

**REPORT TO THE PLANNING BOARD
TO BE HELD ON THE 3rd November 2022**

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

Application Number	RB2022/0295 https://rotherham.planportal.co.uk/?id=RB2022/0295
Proposal and Location	Erection of 311 dwellinghouses with open space, landscaping, substation and formation of access from Barnsley Road at Land between Pontefract Road/Barnsley Road Brampton Bierlow
Recommendation	<p>A That the Council enter into an Agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following:</p> <ul style="list-style-type: none"> • 25% on site affordable housing provision • Commuted sum of £500 per dwelling towards sustainable transport measures - £155,500 • Contribution to maintenance of existing Off Site Play Area within 400m of the site £45,000 • Contribution to footpath links to Regency Road to include signage to the TPT £45,000 • Contribution to meet the increased demand of sport in the locality £145,659 • Contribution towards 2 bus shelters with real time digital displays near the site £54,947 • Contribution to Education £609,451.75 • Establishment of a Management Company to manage and maintain the areas of Greenspace, including the LEAP and Ball Strike Net <p>B Consequently upon the satisfactory signing of such an agreement the Council grants permission for the proposed development subject to the conditions set out in this report.</p>

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



Site Description & Location

The application site is situated off Barnsley Road and Pontefract Road in Brampton Bierlow. The site comprises 11.73ha of previously undeveloped arable agricultural land located between Pontefract Road and Barnsley Road which is currently overgrown. The site is L' shaped between existing residential areas, West Melton to the east and Brampton Bierlow to the west.

Barnsley Road forms the northern boundary with Wath West Industrial Estate beyond. Pontefract Road forms the western boundary of the site with residential properties beyond. The rear gardens of the residential properties on Grove Road and Coleridge Road form the eastern boundary. To the south is Brampton Recreation Ground and a footpath connecting to Coleridge Road.

The northern and western boundaries of the site are vegetated with trees and hedgerows. The eastern boundary comprises grassland and a footpath, beyond which are residential property boundaries. To the south, the boundary is less well defined comprising grassland, trees and hedges.

The site rises from north to south by approximately 10m. There are electric overhead cables running north to south across the site with a pylon located within the site adjacent to Barnsley Road and another just outside the site boundary to the south, within the playing field. There is a mains gas pipe running along the western boundary with Pontefract Road and a water main running along eastern boundary with properties on Grove Road and then cutting through the south towards the southern boundary.

Background

Relevant Planning History

There are no previous planning applications relating to the site.

Community Infrastructure Levy

The development is Community Infrastructure Levy (CIL) liable. CIL is generally payable on the commencement of development though there are certain exemptions, such as for self-build developments. The payment of CIL is not material to the determination of the planning application. Accordingly, this information is presented simply for information.

Environmental Impact Assessment

A Screening Opinion Request was submitted for the site for residential development in 2020 (Ref RB2020/1809). The Councils noted that the proposed development falls within the description contained at Paragraph 10 (b) of Schedule 2 of the Town and Country Planning (Environment Impact Assessment) (England and Wales) Regulations 2017 and meets the criteria set out in column 2 of the table in Schedule 2 i.e. the number of dwellings proposed exceeds 150 and the site area exceeds 5ha.

The Borough Council as the relevant Local Planning Authority took into account the criteria set out in Schedule 3 to the Regulations and concluded that the development would not be likely to have a significant effect on the environment by virtue of factors such as its nature, size and location.

It therefore issued the formal opinion that the proposed development was not EIA development as defined by the 2017 Regulations.

Proposal

The applicant seeks full planning permission for the erection of 311 dwellings with open space, landscaping, substation and formation of access on this allocated housing site (H98). Vehicle access is proposed off Barnsley Road, there is pedestrian access onto Pontefract Road, Barnsley Road, Grove Close and onto the playing fields to the south.

The proposal includes a financial contribution to allow the provision of a footpath/cycleway link from the south of the site towards Coleridge Road and across the area known as Brampton recreation field and also a direct link towards Brampton Ellis school. Signage directing people to the TPT is also to be provided.

The proposal also includes the provision of footpath links from the south to Regency Road and join into the existing footpath to the rear of Regency Road.

The internal layout of the development has been amended by the developer and at the request of the Local Planning Authority during the application determination process.

The housing mix includes:

- 104 No 2 bed dwellings,
- 102 No 3 bed dwellings and
- 101 No 4 bed dwellings and
- 4 No 5 bed dwellings.

The majority of the dwellings are 2 storeys in height; however, 15 properties are proposed to be 2.5 storeys. The dwellings have been designed to include a mix of detached, semi detached and terraced properties.

The proposal also includes the provision of 25% on site affordable housing units, which equates to 78 dwellings.

Additionally, the site layout includes open space areas with a detention basin to the north of the site, with 2 green ways including footpaths/cycle paths running north to south within the site and a LEAP (Locally Equipped Area for play) adjacent to the southern boundary.

The proposed materials are to be a mixture of brick colours red, buff and brown as well as cream render on 25 key corner plots.

