

**Planning Board
12 March 2015**

Draft Development Management Policies

Rotherham's Local Plan

1. Our development plan currently consist of:
 - The Adopted Barnsley, Doncaster and Rotherham Joint Waste Plan
 - The Adopted Core Strategy
 - Saved UDP policies compliant with the National Planning Policy Framework and not superseded by the Waste Plan or Core Strategy.
2. The Joint Waste Plan sets out policies specific to waste management. For all other matters the Core Strategy sets out over-arching strategic policies and in some areas provides detailed policy guidance. With the exception of the Bassingthorpe Farm Strategic Allocation it does not establish how individual site allocations may be implemented. This, along with more detailed "development management" policies are delegated to the Sites and Policies document.

Draft Sites and Polices document

3. The Sites and Policies document not only identifies new sites for development, it also identifies what other land within the borough can be used for and sets out the expectations regarding wildlife, geology, landscape and heritage amongst others. It will provide for the protection and expansion of our green infrastructure and it will ensure that development incorporates best practice for design and for sustainable drainage.
4. These further detailed policies therefore cover a range of topics and are in draft form. We are currently revising them following feedback from the public consultation in 2014.
5. They will eventually be subject to independent examination, so we must ensure that they are robust, effective and justified.
6. The Sites and Policies document will form part of the Local Plan once it has been through examination and is adopted, and will replace the remaining Saved UDP policies referred to above.
7. Further detailed guidance may be prepared separately as Supplementary Planning Documents or Good Practice Guidance to assist the delivery of the strategic spatial objectives of the Local Plan.

Draft Policies

8. The draft policies often link to adopted Core Strategy policies, and the two documents should be read together¹.
9. The draft policies are provided at Chapter 8 of the Final Draft Sites and Policies document which can be viewed here:

¹ The Core Strategy can be viewed here:
http://rotherham.limehouse.co.uk/portal/planning/cs/adopted_cs/adopted_cs?pointId=2939787

<http://rotherham.limehouse.co.uk/portal/planning/sp/finaldraftsandp?pointId=1376562440493#section-1376562440493>

10. However a number of the policies which are likely to be frequently used when determining planning applications are highlighted below at Appendix A for discussion during the meeting.
11. **We would welcome any comments on the draft policies by Thursday 19th March, ideally by email to planning.policy@rotherham.gov.uk**
12. We will then revise the draft policies for inclusion in the Publication Sites and Policies document. This is the version of the document which we intend to submit for examination, and will be subject to further public consultation (subject to Member approval) later this year.
13. If you require any further information on the draft policies then please do not hesitate to contact me.

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Appendix A: Selected Policies for Discussion

Note: **red text** below indicates text which it is currently proposed to insert and ~~struck through~~ text indicates text to be deleted. The policies are a 'work in progress' and may be subject to further amendment in light of representations received.

Policy SP 8

Previously Developed Sites within the Green Belt

In instances where existing activities are located within the Green Belt, proposals for limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use (excluding temporary buildings), may be considered acceptable, provided that they would not have a greater impact on the openness of the Green Belt and the purposes of including land within it, than the existing development. All proposals will require careful assessment and agreement prior to their submission, as to the impact and appropriateness of such changes and to the long term sustainability of the proposals including the location of the previously developed site.

Consideration will be given to the size, volume, massing, scale, position, siting, screening, enclosures, lighting and design of new buildings or structures to ensure that any harm or potential harm to the openness of the Green Belt is minimised.

Policy SP 11

Development in Housing Areas

Residential areas identified on the Policies Map, ~~whether existing or undeveloped housing allocations,~~ shall be retained primarily for residential uses. All residential uses shall be considered appropriate in these areas and will be considered in light of all relevant planning policies.

Non residential uses will be considered in light of the need to maintain the housing land supply and normally only permitted where they:

- a. Are ancillary to the residential nature and function of the area; and
- b. Are no larger than is required to meet the needs of local residents; and
- c. Will not have an unacceptable impact on the residential amenity of the area; and
- d. Satisfy the requirements all other relevant planning policies; and
- e. Demonstrate how they will be of benefit to the health and well-being of the local population.

