the development'.

As such, it is also considered that the proposed alteration to the car park area including the marking out of car parking spaces and the introduction of soft landscaping to the perimeter of the site, would improve the appearance of the site at this prominent location on Fitzwilliam Road.

In summary, it is considered that the proposal forms an acceptable design that would not have a detrimental impact on the visual amenity of the locality and conforms to Core Strategy policy CS28 'Sustainable Design', UDP Policy T8 'Access' and in line the guidance provided in the NPPF.

### Transportation Issues

It is noted that the vehicular access to the site would remain as existing, via Cranworth Road and it is considered that the proposed alteration to the car park area would not result in a detrimental impact on the highway network or highway safety.

It is also considered that the proposed location and quantum of cycle parking is appropriate to the scale and use of the site.

### Conclusion

To conclude, the proposed development is considered to be acceptable and would retain the principal character and architectural features of the building and the overall site and would not have a detrimental impact on the visual amenity of the surroundings.

The application does not constitute a change of use of the site and the Local Planning Authority cannot consider the merits or potential impact of a change of use of the building from a public house to retail purposes as it would be permitted development under current planning legislation.

It is therefore recommended that the application for planning permission be granted subject to the following conditions.



## **Conditions**

01

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

Reason

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

02

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

Location Plan (S1904/PL/03-01A) received 01 July 2014

Site Plan (S1904/PL/03-02B) received 30 July 2014

Proposed Floor Plan (S1904/PL/02-02B) received 30 July 2014

Proposed Side and Rear Elevation (S1904/PL/02-06A) received 01 July 2014

Proposed Front & Side Elevations (S1904/PL/02-05D) received 30 July 2014

Reason

To define the permission and for the avoidance of doubt.

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

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.

05

Before the development is brought into use, a Landscape scheme, showing location and types of landscape treatment, shall be submitted for approval by the Local Planning Authority. The Landscape scheme should be prepared in accordance with RMBC Landscape Design Guide (April 2014) and shall be implemented in the next available planting season and maintained to ensure healthy establishment. Any plants dying, removed or destroyed within five years of planting shall be replaced the following planting season.

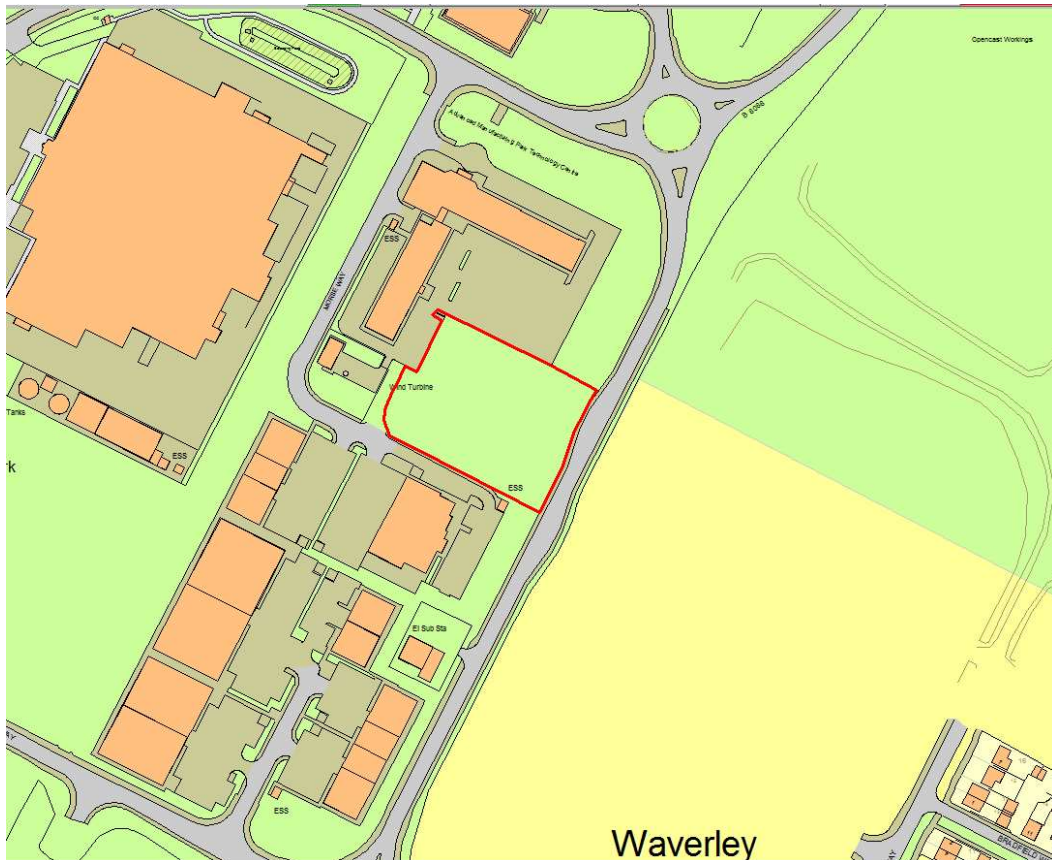
Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and in accordance with Core Strategy Policy CS21 'Landscape'.

#### POSITIVE AND PROACTIVE STATEMENT

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

<b>Application Number</b>	<b>RB2014/0931</b>
<b>Proposal and Location</b>	Erection of two/three storey building for use as workshops (use class B2 general industry) and offices (use class B1(a)) with associated landscaping and parking at AMP Technology Centre, Advanced Manufacturing Park, Brunel Way, Waverley S60 5WG for the Homes and Communities Agency.
<b>Recommendation</b>	Grant subject to conditions



### Site Description & Location

The site is located on a vacant area of land within the existing Advanced Manufacturing Park (AMP) and extends to approximately 0.6 hectares in total. To the north of the site is the existing Technology Centre and its associated car parking area, whilst to the east lies Highfield Spring and to the south are existing employment units (Dormer and Evolution). To the west is further land associated with the AMP.