The boundary treatments will consist of

- 1.8m high brick walls
- 1.8m high brick piers with fence panels between
- 1.8m high open board timber fence
- 1.8m high timber lap fence
- 1.2m high timber lap fence
- 0.9m high post and rail fence
- 1.2m high wall and metal railings
- 0.9-1.2m high metal railings
- 1.2m high estate railings
- 0.45-0.6m high knee rail fence
- 0.35m high horizontal metal rail

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

Design and Access Statement

This concludes that the proposal will offer a residential development that fully integrates built form, landscaping and quality of place in order to provide a high quality proposals that is where people are proud to live, and that the layout has been carefully considered to provide a high level development with all dwellings provided with generous gardens and space between dwellings adhering to minimum stand-off distances. It notes that the mix of accommodation provided allows for a range of house types of different sizes

to meet the needs and aspirations of the local authority and community. The style of house types reference the materials used in the local area and are of a scale and massing that is appropriate to the local context. Overall the scheme provides a high quality of development that will benefit the local area and provide valuable residential accommodation

Transport Assessment

A Transport Assessment was submitted in support of the application which concluded that the proposed development would not result in a severe impact on the operation of the transport network, and that there are no substantive highway reasons why the proposal should not be granted planning consent.

An addendum TA has also submitted at the request of the Local Planning Authority to look at numerous transportation issues, which included further investigations into the potential for an access to the development from Pontefract Road, the provision of pedestrian links from the development to Pontefract Road bus stop and the provision of adoptable pedestrian and cycle links within the site. This document also concludes that relevant assessed roundabouts/ junctions are anticipated to operate within capacity in the current and design year with the addition of development trips in all scenarios, and that the addition of development trips does not result in a significant increase in queue lengths; as such the development proposals cannot be considered as severe. It concludes that the proposed development will not result in a severe impact on the operation of the transport network; the test set out in NPPF.

Flood Risk Assessment

This notes that there is an existing 225mm diameter sewer crossing the site and various foul, combined and surface water sewers located within the vicinity of the development. Environment Agency Flood Mapping confirms the site is located in Flood Zone 1 with flood risk from all sources low.

It is proposed for the surface water from the Eastern Catchment and the Western and Central Catchment adoptable highway to discharge to the existing 225mm diameter surface water sewer in Barnsley Road, with a restricted discharge rate of 6.7l/s. Due to topography a gravity discharge is not possible, therefore surface water from the development is to be pumped to the existing sewer network. Dwelling and private infrastructure surface water for the Western and Central Catchments is to discharge to shallow infiltration drainage.

Tree Survey

This states that there are 70 individual trees and 5 tree groups and 5 hedgerow groups within the application site with the following categorisation -

- 1 individual tree was classified as Category A.
- 4 individual trees were classified as Category B.
- 60 individual trees were classified as Category C.
- 5 tree groups were classified as Category C.
- 5 hedgerow groups were classified as Category C.
- 5 individual trees were classified as Category U

It goes on to note that 20 trees will require removal to facilitate the development, of which 7 are suitable for transplant to a new location within the site. All trees to be removed are self sown trees in category C of low quality and value and their loss is not considered to impact the site and surrounding landscape significantly. There are no mature trees which will require removal as part of the proposed development. All trees requiring removal are young trees and/or of poor form. With transplanting of suitable trees and tree planting as part of an approved landscaping plan, all tree removal can be adequately mitigated for, with improved future canopy coverage for the site

Air Quality Assessment

This states that potential construction phase air quality impacts from fugitive dust emissions were assessed as a result of earthworks, construction and trackout activities. It is considered that the use of good practice control measures would provide suitable mitigation for a development of this size and nature and reduce potential impacts to an acceptable level.

Potential impacts during the operational phase of the proposals may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site. Dispersion modelling was therefore undertaken in order to predict pollutant concentrations at sensitive locations as a result of emissions from the local highway network both with and without the development in place. Results were subsequently verified using local monitoring data.

Review of the dispersion modelling results indicated that air quality impacts as a result of traffic generated by the development were not predicted to be significant at any sensitive location in the vicinity of the site. Based on the assessment results, air quality factors are not considered a constraint to planning content for the development.

Ecology Survey

This notes that the site is within a European, national or local wildlife site and the development is unlikely to have an adverse impact on the conservation interests of such sites located within the wider area.

It concludes that no habitats/features within the site location are of notable conservation interest.

A DEFRA Biodiversity Metric calculation has been produced. The ecological features within the site that were considered to be of notable ecological value (i.e. hedgerows and trees, areas of rough grassland and bramble scrub edging the site) appear to be mostly retained and enhanced. Any enhancements are recommended to be secured through use of a management plan.

With reference to the supporting DEFRA Biodiversity Metric 3.0 calculator, the results of the calculations are shown below:

- The on-site baseline value of the site is 34.48 Habitat Units & 3.12 Hedgerow Units.
- The proposed scheme will achieve an on-site post intervention score of 39.25 Habitat Units & 4.21 Hedgerow Units.
- The total net unit change will be 4.77 Habitat Units (13.84 %).
- The total net unit change will be +1.09 Hedgerow Units (34.93 %).