Policy SP 16

Other Uses Within Business, and Industrial and Business Areas

Within areas allocated for business, or industrial and business use on the Policies Map, uses other than those identified in Policies SP14 and SP15 will be considered on their merit having regard to other relevant planning policies and:

- a. their contribution to the range and quality of employment opportunities in the borough;
- b. compatibility with adjacent existing and proposed land uses and any impact on amenity;
- c. that adequate provision of employment land would remain within the borough and the locality of the site based upon an assessment of existing land supply (including amount, type, quality and use of land) and current and future demand; and
- d. that there is compelling evidence which clearly demonstrates that the site is no longer viable for employment use on the basis that:
 - i. The site or premises have been marketed to the Council's satisfaction for at least 12 months and included both traditional and web-based marketing, and regular advertisement in local, regional and/or national publications as appropriate; and
 - ii. opportunities to re-let premises have been fully explored; and
 - iii. The premises/site have been marketed at a price which is commensurate with market values (based on evidence from recent and similar transactions and deals) and
 - iv. it has been demonstrated that the terms and conditions set out in the lease are reasonable and attractive to potential businesses, and that no reasonable offer has been refused.

Policy SP 25

Hot Food Takeaways

Hot food takeaways will be permitted within town, district and local centres (but outside of Main Shopping Areas) where they:

- a. Would not result in more than 10% of the ground floor units within a defined **town or district** centre being hot food takeaways; **or and**
- b. Would not result in more than 25% of the ground floor units within a defined local centre being hot food takeaways; and**
- b. Would not result in more than two A5 units being located adjacent to each other; and
- ~~e. There are no less than two non-A5 units between hot food takeaways; and~~
- ~~d.~~ **c.** they will not negatively impact upon the amenity of surrounding businesses or residents.

Hot food takeaways will not be permitted where they are within 800 metres of a primary school, secondary school or college **or would result in more than two A5 units being located adjacent to each other**, except where they are within a defined town, district or local centre and satisfy the requirements above.

Proposals for hot-food takeaways will be considered in light of their impact on amenity and any mitigating measures. This will include taking account of highway safety and parking, hours of operation, control of odours and cooking smells, litter and waste disposal, and crime and anti-social behaviour.

Policy SP 27

Sustainable transport for development

Development proposals will be supported where it can be demonstrated that:

- a. As a priority, the proposals make adequate arrangements for sustainable transport infrastructure; promoting sustainable and inclusive access to the proposed development by public transport, walking and cycling, including the provision of secure cycle parking, and other non-car transport and promoting the use of green infrastructure networks where appropriate;
- b. local traffic circulation, existing parking and servicing arrangements are not adversely affected;
- c. the highway network is, **or can be made**, suitable to cope with the traffic generated in terms of the number, type and size of vehicles involved, during construction and after occupation;
- d. schemes take into account good practice guidance published by the Council including transport assessment, travel plans and compliance with local Residential and Commercial Parking Standards to ensure there is a balance struck between access for motor vehicles and the promotion of sustainable access;

The Council expects that other measures to increase and encourage sustainable travel and movement habits through travel plan incentives, such as: bus service enhancements, bus priority schemes, improved or additional bus services, better information and subsidised ticketing, multi modal multi operator, cross boundary travel, are provided. Improvements to existing and new infrastructure, ensuring that any public transport stops are easily accessible by active means, and that opportunities to further enhance walking, cycling and appropriate measures to promote inclusive access, will be sought as appropriate.

Policy SP 34

Conserving the natural environment

Development should conserve, and enhance existing and create new features of biodiversity and geodiversity value.

Where it is not possible to avoid negative impact on a feature of biodiversity or geodiversity value through use of an alternate site, development proposals will be expected to minimise impact through careful consideration of the design, layout, construction or operation of the development and by the incorporation of suitable mitigation measures.

Where, despite mitigation, there will be residual adverse impact on biodiversity or geodiversity value or on wider ecological networks, development should provide an adequate level of compensation. The aim of mitigation and compensation should be to respond to impact or loss with something of greater value; the minimum requirement will be to maintain 'no net loss'.

Planning permission will not be granted for development that is likely to, directly or indirectly, result in the loss or deterioration of sites, habitat or features that are considered to be irreplaceable due to their age, status, connectivity, rarity or continued presence.

Development will be expected to enhance biodiversity and geodiversity on-site with the aim of contributing to wider biodiversity and geodiversity delivery including, where appropriate, direct contribution to Ecological Networks, the Green Infrastructure network, Biodiversity Opportunity Areas, Nature Improvement Areas and Living Landscapes see Inset Map for details.

Development that contributes to the preservation, restoration and creation of priority habitats or geological features, ecological networks, ecosystem services and the protection and recovery of priority species populations, will be supported.