The site is characterised by a 2.5m high embankment which falls away towards the eastern boundary before flattening as it leads to Highfield Spring. The remainder of the site is relatively flat and comprises of a prepared development plot with access off Morse Way.

## **Background**

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

Following completion of the remediation works, a number of applications were submitted relating to the development of the Advanced Manufacturing Park. These are listed below:

- RB2003/0045 - Outline application for development of advanced manufacturing park including business uses in classes B1 & B2 with related infrastructure and landscaping – Granted 06/04/2005
- RB2005/0645 - Details of the erection of a three storey office and workshop building reserved by outline permission RB2003/0045– Granted 01/07/2005 (this building has since been constructed).

## **Environmental Impact Assessment**

The proposed development falls within the description contained at paragraph 10 (b) of Schedule 2 to the 2011 Regulations and meets the criteria set out in column 2 of the table in that Schedule. However the Council as the relevant Local Planning Authority, having taken into account the criteria set out in Schedule 3 to the 2011 Regulations, is of the opinion that the development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Accordingly the authority has adopted the opinion that the development for which planning permission is sought is not EIA development as defined in the 2011 Regulations.

## **Proposal**

This is a full application for the erection of a two/three storey building for use as workshops (1,690sqm) and office space (762sqm) with associated parking and landscaping works. The proposal will serve as the next phase of development at the Technology Centre, however will be physically detached from the existing two buildings.

The building will have a rectangular footprint and extend down the existing embankment adjacent to Highfield Spring providing a three storey element in this location, reducing to two storeys as the building extends to the rear where the land levels even out. The three storey element is shown to accommodate the office floorspace, whilst double height workshop space is to be provided to the rear with direct access from the car park. Three pedestrian links will also be created from the building and car park to Highfield Spring.

Externally, the materials consist of silver/grey aluminium cladding panels to the main elevations with deep linear slot windows or full height glazing. The main entrance to the building, on the north elevation, is fully glazed with a glazed skylight whilst the eastern elevation, adjacent Highfield Spring, will form the main feature and comprise of a double height recessed window and coloured vertical solar shading.

The proposal also includes the provision of 75no. car parking spaces including 4no. disabled spaces located to the north of the building linking to the existing car park. Cycle parking is adjacent to the main entrance with short and long term provision provided (short term through the means of Sheffield cycle hoops and long term by covered locker storage.)

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

- Supporting Statement including a Sequential and Impact Test  
This assesses the proposals against national guidance and local policy and concludes that no sequentially preferable sites were identified in relation to any of the centres examined. Consideration of the impact also highlights that given the specific nature of the proposed development, the effect of the scheme on the centres identified is minimal and will not undermine their current or future vitality and viability; which in any event is more focussed on the provision of retail and retail services rather than office uses.
- Design and Access Statement  
This provides an overview of the proposed development and demonstrates that the scale, design and external appearance reflects the characteristics of the site and surrounding area.
- Transport Assessment  
This demonstrates that the development can accommodate the maximum permitted car and cycle parking as required by RMBC. Convenient access to the nearby bus stops on Highfield Spring has been provided and the Highfield Spring/Brunel Way roundabout layout can accommodate the vehicular flows associated with the proposed development as assessed in previous Transport Assessments with the development generated traffic included.
- Travel Plan  
This demonstrates that the site is in a sustainable location and the use of sustainable modes of transport by staff and visitors has the potential to be high. It also identifies the appointment of a Travel Plan Co-ordinator for the development who will be appointed once planning has been approved. Subsequent TPCs, who will act as point of contact for the individual units on the site, will be appointed by the Company.

- Ground Contamination Assessment  
This states that no significant sources of potential ground contamination have been identified on site that would pose a significant risk to the proposed development. Elevated levels of ground gas (CH<sub>4</sub> / CO<sub>2</sub>) have been identified in shallow boreholes on the site which could pose a potential risk to future buildings/site users. The risks need to be dealt with by means of appropriate ground gas protection measures in all new structures.
- Noise Impact Statement  
This identifies that the highest level of noise will be attributable to external mechanised plant including breakout through any louvres internal plant areas. During noise surveys undertaken in October 2011, no noise was audible within the existing AMPTC. Furthermore, commercial premises are proposed to be constructed off Highfield Spring which will act as a barrier between the proposal and the new community to the east.
- BREEAM Pre-Assessment Report  
This attempts to assess the limited available information to give an indication of the likely BREEAM performance. This exercise has resulted in a potential score of 62.09% for the Offices assessment and 61.49% for the Industrial assessment, targeting the required Very Good rating.

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

On the 9th July 2014, the Council's Cabinet recommended that the Council adopt its Core Strategy. A report regarding adoption is to be considered at the full Council meeting of 10 September and upon approval the Core Strategy will be adopted and published. The weight to be given to the Core Strategy policies in the determination of planning applications is therefore significant as the Council considers the Core Strategy proposals satisfy the relevant requirements under paragraph 215 of the NPPF.

The site is allocated for industrial and business purposes in the adopted UDP. The following Policies are considered to be relevant.

UDP Policies:

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

Core Strategy Policies:

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

## **Other Material Considerations**

National Planning Policy Framework: The NPPF came into effect on March 27<sup>th</sup> 2012 and replaced all previous Government Planning Policy Guidance (PPGs) and most of the Planning Policy Statements (PPSs) that existed. It states that “Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.

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

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

## **Publicity**

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

## **Consultations**

Streetpride (Transportation and Highways) have reviewed the details contained within the Transportation Assessment and Travel Plan and confirm that no objections are raised to the proposals from a highway perspective subject to the imposition of conditions.