Overall, the proposed scheme will achieve a positive on-site post intervention score.

Mitigation Proposed –

- Plant new hedgerows
- Provide bird/bat boxes/bricks
- Sensitive lighting scheme

Historic Environment Assessment

This states that within 1km of the Proposed Development Area, there are ten Designated and eight Non-Designated Heritage Assets ranging in date from the Late prehistoric through to the modern period; the Proposed Development would have a neutral impact on all assets recorded outside of the Proposed Development Area.

Cropmarks which are likely to represent late prehistoric or Romano-British activity are recorded within the Proposed Development Area. Ditches were recorded within the site during a Watching Brief which, although undated, are likely to represent late Prehistoric or Romano-British activity within the Proposed Development Area.

A Geophysical Survey identified archaeological remains across the site including trackways which meet at a crossroads and anomalies suggestive of field boundaries or enclosures. These anomalies correspond with cropmark data within the site and with features identified during archaeological work in the vicinity of the site.

It is recommended that the survey be followed by Trial Trenching is carried out across the Proposed Development Area, in order to assess the extent, form and survival of archaeological features. The results of the evaluation could then be used to make a reasoned decision regarding further work, if necessary.

Further Geophysical Surveys and Evaluation Trial Trenching details have also been submitted.

Energy Statement

This details the energy efficiency and renewable energy measures proposed by the developers to address the regulation changed to the Building Regulations which will establish the maximum CO2 emission rate for new build residential properties.

The below measures will be incorporated into the design of the dwellings –

- A fabric first approach which includes high levels of insulation in the ground floor,
- external walls and roof spaces.
- Reduction in heat loss through the use of Constructive details at key junctions in
- the building, to ensure minimal heat loss through thermal bridging.
- Energy efficient gas condensing boiler. Including energy optimising controls will
- also be installed which include dual zone controls with delayed start thermostats.
- Energy efficient lamps will be installed in every light fitting.
- Each property will be naturally ventilated using efficient decentralised extract fans
- to ensure the internal living environment will be healthy and comfortable.
- Each entrance will be illuminated with an energy efficient external light or
- provision will be made for a purchaser to install such a fixture.
- The white goods installed in each property or offered to purchasers will be energy
- efficient with an A+/A rating.
- Flue Gas Heat Recovery will also be installed to gas boilers where required
- ensuring the maximum efficiency is obtained from the gas boilers installed.
- Electric vehicle charging points

In accordance with Building Regulations the development could also include, where necessary – Photovoltaic Panels, Flue Gas Heat Recovery and Waste Water Recovery

- WWHR fitted to showers where required ensuring any surplus heat generated from a shower is recycled to reheat incoming water.

Statement of Community Involvement

A Statement of Community Involvement was produced in support of the application. This showed that an extensive letter drop was undertaken to around 800 properties in proximity to the site, as well as the Parish Council, Ward Councillors and John Healey MP. A meeting was held on site with three Ward Councillors.

A total of 17 responses were received during the consultation period. The comments received were reviewed by the applicant. Of the comments raised, concerns largely related to the length of consultation period, Highways Issues associated with increased traffic, Services and Infrastructure, Wildlife and Biodiversity, Impact on existing residents amenity and Design.

Soil resource Report

This details soil management through the construction phase of the development, including stripping operations, storage and placement.

Noise Impact Assessment

This assessed any potential noise impact on future occupiers of the development from road traffic noise, as well as noise from use of the adjacent playing fields when used for cricket and football. It concludes that there would be no adverse impact from the use of the playing fields for cricket and football, however, noise mitigation is required on some plots close to Barnsley Road and Pontefract Road in terms of enhanced glazing and acoustic fences.

Ball Strike Risk Assessment

This assesses the potential risk of balls surpassing the boundaries of the recreation ground to the south of the site and advises on the type and level of mitigation recommended to provide a suitable level of protection. It concludes that a ball stop fence should be erected part of the boundary of the site with the recreation ground with a minimum height of 6 metres.

Development Plan Allocation and Policy

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site was allocated for as Urban Greenspace in the former Unitary Development Plan (UDP), however, since the submission of the application in 2017 the adopted Sites and Policies Document re-allocated it for Residential Use (allocated site H98). For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

- CS1 Delivering Rotherham's Spatial Strategy
- CS3 Location of New Development
- CS6 Meeting the Housing Requirement
- CS7 Housing mix and affordability
- CS14 Accessible Places and Managing Demand for Travel
- CS19 Green Infrastructure
- CS20 Biodiversity and Geodiversity
- CS21 Landscape
- CS23 Valuing the Historic Environment
- CS24 Conserving and Enhancing the Water Environment
- CS25 Dealing with Flood Risk
- CS27 Community Health and Safety
- CS28 Sustainable Design
- CS32 Infrastructure Delivery and Developer Contributions
- CS33 Presumption in favour of sustainable development
- SP1 Sites Allocated for Development
- SP11 Development in Residential Areas
- SP26 Sustainable Transport for Development

