

ROTHERHAM METROPOLITAN BOROUGH COUNCIL PLANNING REGULATORY BOARD

REPORT OF THE DIRECTOR OF PLANNING AND REGENERATION SERVICE

REPORT TO BOARD  
**8th January 2015**

ITEM NO.

SUBJECT

1. RB2014/0151 Appeal against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without compliance with condition 01 reserved by RB1992/1280 for conversion of existing barn to residential dwelling at 4 Dovecote Lane, Ravenfield.
  
2. RB2014/1316 Courtesy Consultation – Bassetlaw District Council: Outline Application for residential development of up to 175 dwellings, 15.4 hectares of employment land for the erection of buildings to be used for B1 (Business), B2 (General Industrial) and B8 (Storage or Distribution), provision of land for the expansion of St Luke’s Primary School (0.3 hectares) and new school pick up-drop off area together with associated highways works, public open space, landscaping, servicing, parking and attenuation facilities and construct new accesses at land north of St Luke’s School, Shireoaks Common, Shireoaks Nottinghamshire

## Item 1

Ref: RB2014/0151

Appeal Decision: - Appeal Dismissed

Appeal against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without compliance with Condition 01 reserved by RB1992/1280 for conversion of existing barn to residential dwelling at 4 Dovecote Lane Ravenfield



## Recommendation

That the decision to dismiss the appeal be noted.

## Background

A planning application was submitted (ref: RB2014/0151) for the continuation of the development to convert the existing barn to residential accommodation without compliance with Condition 01 reserved by planning approval RB1992/1280 at 4 Dovecote Lane Ravenfield.

Condition 01 stated:

“Notwithstanding the provisions of the Town and Country General Development Order 1988, no development shall take place on the site and, in particular, there shall be no alterations to the existing external appearance of the buildings, neither

shall any extension be constructed nor additional buildings be erected without the prior written approval of the Local Planning Authority.

#### Reason

In the interests of visual amenities in the Ravenfield Conservation Area and the interests of the amenities of the occupants of the proposed and existing dwellings.”

The application was refused by Planning Board against Officer’s recommendation on 13 March 2014 for the following reasons:

01

The Council considers that the provision of additional accommodation would result in increased vehicle movements along Dovecote Lane, which is considered to be incapable of satisfactorily accommodating the additional vehicular and pedestrian traffic likely to be generated, in terms of its restricted width, substandard forward visibility and limited turning facilities, to the detriment of road safety.

02

The Council considers that the proposed on site car parking facilities are inadequate to cater for likely demand and would result in indiscriminate parking in the shared courtyard/Dovecote Lane to the further detriment of road safety and contrary to Policy HG1 Existing Housing Areas and the guidance in the NPPF.

An appeal was lodged with the Planning Inspectorate on 10 September 2014 and was considered by way of Written Representations.

#### **Main Issues**

The Inspector considered that although the application merely seeks the removal of Condition 1 of the previous planning permission, the specific issues that have been raised relate to the access. Therefore he considered that the main issue to be determined in this appeal is the effect of the proposals on highway safety and convenience.

#### **Decision**

The Inspector noted that Ravenfield is a substantial settlement, and that the appeal site lies within the built up area, at the end of Dovecote Lane, behind Main Street with open land to the west.

He further notes that Dovecote Lane is a cul-de-sac that serves six dwellings directly as well as other residential properties and the grazing land to the west. Various parking areas and garages also gain access from the lane. Visibility is good at the junction with the main road but the lane itself is substandard in a number of respects. Its width is variable and is undeniably narrow in some parts, especially closer to the public highway, forward visibility is poor in places and the lane lacks adequate turning space for larger vehicles, especially bearing in mind the length of the cul-de-sac. The lane has not been adopted by the highway authority.

Planning permission was granted some time ago for the development of number 4 Dovecote Lane as one of a small group of dwellings within former barns, however, it is only now in the process of being completed and in completing the conversion it is proposed that the permitted scheme should be modified.

The Inspector considered that the revisions would significantly increase the area of residential accommodation as well as removing the integral garage shown on the "existing plans", even though changes to the external appearance of the building would be rather limited. Furthermore he notes that the proposed alterations to the external appearance of the building would facilitate a substantial increase in habitable accommodation, which would have the effect of increasing the likely traffic generation from the site, while there would also be increased pressure for parking on the site.