Streetpride (Landscape) confirm that the proposed landscape layout is acceptable, however would require further technical specification detail to support the proposed which can be secured via the imposition of a condition.

Streetpride (Ecology) confirms that ecological impact information has been provided but does not appear to adequately assess the final building extent and design. No demonstration has been provided of the inclusion of any ecological mitigation and enhancement measures in the detailed design. It is therefore recommended that a condition be imposed requiring the submission of a biodiversity mitigation and enhancement strategy and its implementation.

Neighbourhoods (Environmental Health - Noise) have assessed the details set out in the submitted Noise Statement and confirm that no objections are raised subject to the imposition of a condition restricting the level of any noise generated by associated plant and machinery.

Neighbourhoods (Environmental Health – Contaminated Land) acknowledges that the site has been characterised as a Gas Characteristic Situation 2 and as such recommend that conditions be imposed to ensure gas protection measures are carried out.

Sheffield City Council have reviewed the information submitted in support of the application and in particular the sequential test and confirm that the amount of office floor space proposed is relatively small at 762 square metres, so it is not likely to have any major impact on existing office centres. Given this and the fact that they are currently not encouraging office development in District Centres in Sheffield, they raise no objection to the proposal.

## **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.

Paragraph 14 of the NPPF states that: "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted."

The main considerations in the determination of this application are:

- Principle
- Design, Scale and Visual Amenity
- Landscape
- Highway Safety



## Principle

The application site lies within an area allocated for Industrial and Business Use in the Unitary Development Plan. The proposed B2 workshop development is, therefore, acceptable in principle. The application also seeks permission for approximately 760sq.m of office floorspace within a B1(a) use outside of the town centre.

While it is normally the case that such proposals would be assessed against the relevant policies of the saved Unitary Development Plan, in this instance, some UDP policies (including UDP Policy EC3.1) have been superseded by national planning guidance contained in the NPPF. The principle of the current proposal must therefore be assessed against the provisions and tests contained within Paragraphs 24 and 26 of this document which require the Sequential approach to be applied together with an Impact Test.

The Sequential Test aims to ensure that vacant sites and units in designated centres are considered for new town centre uses (as defined in the NPPF) before any other sites and units in edge-of-centre or out-of-centre locations. This is to ensure that the vitality and viability of the centres are protected and strengthened and that town centre uses are focused in these areas in the first instance. Only where the applicant/agent can demonstrate that no viable, vacant sites and /or units exist in the designated centres, will other areas be considered.

In this regard paragraph 24 of the NPPF states that:

“Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.”

This is further emphasised Policy CS12 of the Core Strategy which states that:

“The Sequential Approach - Proposals for town centre uses on the edge of or outside of designated centres will only be permitted where it can be demonstrated that:

- a. sites within and then on the edge of town, district or local centres have been assessed and it can be demonstrated that they are not available, suitable or viable for the proposed development...”

In order to undertake the sequential assessment, appropriate centres have to be identified based on the location of the application site. In this instance it has been agreed with the Council that it would be appropriate to analyse the following nearby centres:

- Swallownest District Centre
- Rotherham Town Centre
- Woodhouse District Centre (within Sheffield)
- Darnall District Centre (within Sheffield)

It is these centres which form the basis of the sequential approach. As outlined in the emerging Core Strategy and the NPPF, any vacant premises identified in these centres have to be assessed in terms of their availability, suitability and viability.

In the first instance the applicants have set out the rationale for why the proposed office use needs to be located at the AMP (alongside the additional workshop space), the scheme requirements, and quantum and quality of floorspace required. These are examined below:

#### Quantum of floorspace required

The applicants have confirmed that the AMP to date is currently 'at capacity' and lacks the significant quantum of floorspace to attract new occupiers. A supporting statement from the AMP Technology Centre Manager has been submitted in support of the application which lists enquiries made for additional floorspace together with a synopsis of their type of business. This demonstrates that there is a demand for both office and workshop floorspace at the Technology Centre with enquiries for additional office floorspace equating to approximately 1,200 sqm gross and approximately 836 sqm net. This shows the need to provide the amount of floorspace proposed by this development and as such cannot be disaggregated.

Consequently the floorspace needs to be considered as a whole and so the sequential approach submitted by the applicant considers units of around 750 sqm – 800 sqm to meet these requirements. This methodology has been assessed and is considered to be appropriate in this instance.

#### Quality of floorspace required

In order to attract advanced manufacturers, high quality Grade A floorspace with requisite floor to ceiling heights, features such as climate control, modern glazing specification and required measures to allow the inclusion of broadband and other multimedia and networking tools will be required. The current office accommodation at the Technology Centre provides all of these facilities, it is therefore accepted that any additional unit will need to be of a Grade A standard (or readily able to be converted into this standard) and offer the required super fast broadband.

## Relationship between office and workshop space

The applicants have confirmed that the majority of advanced manufacturers will require some combination of office and workshop space to operate and in practical terms it would be difficult to operate with the office floorspace located some distance from the workshop space. The need for practical linkages between the office floorspace and the workshop floorspace are therefore accepted.

## Sequential Test

Having regard to the above rationale and the agreed 'search area' of Swallownest, Woodhouse and Darnall District Centres and Rotherham Town Centre for the sequential test, the applicants have identified only one property (8-10 Main Street in Rotherham town centre) that meets the scheme requirements. Other premises (11 High Street, Swallownest, 34-38 Market Square, Woodhouse, premises on Main Road, Darnall and Darnall Liberal Club on Irvine Street, Darnall) have been discounted on the grounds that the units would be too small in practical terms to accommodate the proposals, not available to purchase (to-let only), not Grade A quality floorspace or already sold to another purchaser.