SP32 Green Infrastructure and Landscape
SP33 Conserving and Enhancing the Natural Environment
SP35 Protected and Priority Species
SP36 Soil Resources
SP37 New and Improvements to Existing Green Space
SP39 Design and Location of Green Space, Sport and Recreation
SP42 Archaeology and Scheduled Ancient Monuments
SP43 Conserving and Recording the Historic Environment
SP47 Understanding and Managing Flood Risk drainage
SP52 Pollution Control
SP54 Contaminated and Unstable Land
SP55 Design Principles
SP56 Car Parking Layout
SP57 Sustainable Construction
SP64 Access to Community Facilities
WCS7 Managing Waste in All Developments

Other Material Considerations

The specific Site Development Guidelines for this allocated site (H98).

South Yorkshire Residential Design Guide

SPD 2 Air Quality & Emissions (June 2020)

SPD5 Equal and Healthy Communities (June 2020)

SPD 8 Affordable Housing (June 2021)

SPD 12 Transport Assessments, Travel Plans and Parking Standards (June 2021)

National Planning Practice Guidance (NPPG) (as revised)

National Planning Policy Framework: The revised NPPF sets out the Government's planning policies for England and how these should be applied. It sits within the plan-led system, stating at paragraph 2 that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise" and that it is "a material consideration in planning decisions".

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

Publicity

The original application was advertised in the press, on site (6 site notices) and by individual neighbour letters sent to surrounding properties; and letters of objection were received from the occupiers of 7 properties, the British Horse Society along with an objections from Cllr Roche.

The objections are summarised below –

- Increase traffic will lead to more delays, more accidents and more driver stress
- Increased pollution
- Over development of the Site
- Very little Green Space in the Area, the field should be turned into a park
- Lead to further strain on infrastructure – GP surgery, hospitals, public transport & schools
- Loss of privacy
- Loss of wildlife
- Loss of space many people use for leisure activities, and loss of quality of life for existing residents. It should remain as a green open space
- Loss of field will add to climate change problems
- Impact on value of homes
- Increase antisocial behaviour, litter, noise
- The development is not needed or wanted
- There should be no vehicular or pedestrian access into Grove Close as it would create lifechanging inconvenience for existing residents. It would impact privacy and create security issues affecting well being and mental health. There is currently much wildlife in the existing hedgerow along the boundary.
- The houses will not be affordable for locals

The British Horse Society asks that where cycle ways are proposed they are made into routes for all non-motorised users including horses.

Cllr Roach has lodged his objection, he is concerned about the potential traffic issues and hopes that the Planning Board will consider a Site Visit. He has requested to Speak at Planning Board

Due to the length of time that has elapsed since the original publicity took place and some amendments to the plans, all neighbour originally consulted and objectors were re-notified by letter. Objections were received from 2 new address and Cllr Roach and Cllr Lelliott. The objections raised the following additional issues to those listed above –

- The area floods and drains and sewers cannot deal with the volume of water.
- How can the sewers deal with the additional water from 311 houses when they already cannot cope? When it rains heavily.
- Why is the system only being designed to 1 in 30 year event of surface water flooding?
- Little regard has been given to pedestrians having to cross Barnsley Road without any crossing points.
- Why can't a new vehicular entrance be provided onto Pontefract Road

Cllr Roach has stated that the figures quoted for traffic flow on the mini roundabout do not match his experience living a short distance away, and an increase in cars will create issues. Traffic on Pontefract Road, Melton Green and Cooley Lane will also be increased and create 'rat' runs.

A pedestrian crossing is needed on Barnsley Road and on Pontefract Road for safety.

Cllr Lelliott has objected to the development due to the developers offering no mitigation for increased volume of traffic. Living on the main road it can be seen that it is already a nightmare to cross the road. She has requested the Right to Speak at the Planning Board Meeting, and has requested that Board Members visit the site.

The applicant has also requested the Right to Speak at the Planning Board Meeting.

Consultations

RMBC - Transportation Infrastructure Service: No objections to the application subject to relevant conditions and contributions as part of the S106 agreement

RMBC – Green Spaces – No objections to the site layout from a green space perspective

RMBC - Tree Service Manager/Consultant: No objections subject to conditions

RMBC - Landscape Design: No objections

RMBC – Drainage: No objections subject to recommended conditions

RMBC - Affordable Housing Officer: No objections

RMBC – Ecologist: No objections subject to conditions

RMBC - Environmental Health: (Noise) No objection subject to recommended conditions.

RMBC - Environmental Health (Air Quality): No objection subject to electric vehicle charging points being provided for each dwelling

RMBC – Environmental Health (Land Contamination): No objections subject to conditions

RMBC – Education: An Education contribution would be requested for this development for Secondary Education. Saint Pius X Catholic High School and Wath Academy are both oversubscribed. As per the Education S106 policy a contribution of £609,451 is requested.

RMBC Public Rights of Way – No objections

South Yorkshire Archaeological Service: No objections subject to relevant conditions.