The Council will protect individual and groups of trees by the declaration of Tree Preservation Orders where it is important in the interest of visual amenity or there is reason to believe that trees are under specific threat.

Policy SP 39

Protecting Green Space

Development proposals that result in the loss of Green Space, **as identified on the Policies Map**, including sports pitches and children's play areas, will only be allowed **in exceptional circumstances**, where:

- a. An assessment shows its loss would not detrimentally affect the existing and potential Green Space needs of the local community. **The assessment will consider the availability of sports pitches, children's play areas and allotment provision, to determine existing deficits and areas for improvement;** or
- b. An appropriate replacement Green Space of at least equivalent community benefit, accessibility and value is provided in the area which it serves; or
- c. The development is for facilities of appropriate scale and type needed to support or improve the proper function of the remaining Green Space **in the locality.**

These criteria will not apply to Green Space that performs an amenity or buffer function. These sites will be protected from future development as it is considered that their loss cannot be compensated for given the purpose and function of the allocation.

Development proposals within the immediate vicinity of green space must not impact negatively on the amenity, ecological value and functionality of the Green Space. All adverse impacts must be negated through the design of the scheme.

Development that results in the loss of any small incidental areas of Green Space, not specifically identified on the Policies Map, but which make a significant contribution to the character of residential areas and/or green infrastructure, will not normally be permitted.

Policy SP 48

Understanding and managing flood risk and drainage

The Council will expect proposals to:

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

~~The Lead Local Flood Authority will introduce a Sustainable Urban Drainage Approval Body to approve drainage systems in new developments.~~

A minimum of 8 metre maintenance strip commencing from the top of the bank should be maintained between proposed development and watercourses designated as 'main rivers', and similarly a minimum of 5 metre maintenance strip for watercourses designated as 'ordinary'. There should be no encroachment into this maintenance strip during any stage of development. Where watercourses have flood defences an 8 metre easement from the top of the bank or from the landward toe of any flood defence should be left clear

Foul water should be disposed to public sewer wherever possible. Non-mains foul drainage disposal options will only be considered where it is robustly demonstrated that it is impracticable, unsustainable or too costly to do so, compared against the lifetime costs/impacts of the non-mains alternative. Any proposals involving non-mains drainage must be accompanied by a suitable foul drainage assessment.

Policy SP 63

Access to Community Facilities

Residential development should have good access to a range of shops and services. On larger scale residential developments of 10 or more dwellings the majority of homes should be within reasonable walking distance via safe pedestrian access of a local convenience shop and a reasonable range of other services or community facilities. This may require the provision of local services or facilities by developers where these requirements would not otherwise be met or where new development would place an unacceptable burden upon existing facilities, unless it can be demonstrated that such provision would not be viable or would threaten the viability of the overall scheme.

Policy SP 55

Design Principles

All forms of development are required to be of high quality, incorporate inclusive design principles and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings. In considering development proposals regard will be had to the following, **proportionate to the scale, nature, location and sensitivity of development**:

- a. the setting of the site, including the size, scale, mass, volume, height, orientation, form, and grain of surrounding development;
- b. that an assessment of local building materials, their colour and architectural detailing has been undertaken and submitted with the application;
- c. the use of appropriate materials and landscaping and utilisation of natural features, such as topography, watercourses, trees, boundary treatments, planting and biodiversity to create visually attractive high quality development;
- d. proposals reinforce and complement local distinctiveness and create a positive sense of place; public art should be incorporated into proposals where appropriate;
- e. the legibility and permeability of development to promote ease of movement, the creation of safe, secure and accessible environments and provide clear distinction between public and private spaces - lighting of the public realm and the built development will be particularly important;
- f. the provision of satisfactory arrangements for the storage and collection of refuse, recyclable materials and garden waste to enable easy and convenient recycling and composting;
- g. the design and layout of buildings to enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing;
- h. new public and commercial developments are encouraged to include baby changing, breast feeding and accessible 'Changing Places' toilet facilities in addition to standard accessible toilets.

Design and Access Statements, and where appropriate detailed masterplanning, will be expected to encompass these broad aims and principles **and have regard to the Building for Life toolkit, or the most up to date guidance**. Applicants are strongly encouraged to demonstrate an appropriate level of community engagement in their preparation; to comprehensively consider health and equalities impacts and safety and security issues and, clearly demonstrate through their submission, how these issues and any impacts arising, have influenced the final design solution.