Having regard to the identified single site at 8-10 Main Street in Rotherham Town Centre, the property has a floorspace of approximately 835sqm and comprises accommodation on several floors. It is owned by the Council and is being sold as a regeneration opportunity along with neighbouring properties along Main Street and Westgate. The total floorspace of the units combined is approximately 5,574 sqm. The Council's Commercial Estates team has confirmed that they are selling the units as a whole (rather than selling them separately) with the idea of promoting a wider residential led mixed-use development. On this basis, it is acknowledged that even though the site is available, it is unsuitable for the proposed development on the basis that the Council are only selling the wider site, which is far too large for the proposed development, and are seeking a residential-led mixed use scheme on the site, which is not consistent with the proposed scheme.

Furthermore, the premises are not purpose built for modern office use and as such would not be able to offer the quality of the office floorspace required (Grade A).

Having regard to the above, it is accepted that there are no available, suitable or viable sites for the proposed development within the identified town and district centres and on that basis, the proposed development to provide 760sqm of B1(a) office accommodation in this location is in accordance with the provisions of Policy CS12 of the Core Strategy and Paragraph 24 of the NPPF.

## Impact Assessment

Core Strategy Policy CS12 states that:

“Impact Assessment”

Proposals for retail, leisure or office uses of 500 sq m gross or above, on the edge of or outside of designated centres, must be accompanied by an assessment of .....

- c. the impact of the proposal on existing, committed and planned public and private investment in centres in the catchment area of the proposal; and
- d. the impact of the proposal on the vitality and viability of centres, including local consumer choice and trade.

Applicants should agree with the Local Planning Authority the scope of the evidence and analysis to be submitted to ensure that this is proportionate to the scale and nature of the proposal.”

Having regard to these requirements, the applicant has analysed the identified town and district centres and is unaware of any comparable existing, committed or planned investment of similar floorspace to that which is proposed either from the public or private sector and as such no impact on these sectors are envisaged.

Turning to the impact of the proposal on the vitality and viability of the identified centres, the applicants have visited the district centres which revealed that they contain no identifiable office floorspace and on this basis the impact of the proposed development is likely to be negligible in nature. Being much larger, Rotherham Town Centre contains a greater number and variety of units. Whilst the centre features several vacant units, it appears popular with notable footfall along key routes along High Street, College Street and Effingham Street. Whilst the centre does contain some office floorspace, this tends not to be Grade A in quality and as such, purpose built Grade A office floorspace for advanced manufacturers is unlikely to impact on the vitality and viability of Rotherham Town Centre to any great degree.

Having regard to the above and given the submitted information, the Council consider that there are no sequentially preferable sites for the proposed development and it would not have an impact on the vitality and viability of the town and district centres mentioned above, in accordance with the guidance in the NPPF and provisions of Policy CS12 of the Core Strategy.

## Design, Scale, Layout and Impact on Visual Amenity

Paragraphs 56 and 57 of the NPPF state that:

“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people... It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.”

In addition Policy CS28 of the Core Strategy aims to ensure that: “Design should take all opportunities to improve the character and quality of an area and the way it functions.”

The area surrounding the application site consists of a mixture of industrial buildings varying in size from large scale units to the north west (Rolls Royce) to medium scale units to the south west and north (Dormer, Evolution and the Technology Centre). All of these units have a similar external appearance in terms of their use of profiled metal cladding and roller shutter doors.

The proposed building is located to the south of the existing technology centre on a vacant development plot. Its siting on this plot is determined by the existence of the former opencast mining high wall. The high wall represents the steep drop or excavation face in the open mining process and consequently has resulted in a no build area due to the unstable nature of the land.

Taking this into account, the land available for development is significantly reduced and has resulted in the building being sited to the far south of the plot extending down the existing embankment towards Highfield Spring. The overall length of the building extends to 70m, whilst the width is approximately 26m. The height of the proposed building is three storeys on Highfield Spring, extending to 14m in height from the Highfield Spring ground level, whilst the workshop facilities are double height, with an eaves height of 10m from ground level.

Externally, the materials comprise silver/grey aluminium cladding panels to the main elevations with deep recessed linear slot windows or full height glazing. The glazing has been designed horizontally to align with the horizontal cladding panels. The main entrance to the building is fully glazed with a glazed skylight, whilst the eastern elevation is the main feature to the building comprising of a double height recessed window and coloured vertical solar shading which have been designed to address the primary frontage onto Highfield Spring.

The extension of the building down the embankment towards Highfield Spring will result in the building being a prominent feature when viewed from this vantage point. It is acknowledged that existing buildings within the immediate vicinity are sited on the higher, flat development platform, however the existence of the high wall has sterilised much of the remaining developable land in this location and as such the proposed building is required to be sited in this location. Units further along Highfield Spring, to the south west of the site, have a similar building line to that proposed, however due to a change in land levels the embankment reduces along this length and as such these buildings do not appear as prominent as that proposed. Despite this, it is considered that the applicants have acknowledged that the building will be a prominent feature and have designed it to respect the existing context with respect to form and massing but have also provided an attractive frontage through the use of large areas of glazing and high quality materials.

Having regard to the above, it is considered that the proposed development will improve the appearance of this vacant site and whilst the building will project beyond the existing building line down the embankment towards Highfield Spring, the massing and external appearance is considered to be appropriate for this location due to its high standard of design and use of quality materials. It is therefore considered that the proposed development complies with Policy CS28 'Sustainable Design' and paragraphs 56 and 57 of the NPPF.

### Landscape

Policy CS21 'Landscapes,' states:

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

As set out in the preceding paragraphs, the proposed new building extends down the existing embankment towards Highfield Spring. This area currently consists of grassed area with a formal hedgerow. The area on the higher flattened development plot is self seeded rough grassland, providing little amenity value.

The application is accompanied by a landscape plan which shows the removal of a section of the formal hedgerow on the embankment and the replacement planting of a turf verge, amenity grassland and wildflower grass seeding. The removal of the formal hedgerow is regrettable, however the remaining land along the embankment is currently of poor landscape value and the implementation of the submitted landscape scheme would improve this area considerably.