Yorkshire Water – No objections subject to conditions.

Rotherham NHS & Barnsley NHS– No objections

Sport England –No objections as a statutory consultee.

As a non statutory consultee they object, however they will withdraw their objection when the S106 is signed securing a financial contribution towards meeting sporting demand generated by the development.

SYMCA – No objections subject to contributions towards bus stop improvements

Cadent Gas – No objection

National Grid Co.plc – No objections

South Yorkshire Mining Advisory Service – 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.

Paragraph 11 of the NPPF states, in part, that: “Plans and decisions should apply a presumption in favour of sustainable development.” It goes on to state that “For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. 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”.(footnotes omitted)

The main issues to take into consideration in the determination of the application are –

- The principle of the development
- Design, layout and scale
- Provision of open space on the site
- Highways issues
- Drainage and flood risk issues
- Ecology and biodiversity
- Landscape and tree matters
- General amenity issues – contaminated land, noise and air quality
- Impact on existing/proposed residents.
- Heritage issues
- Housing Mix and Affordable Housing provision
- Impact on Education/GPs
- Other issues raised by objectors
- Planning Obligations

The principle of the development

The application was allocated as Urban Greenspace within the former UDP, however the Local Plan Sites and Policies Document which was adopted on 27th June 2018 re-allocates it for Residential use. It forms Housing Site H98 (total area of 11.73 hectares) and the Sites and Policies Document indicates that the total site has a capacity of approximately 328 dwellings.

Policy CS1 ‘Delivering Rotherham’s Spatial Strategy’ states, in part, that: “Most new development will take place within Rotherham’s urban area and at Principal Settlements for Growth”. Wath-upon-Deerne, Brampton Bierlow and West Melton are identified as one of the Principal settlements for growth which is to provide 800 dwellings as part of the Local Plan.

Policy CS3 'Location of New Development' states, in part, that: *"In allocating a site for development the Council will have regard to relevant sustainability criteria, including its (amongst other things): proximity as prospective housing land to services, facilities and employment opportunities, access to public transport routes and the frequency of services, quality of design and its respect for heritage assets and the open countryside."*

Policy SP1 'Sites Allocated for Development' identifies sites that are allocated for development and contribute to meeting requirements set out in the Core Strategy. SP1 allocates the site as H98 for a total of 328 dwellings.

With the above policies in mind the site has now been allocated for Residential use as part of the adopted Local Plan and as such the principle of residential development is acceptable. Whilst the number of dwellings proposed on the site (311) is slightly less than the 328 set out in the Sites and Policies Document, it is considered that the density of the proposed development is appropriate for this site. The sites identified for development within the Plan are intended to promote sustainable development and assist in delivering priorities and objectives of the NPPF and the adopted Core Strategy.

Through the Local Plan process the site was identified as a result of extensive consultation and a site appraisals process, including a Sustainability Appraisal, and assessed in terms of a range of social, economic and environmental factors. The Sites and Policies Document identifies that the site is sustainable in principle for residential use.

Policy SP64 'Access to Community Facilities' states: *"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 (minimum of 80%) should be within 800 metres reasonable walking distance (measured from the centre of the site, taking into account barriers such as main roads, rivers and railway lines) 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."*

In relation to this site, there are a selection of shops, post office, pub and schools located within the 800m distance specified within the policy. SP64 recognises that flexibility will be required in certain circumstances and it is also noted that the Sites and Policies Document did not specifically require any provision of Community Facilities on the site. It is therefore considered that the application site has good access to a wide range of shops and services with Wath-upon-Deerne centre also only being located approximately 2km away.

In relation to the presumption in favour of Sustainable Development the NPPF specifies at paragraph 11 that decisions should apply a presumption in favour of sustainable development, which means “...approving development proposals that accord with an up-to-date development plan without delay...” This is further supported by policy CS33 ‘Presumption in Favour of Sustainable Development’.

Paragraph 12 of the NPPF states: “*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan...permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*”

In conclusion it is considered that the proposed residential development is acceptable in principle on this allocated site. The development is therefore considered to accord with Local Plan Policies CS1, CS3, SP1, SP11 and SP64, and the provisions of the NPPF. The remainder of the report will focus on whether there are any other material planning considerations that would outweigh the presumption in favour of sustainable development.

Design, layout and scale

The NPPG notes that: “*Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations.*”

The NPPG further goes on to advise that: “*Local planning authorities are required to take design into consideration and should refuse permission for development of poor design.*”

Paragraph 126 of the NPPF states: “*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*”

Paragraph 134 states “*Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

- a) *development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) *outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an*

area, so long as they fit in with the overall form and layout of their surroundings.”

Policy CS28 ‘Sustainable Design’ states, in part, 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 seeks to ensure that all developments make a positive contribution to the environment by achieving an appropriate standard of design.