The proposed variations to the approved project are considered by the Inspector to add to pressures on Dovecote Lane, both in respect of the traffic usage of the lane and the demand for car parking. The lane is already unsatisfactory in highway terms and the change would exacerbate the existing situation. While this additional harm would be limited, it would nevertheless be real and there are no other planning considerations sufficient to justify the harm, however modest.

## **Conclusion**

The original condition sought to restrict further development, imposing a control on the external appearance of the building as well as preventing extensions or additional buildings (unless specifically approved by the local planning authority).

Taking all of the above into account the Inspector considers that the original condition is both reasonable and necessary and that it ought not to be removed. Nor does he consider that it would be appropriate to vary the condition in order to allow the current scheme to be carried out, in the light of the objections that have been identified.

Therefore, for the reasons detailed above, the Inspector dismissed the appeal.

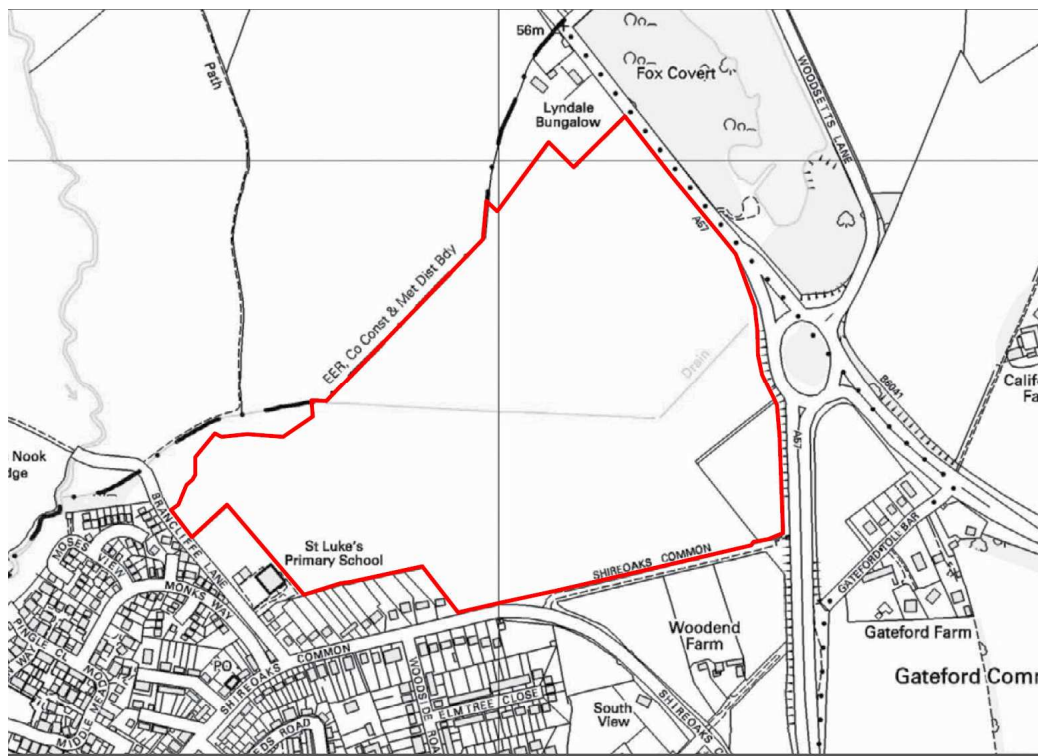
## **Enforcement Action**

As the works are retrospective in nature the Council has to consider whether it is appropriate to take enforcement action, and if so, what action that should be. This matter will be considered with the Chairman and Vice Chairman of the Planning Board in due course.

## Item 2

File Ref: RB2014/1316

**Courtesy Consultation – Bassetlaw District Council: Outline Application for Residential Development of up to 175 Dwellings, 15.4 Hectares of Employment Land for the Erection of Buildings to be Used for B1 (Business), B2 (General Industrial) and B8 (Storage or Distribution), Provision of Land for the Expansion of St. Luke's Primary School (0.3 hectares) and New School Pick Up/Drop Off Area Together with Associated Highways Works, Public Open Space, Landscaping, Servicing, Parking and Attenuation Facilities and Construct New Accesses at Land North East Of St Lukes School, Shireoaks Common, Shireoaks, Nottinghamshire**



### **Recommendation:**

That Bassetlaw District Council be informed that the Council raise objections to the proposal due to impact upon the A57/Ryton Road junction at South Anston if appropriate works are not carried out to address the projected increase in traffic generated by the development.