The Council's Landscape Design Service has assessed the proposals and consider them to be acceptable subject to the submission of further technical specification detail which can be secured via a condition. The submission and implementation of this will ensure that the landscaping in this location will be of a good standard and provide an attractive setting for the development.

Having regard to the above and subject to the imposition of the recommended condition in respect of landscape retention and maintenance, it is considered that the proposals accords with Policy CS21 'Landscapes'.

## Highway Safety

Paragraph 32 of the NPPF states that:

“All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

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

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

This is further emphasised in Core Strategy Policy CS14, which states that:

“The Council will work with partners and stakeholders to focus transport investment on making places more accessible and on changing travel behaviour. Accessibility will be promoted through the proximity of people to employment, leisure, retail, health and public services by:

- A) 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 (but principally by public transport) and through supporting high density development near to public transport interchanges or near to relevant frequent public transport links.....’
- D) Set thresholds where existing and future employers and institutions will need to adopt Travel Plans or Area Travel Plans as part of a programme of sustainable transport promotion.
- E) The use of maximum parking standards for non-residential developments aimed at reducing the number of car trips to and from them.
- F) Adopting car parking policies for vehicles and bicycles in accordance to national guidelines that support and complement public transport and the introduction of sustainable travel modes.
- G) The use of Transport Assessments for appropriate sized developments, taking into account current national guidance on the thresholds for the type of development(s) proposed.....

In addition, the detailed layout of development should have regard to accessibility by private car, public transport, service vehicles, pedestrians and cyclists and people with disabilities.”

The application site is considered to be in a sustainable location where there is good accessibility to public transport. To further improve sustainability three footpath links are to be provided from the site onto Highfield Spring where there are a number of bus stops.

Traffic data submitted in support of the application has indicated that trip generation for the proposed development (764 sq m B1, 1,690 sq m B2 with 646 sq m shared uses) has been calculated using the nearby AMI training centre figures for the B1 office element and a TRICS analysis of the B2 units. This indicates a total of 21 No. and 17 No. trips in the AM and PM peak periods respectively for the B1 use and a total of 8 No. and 6 No. trips in the AM and PM peak periods respectively for the B2 workshops. Trips are expected to be distributed 50:50 in each direction along Highfield Spring.

Having regard to this and given the low number of trips generated, the Council's Transportation Unit have agreed that a junction modelling exercise is not warranted. Modelling has already been done for the nearby AMI Training Centre which included the entire build out of the AMP (including the current site) which concluded that the traffic impact is likely to be imperceptible.

Turning to access and egress issues, vehicular access is by way of a barrier controlled car park access off Morse Way (northern end) with a one way traffic flow system through the car park exiting onto Morse Way (southern end). No alteration to this arrangement is proposed. The proposal also includes the provision of 75 no. parking spaces (including 4 No. accessible) which conforms with the Council's Maximum Parking Standards for developments of this nature. Secure cycle storage is to be provided adjacent the main entrance to the building and a Travel Plan has been produced which has a commitment to monitoring cycle use.

In terms of pedestrian accessibility, it is proposed to create 3 new links from the proposed building and car park to Highfield Spring. These links will comprise of concrete block paving and external steps down the existing embankment and will render the building more accessible from the public transport links along Highfield Spring.

On the basis of the above, the assessment of the traffic impact of the development shows that the proposal will have little effect on local traffic. It is located in a sustainable location with good walking, cycling and public transport infrastructure and as such is unlikely to have a materially adverse impact in highway terms. Accordingly, the development is considered to accord with CS14 and the NPPF.

## **Conclusion**

Having regard to the above it is considered that the proposed development would represent an acceptable and appropriate form of development on this vacant sustainable site that would be in compliance with the requirements detailed within the UDP, Core Strategy and the NPPF. As such, it is recommended that planning permission be granted subject to conditions.



## **Conditions**

### **General**

01

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

Reason

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

02

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

- Site Location Plan Dwg No. 00\_001 Rev A
- GA Lower Ground Floor Plan Dwg No. 00\_002 Rev B
- GA Ground Floor Plan Dwg No. 00\_003 Rev B
- GA First Floor Plan Dwg No. 00\_004 Rev B
- GA Roof Plan Dwg No. 00\_005 Rev B
- GA Elevations Sheet 1 of 2, Dwg No. 00\_006 Rev B
- GA Elevations Sheet 2 of 2, Dwg No. 00\_007 Rev B
- GA Sections Dwg No. 00\_008 Rev A
- Site Plan including Landscape Dwg No LL(90)001 Rev C
- Proposed Drainage General Arrangement Dwg No. D/101 Rev P1

Reason

To define the permission and for the avoidance of doubt.

03

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

Reason

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

## Transportation

04

Before the development is brought into use, 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.

05

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.

06

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

Reason

In order to promote sustainable transport choices.

07

The pedestrian accesses shall not exceed a gradient of 12% (1 in 12).

Reason

In the interests of pedestrian safety.

## Landscape/Ecology

08

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', ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

09

Prior to the commencement of development a biodiversity mitigation and enhancement strategy, including a schedule for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The strategy should include all details recommended in the Waverley Ecological Checklist – Pre Work Assessment for AMP Technology Centre Building 3 [updated document] and shall thereafter be implemented in accordance with the agreed statement before the development is brought into use.

### Reason

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

## Amenity Issues

10

Noise from the plant shall not exceed background noise levels at the nearest residential receptor (as quoted in the Noise Impact Statement, undertaken by WYG Planning and Environment).

### Reason

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

## Contaminated Land

11

Gas protection to be incorporated into the building hereby approved shall include the following:

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

### Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12

A clean cover/capping layer comprising of a minimum of 600mm clean suitable growing medium, underlain by a lower geotextile separation layer (in order to prevent mixing of soils), shall be provided in all proposed areas of landscaping.

### Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13

Any subsoils / topsoils required to be imported to site for soft landscaping works shall be tested at a rate and frequency to be agreed with the Local Planning Authority to ensure they are free from contamination. If materials are imported to site the results of testing thereafter shall be presented to the Local Authority within one month of the date of their importation in the format of a Validation Report.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14

A design sulphate classification of DS-4 and the responding aggressive chemical environment for concrete (ACEC) class of AC-5 shall be used for all sub surface concrete in the development, due to the elevated soluble sulphate content within the soils and made ground across the site.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15

Prior to their installation, details of water supply pipes shall be specified and approved in writing by the Local Planning Authority to ensure resistance from chemical attack from residual contaminants remaining in the ground.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

16

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17

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

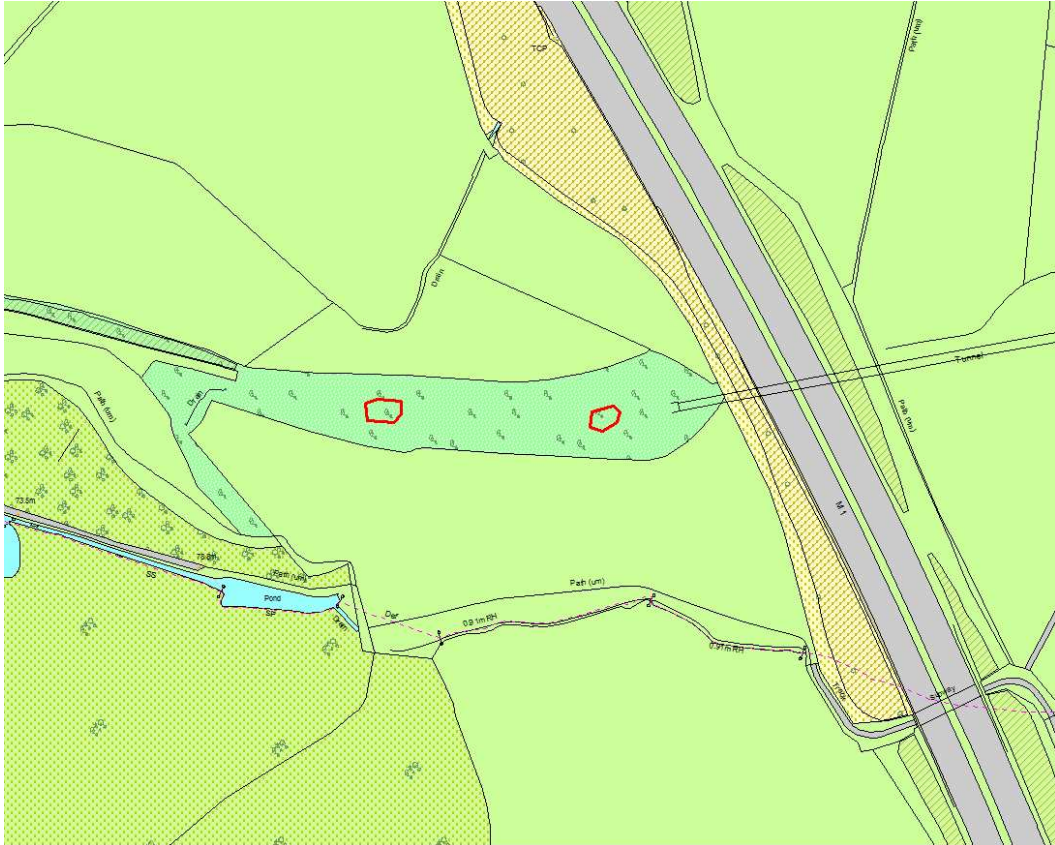
Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

## POSITIVE AND PROACTIVE STATEMENT

The applicant and the Local Planning Authority engaged in pre application discussions to consider the development before the submission of the planning application. The application was submitted on the basis of these discussions, or was amended to accord with them. It was considered to be in accordance with the principles of the National Planning Policy Framework.

<b>Application Number</b>	<b>RB2014/1038</b>
<b>Proposal and Location</b>	Application to vary Condition 02 (approved plans) imposed by RB2013/0425 (erection of 2 No. wind turbines and associated cabinets) at Norwood Lock, Mansfield Road, Wales
<b>Recommendation</b>	Grant subject to conditions



### Site Description & Location

The site of application is an area of recently cleared scrubland within the Green Belt between the M1 motorway and Norwood Locks. The land once formed a railway line linked to the former West Kiveton Colliery.

The site is accessed via a formal private road to the Mansfield Road and a number of public footpaths come within close proximity to the site. The surrounding land is made up of waste land and agricultural fields. The nearest property is Springfield Farm on Stockwell lane some 300m away across the M1 motorway. In addition there is a housing estate positioned some 700m to the north and a neighbour further down the canal route called The Boatman some 500m away. The applicant's own dwelling and the recent 'Fish House' conversion (owned by applicant) are within 340m & 300m respectively.

## **Background**

RB2013/0425 - Erection of 2 No. wind turbines and associated cabinets - GRANTED CONDITIONALLY 09/04/14.

RB2014/0610 - Application to vary conditions 06 & 07 (noise sensitive time period) imposed by RB2013/0425 (erection of 2 No. wind turbines and associated cabinets). GRANTED CONDITIONALLY 03/07/14.

Environmental Impact Assessment - A screening opinion was carried out to determine whether an Environmental Impact Assessment should accompany the application. The proposed development falls within the description contained in Paragraph 3 (i) of schedule 2 to the 2011 Regulations and meets the criteria set out in column 2 of the table in that Schedule. However the Local Planning Authority, having taken into account the criteria set out in Schedule 3 to the 2011 Regulations, is of the opinion that the development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location. Therefore an Environmental Impact Assessment was not required to accompany the application.