Policy SP55 ‘Design Principles’, states, in part, that: *“All forms of development are required to be of high quality, incorporate inclusive design principles and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings”.*

Policy CS6 ‘Meeting the Housing Requirement’ further states, in part, that: *“Housing development will be expected to make efficient use of land while protecting and enhancing the character of the local area.”*

The South Yorkshire Residential Design Guide aims to provide a robust urban and highway design guidance. It promotes high quality design and development which is sensitive to the context in which it is located.

The site is proposed to be accessed via a single vehicular access point off Barnsley Road, there is an existing hedgerow along part of the frontage which is to be retained and enhanced, and a large section of the site frontage will be open with tree planting and landscaping in a large area to include a detention basin.

In relation to the existing character of the area, the existing properties within the locality vary, however there are a significant number of semi-detached properties around the site, some terraced houses along Barnsley Road and some newer detached properties to the southwest. The materials are predominantly red brick, with some render on some properties.

The layout, design, appearance and materials of the properties have been amended through the application process as a result of discussions with the Council to improve the overall appearance of the development and ensure that it is in keeping with the area. Boundary treatments have also been carefully assessed to ensure that a high quality environment is created, and the layout of the development amended to ensure a high quality street scene is provided on both roads frontages.

The majority of proposed properties are 2 storeys in height, with 15 properties being 2.5 storeys in height, and in this respect the scale of the dwellings is considered to be appropriate and similar to the scale of the types of houses surrounding the site. It is noted that there are some single storey dwellings adjoining the site on Grove Road and Grove Close, however most of the other dwellings around the site are mainly two storey properties. In relation to density it is noted that many of the existing dwellings around the site are built at a lower density, however the site allocation in the Sites and Policies Document indicates that the site is suitable for approximately 328 dwellings, which is 17 more than proposed within this scheme. In this respect the density proposed is broadly in line with the Local Plan.

It is considered that the amended scheme will provide a pleasant suburban layout suitable for this location located adjacent to existing housing. The mix of dwelling types is varied with 2, 3, 4 and 5 bedroomed properties which would provide for a good mixed community, and the affordable units are spread all around the development and not all located in one area which is preferable.

The scheme also includes areas of Public Open Space which includes a dry flood storage basin and a play area within the site to the south west, with seating areas proposed within the linear open space areas alongside the footway/cycleways. There is also a comprehensive landscape scheme to be implemented as well as the retention and enhancement of the majority of the boundary hedgerows.

Having regard to all of the above, it is considered that the layout and design of the proposed development as amended, offers an acceptable balance between achieving an efficient use of the land available whilst safeguarding a satisfactory provision of individual private amenity space for each dwelling. Furthermore it is considered to accord with the above Local Plan Policies, as well as the general principles and goals set out in the NPPF and the applicants, through the submission of amended plans, have demonstrated a concerted effort to achieve a well-designed scheme.

Provision of open space on the site

Policy SP37 'New and Improvements to Existing Green Space' states that "a. Residential development schemes of 36 dwellings or more shall provide 55 square metres of Green Space per dwelling on site to ensure that all new homes are:

i. within 280 metres of a Green Space; and

ii. ideally within 840 metres of a Neighbourhood Green Space (as defined in the Rotherham Green Space Strategy 2010); and

iii. within 400 metres of an equipped play area.

The exception to this will be where the characteristics of the site and the nature of the proposals are likely to impact on the delivery of the Green Space or the overall development scheme. In these circumstances, then evidence shall be provided with the planning application to justify any lower level of Green Space provision on site or off site contributions. This shall take into account the nature of the proposed development, and the particular characteristics of the site and the wider local area.

b. Proposals for Green Space should include a variety of experiences for different age groups, depending upon the size of the scheme and the type of development proposed.

c. The Council will consider the cumulative impact of development proposals of all sizes, on existing green space and the need to enhance / expand existing Green Space provision within a locality, through financial contributions.

d. In all cases where new Green Space does not have to be provided on site, then developer contributions will be sought to enhance existing Green Space based on an assessment of need within the local area at the time of any planning application and proportionate to the scale and nature of the planned development.

e. Where new on site Green Space provision on site is required, the applicant will be expected to review national, regional and local information where available and, in discussion with the Council and any other body as necessary, prepare and submit an appropriate assessment of demand that is proportionate to the scale and nature of the development proposed.

Consideration shall be given to the borough-wide standards for playing pitches and play spaces to determine as appropriate, the composition of any provision that will assist in achieving these standards; specifically:

i. the Rotherham Playing Pitch Strategy recommendations (subject to periodic review) for provision of mini-soccer, junior and senior football, cricket, and rugby union and league pitches

ii. whether all new homes would be within 400 metres of an equipped play area (which includes a variety of experiences for different age groups) and 280 metres of Green Space

f. New Green Space and equipped play areas will be accompanied by either (i) provision for maintenance by a landscape management company or similar, to standards agreed with the Local Authority for the lifetime of the development, or (ii) a financial contribution by way of a commuted sum equivalent to the cost of maintaining new Green Space or enhancements to existing Green Space for a period of thirty years."