### **Background**

Rotherham MBC has been consulted on the above planning application submitted to Bassetlaw Council. This is a 'courtesy' consultation due to the close proximity of Rotherham Borough to the application site. RMBC are invited to provide Bassetlaw

with comments on the application and the impact of the proposal on Rotherham in terms of such planning related issues as the environment, flooding, traffic and the vitality / viability of Rotherham town centre.

### **Site Description & Location**

The site is located to the north of Shireoaks, some 4 kilometres to the north west of Worksop town centre. Lying to the west of the A57/Gateford Road roundabout, the site adjoins the settlement of Shireoaks which forms part of the wider Worksop urban area.

Existing residential units and St Luke's Primary School adjoin the site's south-western boundary. The A57 forms the site's eastern boundary. To the north of the site is an area of countryside which falls within Rotherham and forms the southernmost extent of the Rotherham Green Belt.

The A57 provides connections to the A1 to the east of Worksop and junction 31 of the M1 to the north-west. The A619 links to Junction 30 of the M1 to the west.

### **Proposal**

The applicant seeks outline permission for, amongst other things, residential development of up to 175 Dwellings, the erection of buildings to be used for B1 (Business), B2 (General Industrial) and B8 (Storage or Distribution), provision of land for the expansion of St. Luke's Primary School (0.3 hectares), and public open space.

### **Consultations**

Streetpride (Transportation and Highways Unit): Have looked in detail at the TA presented with this application and the likely implications for junctions on the A57 in Rotherham, particularly that at Ryton Road (South Anston crossroads on A57). A previous consultation on a different but similarly substantial development proposal in 2013, raised concerns regarding the capacity of the junction of Ryton Road and the A57, and the developer's transport consultant looked at the impact of that development on the junction in Rotherham. It raised the fact that, with the development traffic, the junction would continue to function marginally within capacity, but that situation would prevent the Council's aspiration of introducing a pedestrian phase to allow crossing of the A57.

The current application would generate (conservatively) 89 southeast-bound and 83 northwest-bound vehicle trips in the 'am' peak and similar numbers in the 'pm' peak. The TA used only background traffic increase to opening year and did not include the previous proposal as a committed development. Of course this minimises local impact, which even so indicates the roundabout at Gateford to be well over capacity with the latest development proposal. The travel plan presented with the application gives no confidence that the traffic generation figures could be minimised to the levels suggested.

No account has been taken of the likely impact of these combined development proposals on the junction in Rotherham and the developer should look at the

combined impacts of the developments and come forward with a scheme proposal for mitigation works at the A57/Ryton Road junction that would allow [as an absolute minimum] the status quo to be maintained. In reality this mitigation might involve substantial works at the junction which the developer might be unwilling to bear. Should that be the case the Transportation Unit consider it would be necessary to object to the development on the basis of the off-site impacts.

## **Appraisal**

The main issues with the proposal affecting Rotherham would include the impact on traffic levels within the Borough and the impact on the adjoining Rotherham Green Belt.

The site is within open Countryside allocation (not Green Belt) and it will be up to Bassetlaw Council to assess whether the need outweighs the Countryside policies of the National Planning Policy Framework.

The land abuts the Rotherham Green Belt and as such there is the potential to harm the setting of the Rotherham Green Belt. In this instance the applicant has taken on board the setting of the Green Belt and included a substantial landscape buffer to minimise the visual impact of the development. As such no significant harm to the Rotherham Green Belt is envisaged.

In terms of impact on the Borough's highway network the Transportation Unit have looked in detail at the TA presented with this application and the likely implications for junctions on the A57 in Rotherham, particularly that at Ryton Road. The TA does not take account of a previous development that could also impact in the junction which minimises local impact. The TA indicates that the roundabout at Gateford to be well over capacity with the latest development proposal and it is not considered that the travel plan presented with the application gives confidence that the traffic generation figures could be minimised to the levels suggested in the TA.

No account has been taken of the likely impact of these combined development proposals on the junction in Rotherham. As such the Council should request that the developers look at the combined impacts of the developments and come forward with a scheme proposal for mitigation works at the A57/Ryton Road junction that would allow [as an absolute minimum] the status quo to be maintained. If these works were not proposed then it is recommended that planning permission should be refused.

## **Conclusion**

Having regard to the above it is concluded that the impact of the development on Rotherham will be detrimental in terms of the free and safe movement of traffic, particularly at the A57/Ryton Rad junction. As such it is considered that RMBC should raise objections to the proposals if appropriate works are not carried out to address the projected increase in traffic generated by the development on this junction.