## **Proposal**

The applicant seeks permission very Condition 2 (Approved Plans) of the original approval RB2013/0425. The changes in the approved plans involve the following changes to the turbines:

- The replacement of a two bladed design with three blades.
- A reduction in hub height from 32.2m to 22.6m.
- A reduction in overall blade height from 48.4m to 34.8m.

The reason for the reduction in the height of the turbine is the need to reduce potential radar interference with Doncaster Robin Hood Airport. This will allow Condition 9 of the original permission relating to radar interference to be addressed.

## **Development Plan Allocation and Policy**

On the 9th July 2014, the Council's Cabinet recommended that the Council adopt its Core Strategy. A report regarding adoption is to be considered at the full Council meeting of 10 September and upon approval the Core Strategy will be adopted and published. The weight to be given to the Core Strategy policies in the determination of planning applications is therefore significant as the Council considers the Core Strategy proposals satisfy the relevant requirements under paragraph 215 of the NPPF.



The site is within the Green Belt and the following Policies are considered to be relevant:

UDP:

ENV2.2 'Interests outside Statutorily Protected Sites'

ENV3.7 'Control of Pollution'

UTL3 'Environmental Impact of Service Installations'

Core Strategy:

CS4 Green Belt

CS28 Sustainable Design

CS30 Renewable Energy Generation

### **Other Material Considerations**

European Community Directive 2009 requires that 15% of the UK's total energy use should be our energy should be supplied by renewable sources by 2020. The Climate Change Act 2008 legally binds the UK to deliver a reduction in greenhouse gas emissions of 80% by 2050 and at least 34% by 2020, compared with 1990 levels. The Energy Act 2008 places obligations on the electricity generating industry to provide electricity from renewable sources.

National Planning Policy Framework: The NPPF came into effect on March 27<sup>th</sup> 2012 and replaced all previous Government Planning Policy Guidance (PPGs) and most of the Planning Policy Statements (PPSs) that existed. It states that "Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.

The NPPF notes that for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. The Rotherham Unitary Development Plan was adopted prior to this in June 1999. Under such circumstances 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 Unitary Development 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.

## **Publicity**

The application has been advertised by way of site notice and letters to individual properties. No letters of representation have been received.

## **Consultations**

Streetpride (Transportation and Highways Unit) – The proposals are acceptable with regard to the possible impact on highways for which Rotherham MBC is the Highway Authority, although further details should be submitted regarding the route for construction traffic and confirmation that access improvements involving third party land are not required.

Environmental Health – Raise no objections to the proposals.  
Robin Hood Airport – Comments awaited.

## **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 application is to vary Condition 2 (approved plans) of the original permission for the 2 turbines in order to reduce the height of the turbines and to replace the two bladed design with three blades. As such the main issues for consideration are:

- Principle of the development and the impact upon the openness of the Green Belt and the character of the landscape.
- Residential amenity.
- Ecological considerations.
- Impact on highway network and M1 Motorway.
- Impact upon Doncaster Airport Radar.
- Other matters.
- Whether any very special circumstances exist.

Principle of the development and impact upon the openness of the Green Belt and the character of the landscape.

In terms of the principle of the development Core Strategy CS4 – Green Belt states: “Land within the Green Belt will be protected from inappropriate development as set out in national planning policy.”

What constitutes acceptable development within the Green Belt is set out in the NPPF and paragraph 89 indicates that new buildings are inappropriate, though lists exceptions to this. Wind turbines are not included. Paragraph 91 of the NPPF adds that: “When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.”

The proposal is inappropriate and thus by definition harmful to the Green Belt. The proposal impacts upon one purpose for establishing Green Belts; that of “assisting in safeguarding the countryside from encroachment”. As such, very special circumstances need to be demonstrated and these are discussed in more detail below.

In terms of the impact on openness and the landscape Core Strategy Policy CS28 – ‘Sustainable Design’ states: “Proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well designed buildings within a clear framework of routes and spaces. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping.”

The NPPF attaches great importance to the openness of the Green Belt. The amended plans will reduce the overall height of the turbines in terms of the hub height (by 9.6m) and their overall blade height (by 13.6m). In addition the two blade design is replaced by three blades. These changes will significantly reduce the visual impact of the turbines compared to those previously approved and as such the impact upon the openness of the Green Belt and on the landscape in general will be reduced.

As noted above, the development represents inappropriate development in the Green Belt and has an impact, albeit it reduced, on the openness of the Green Belt in this location. As such, very special circumstances have to be demonstrated to overcome the harm caused.

The overall National Planning Policy context in relation to wind turbines, as outlined above, is strongly supportive of the principle of wind turbines and the wider benefits of deploying renewable energy technologies in tackling climate change, subject to a number of considerations. The NPPF paragraph 98 states that: "When determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application (unless material considerations indicate otherwise) if its impacts are (or can be made) acceptable."

The NPPF Planning Practice Guidance states that: "The Climate Change Act 2008 establishes a legally binding target to reduce the UK's greenhouse gas emissions by at least 80% in 2050 from 1990 levels. To drive progress and set the UK on a pathway towards this target, the Act introduced a system of carbon budgets including a target that the annual equivalent of the carbon budget for the period including 2020 is at least 34% lower than 1990".

Having regard for the above, and in particular advice paragraph 98 of the NPPF, significant weight must be afforded to the production of energy from a renewable resource, the reduction in harmful emissions, and the wider environmental benefits in terms of combating climate change.

The new turbines will generate some 1,120Mwh of renewable electricity a year and it is considered, as with the previous proposal, that the applicant has demonstrated 'very special circumstances' that overcomes the harm caused in the Green Belt.