The development is for 311 dwellings and as such the requirement is for approximately 17,105sqm of open space provision on the site. Taking into consideration the areas of open space on the site, the scheme exceeds the

required amount as the provision is approximately 25,000sqm. This takes into account the drainage basin area, however when with this area excluded the provision is still approximately 20,000sqm which is still in excess of the policy requirement. These areas provide for green open spaces through the site with footways and cycleways as well as seating areas.

In respect of play provision on site to satisfy policies SP37 and SP39 it is noted that the scheme proposes the provision of a Locally Equipped Area for Play (LEAP) on the south western boundary of the site. In addition to the LEAP on site, the proposal also includes a financial contribution of £45,000 towards the maintenance and or improvement of existing off site play area. There are two existing play areas within 400m (5mins walk) of the site at West Melton Park (South of the development) and Bierlow Park (North West of the development) which also contains a BMX track. Either or both sites could receive some of this S106 funding depending on priorities when the funding is available.

Policy SP39 'Design and Location of Green Space, Sport and Recreation' outlines the principles to be followed when new play spaces are designed, and it is considered that this type of play area as well as the financial contribution is proportionate to the development proposed. It should be noted that all the areas of public open space, including the LEAP are proposed to be maintained by a management company which would be secured by a Section 106 legal agreement.

Comments on the application have been received from Sport England as a non-statutory consultee. They have calculated that the population of the proposed development in this area will generate a demand for a total of £282,335 which is in relation to Artificial Grass Pitches, Indoor Bowls Sports Halls and Swimming Pools.

In this respect the Councils Team leader for Strategic Projects & Partnerships has confirmed that the existing swimming pool in Wath upon Dearne has an acceptable level of capacity for additional swimmers as well as capacity in swimming lessons, and for this reason the £134,891 requested for swimming pools cannot be justified at this site.

As a result, the applicant has agreed to pay the remaining financial contribution of £145,659 towards future demand for sport arising from the development. This will be earmarked to be spent in the locality in consultation with Sport England or the relevant National Governing Bodies for Sport, or in accordance with the findings of a Play Pitch Strategy if one is produced within the relevant timescales. Sport England have stated that on the signing of the S106 Agreement they will withdraw their objection as a non statutory consultee in this regard.

Objections have been received on the grounds that the site is used by dog walkers and it should be retained as a greenspace for the use by the local community. In this regard it is noted that the site is allocated for residential use and not for Green Space within the Local Plan, however the application

will provide on-site green space for both existing residents of the surrounding estate and the future residents of this development. Furthermore, the on-site public open space to be created by this development, will provide a significant enhancement on the overgrown, unkempt land that exists presently. The new open space on site together with the play facilities proposed would be managed and maintained by a Management Company on behalf of the developer and this will be secured in the s106 Legal Agreement.

Taking the above into consideration, it is considered that the scheme provides an appropriate amount of open spaces within the site as well as play equipment in the form of a LEAP. The proposal also includes contributions to an off site play area as well as a financial contribution towards meeting the future demand for sport generated at the site. Accordingly, it is considered that the type of play is proportionate to the development proposed and the proposal satisfies part of policy SP37 'New and Improvements to Existing Green Space' outlined above and policy SP39 'Design and Location of Green Space, Sport and Recreation', in respect of public open space and play provision requirement.

Highways issues

In assessing highway related matters, Policy CS14 'Accessible Places and Managing Demand for Travel,' notes in part, *"that accessibility will be promoted through the proximity of people to employment, leisure, retail, health and public services by (amongst other):*

- 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.*
- 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."*

Policy SP26 'Sustainable Transport for development' states, in part, that *"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 NPPF further notes at paragraph 110: *“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) appropriate opportunities to promote sustainable transport modes can be –*
- or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users; and*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*

Paragraph 111 states: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

Paragraph 113 goes on to note that: *“All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.”*

The site development guidelines for H98 as set out in the Sites and Policies Document state that:

- 2. A Transportation Assessment will be required. This should include careful consideration of accessibility for the site and include vehicular access from Barnsley Road and Pontefract Road.*
- 3. The design of proposals shall include pedestrian and cycle routes to ensure access for local communities through and to the site from the wider area.*

The Council’s Transportation Infrastructure Unit have provided the following comments:

Site Layout

The proposed revised site layout Drg No BRWM_A01_01 Rev ZL now conforms with guidance from both the South Yorkshire Residential Design Guide and Manual for Streets. The site has been designed to a 20mph speed

limit and the developer has confirmed that they will fund the traffic regulation order and any appropriate signage / road markings associated with it. Accordingly subject to conditions I have no objections to the proposed layout in a highway context.

Car parking

The proposed car parking facilities are in accordance with the Council’s minimum residential car parking standards as required by Supplementary Planning Document No 12.

Transportation Assessment and subsequent Technical Note P1499

The Proposed Development - The site is identified for residential purposes in the Local Plan (H98) and the proposed scheme is for 311 dwellings, accessed from the B classified Barnsley Road.