### Residential amenity

There are three considerations relating to residential amenity:

- (i) Noise.
- (ii) Visual amenity.
- (iii) Flicker/shadow.

- (i) Noise:

The issue of noise was considered in the previous application RB2013-0425, and was not considered detrimental to neighbouring amenity subject to appropriate conditions. The new turbines proposed have no greater noise impact than those approved.

- (ii) Visual amenity:

The nearest property with no interest in the development would be approximately 300m from the proposed turbines, which are smaller than those previously approved, and separated by the visually intrusive M1 motorway. Other dwellings are over 500m away from the proposed turbines and whilst

the turbines will be visible they will not harm neighbouring outlook or appear overbearing. Having regard for this, the size of the turbines, the intervening hedgerows /trees, and the presence of the M1 in the vicinity, it is considered that it is unlikely that there would be any material adverse impact on the visual amenities of the nearest residential properties.

(iii) Flicker/shadow:

The original submitted report looked at shadow flicker and concludes that it is generally not a problem in the open as light outdoors is reflected from all directions. The issue of shadow flicker is therefore acceptable subject to an appropriately worded condition.

### Ecological Considerations

The proposed turbines are smaller than previously approved and as such the impact upon ecology will be further reduced from the previously approved scheme.

### Impact on highway network and M1 Motorway

The proposed turbines are smaller than those previously approved and it is considered that the impact on the highway network, including the M1, would also be reduced.

### Impact upon Doncaster Airport Radar

No objections were received from Doncaster Airport in respect of the previous application, subject to the imposition of a suitably worded planning condition, and it is considered that, as the proposed turbines are smaller than those previously approved, this situation would not alter.

## **Conclusion**

The amended scheme involving the reduced size of the turbines is considered acceptable and by way of siting, height, design and location would not adversely impact upon the landscape or ecology in this location. Nor given its small scale nature and siting some 300m from the nearest independent residential units would it unduly impact upon the amenities of nearby residential occupiers through increased noise disturbance or shadow flicker.

Furthermore the amended wind turbines are not considered to cause distraction to the users of the nearby M1 motorway and subject to the appropriate attached condition will not interfere with the radar of the flight path of the nearby Doncaster Airport.

As such the proposal would accord with the adopted Unitary Development Plan and Core Strategy Policies and national and local guidance and it is recommended that permission be granted.

## **Conditions**

01

The development hereby permitted shall be commenced before the expiration of three years from the date of the original permission (being 09/04/14).

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)  
(Amended Turbine Elevation received 30/07/2014)

Reason

To define the permission and for the avoidance of doubt.

03

This permission shall be valid for 25 years (from 09/04/14) and at the end of that period, or within six months of the cessation of electricity generation by the turbines, or within six months following a permanent cessation of construction works prior to the turbines coming into operational use, whichever is the sooner, the turbines, foundations, and all associated structures approved shall be dismantled and removed from the site. The developer shall notify the Local Planning Authority in writing no later than five working days following cessation of power production. The site shall subsequently be restored in accordance with a scheme, the details of which shall be submitted and approved in writing by the Local Planning Authority no later than three months following the cessation of power production, or 6 months prior to the end of the 25 year period, whichever is the sooner.

Reason

In the interests of the character of the wider area and in accordance with Policy UTL3 'Environmental Impact of Service Installations' of the Unitary Development Plan.

04

All electricity supply cables from the turbine shall be installed below ground.

Reason

In the interests of the visual amenity of the area and in accordance with Policy UTL3 'Environmental Impact of Service Installations' of the Unitary Development Plan.

05

Prior to the commencement of development a biodiversity enhancement

statement, including a schedule for implementation, shall be submitted to and approved by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the agreed statement before the development is brought into use.

#### Reason

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

#### 06

Noise emissions from the site (as measured LA90, 10mins) in free-field conditions, at any dwelling in existence prior to the development, shall not exceed the greater of 35 dB(A) or 5 dB(A) above the background noise level (LA90,10mins) during the day and evening (07:00-23:00 hours) and shall not exceed the greater of 38 dB(A) or 5 dB(A) above the background noise level (LA90,10mins) during the night (23:00-07:00 hours) at all wind speeds up to 10m/s. The noise emission values of the turbines shall include any tonal penalty if such is identified in accordance with the methodology set out in the ETSU-R-97 report.

#### Reason

In the interests of the amenities of the occupiers of nearby premises in accordance with ENV3.7 'Control of Pollution' of the Unitary Development Plan.

#### 07

Wind shear data shall be calculated to predict turbine noise characteristics at 10m and at hub height for wind speeds of up to 10m/s, as recommended in the IOA Acoustics Bulletin: Prediction and Assessment of Wind Turbine Noise, and the data shall be submitted to and approved by the Local Planning Authority prior to the turbines being constructed on site.

#### Reason

In the interests of the amenities of the occupiers of nearby premises in accordance with ENV3.7 'Control of Pollution' of the Unitary Development Plan.

#### 08

No development shall take place until a scheme to secure the investigation and alleviation of any potential unwanted radar returns on the primary surveillance radar of Robin Hood Airport Doncaster Sheffield (RHADS) caused by the operation of the turbines has been submitted to and approved in writing by the Local Planning Authority in consultation with RHADS. The scheme shall thereafter be implemented as approved. The development shall thereafter be carried out and operated in accordance with the approved scheme.

Reason

In the interests of aviation safety.

09

The applicant shall provide written confirmation of the following details to the Ministry of Defence/Civil Aviation Authority prior to the commencement of development:

- Proposed date of the commencement of the development.

Within 14 days of the commissioning of the final turbine, the applicant shall provide written confirmation of the following details to the Ministry of Defence/Civil Aviation Authority:

- Date of completion of construction.
- The height above ground level of the highest potential obstacle.
- The position of that structure in latitude and longitude.

Reason

In the interests of air traffic safety.

## **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.