Trip Generation - The anticipated trip generation for the site is shown in the tables below:

	AM			PM		
	Arrival	Departure	Two-Way	Arrival	Departure	Two-Way
Trip Rate	0.128	0.410	0.538	0.391	0.171	0.562
Trip Generation	40	128	168	122	53	175

(Source: TRICS)

The above trip numbers have been established using industry standard software which collates data from similar size sites in similar locations which are now built out. Census travel to work data has been used to establish how the above trips are distributed throughout the network.

Based on this distribution assessment of the following junctions was undertaken.

- Barnsley Road / Pontefract Road / Wath Road;
- Pontefract Road / Brampton Road / Westfield Road / Knollbeck Road;
- Wath Road / A6195 / A633;
- Barnsley Road / Biscay Way / High Street;
- Brampton Road / Regency Road / Manor Road; and
- Brampton Road / Firth Road / Elsecar Road.

In addition to the traffic generated by the development, growth in background traffic has been added using industry software (Tempo).

Traffic Impact

Site Access / Barnsley Road - The proposed site access with Barnsley Road has been modelled and it has been demonstrated that the junction will operate well within its design capacity.

Barnsley Road / Pontefract Road / Wath Road - The Barnsley Road / Pontefract Road / Wath Road junctions have been modelled and it has been demonstrated that with development traffic in 2026 there will be a significant increase in queue lengths. This raised concerns that the link between the two mini-roundabouts would be incapable of accommodating the anticipated queue and that it would be detrimental to the operation of the junction. Notwithstanding this data, during site visits existing observed queues did not match that modelled. Accordingly, three additional traffic surveys were requested to back up the findings the outcomes of the additional surveys are outlined in Technical Note P1499 below.

Pontefract Road / Brampton Road / Westfield Road / Knollbeck Lane – The junction has been modelled in both present and future scenarios using the current layout of the junction. I have observed the roundabout at peak times and agree with the findings of the assessment in that it has demonstrated that the impact of the development will be minor and therefore no mitigation is required.

Wath Road / A6195 / A633 - The junction has been modelled in both present and future scenarios using the current layout of the junction. Whilst the model demonstrates that the junction operates well within capacity, there have been recent changes to the roundabout, Junction 36 of the M1 and also a substantial increase in the scale of the Cortonwood Retail development such that additional counts should be undertaken to further justify the current claims. Accordingly, three additional traffic surveys were requested to back up the findings during the site visit, the outcomes of the additional surveys are outlined in Technical Note P1499 below.

Barnsley Road / Biscay Way / High Street – The modelling has demonstrated that the Barnsley Road East queue with base plus development in 2026 will significantly increase. Accordingly, three additional traffic surveys were requested, the outcomes of the additional surveys are outlined in Technical Note P1499 below

Technical Note P1499 - The applicants agent was requested to re-submit more up to date traffic data for further analysis, with traffic data surveys to include a mid week day and both a Saturday and Sunday in order to account for the influence of the nearby Cortonwood Retail Park.

The 3 junctions that were required to be remodelled were;

- Barnsley Road / Pontefract Road / Wath Road;
- Wath Road / A6195 / A633;
- Barnsley Road / Biscay Way / High Street;

Each junction was assessed in the following scenarios and queue lengths observed

- 2022am and pm base
- 2022am and pm base + development
- 2027am and pm base and
- 2027am and pm base + development

In summary, the Barnsley Road / Wath Road / Pontefract Road junction and the A6195 / A633 / Wath Road junctions are anticipated to operate within capacity in all scenarios. The Barnsley Road (west) / Biscay Way / High Street junction are anticipated to operate within capacity in all scenarios with the Barnsley Road (east) approach already expected to be over capacity in both the 2022 and 2027 base years and the development proposals if implemented will result in a negligible uplift in traffic flows on this approach and are not considered severe.

It should also be noted that queue lengths were observed and included within the updated transportation assessment to provide further evidence of the current situation. Colleagues with the Transportation Infrastructure Service have also observed queue lengths and concur with those observed queue lengths included within the updated Transportation Assessment.

Given the above, it is considered that the proposed development will not result in a severe impact on the operation of the transport network and therefore no mitigation measures are required to the junctions surveyed.

Site Access - During the LDF process when access was considered, it was felt that two accesses to the highway network should ideally be provided. This view was based on the potential scale of development and in the interests of permeability as advocated in the South Yorkshire Residential Design Guide.

The potential to provide a second access from Pontefract Road was considered and included in earlier iterations of the site layout, however, the applicant confirmed that the level difference between the site and Pontefract Road, along with the presence of a gas main which runs parallel to Pontefract Road on the north-western boundary of the site, meant that it was not possible to provide an access at this location without significant cost to divert the gas main, that would affect the viability of the scheme. Accordingly, the site is to be served from a single point of access to Barnsley Road that is of sufficient width to maintain access in the event of a breakdown or maintenance works being undertaken. After the short initial section, the highway splits and loops are formed.

A representation has been received that suggested a secondary vehicular access could be provided onto Grove Road, However, this is not considered appropriate as Grove Road is not a suitable road to accommodate additional vehicular traffic and would result in an additional point of conflict i.e. a further junction to negotiate.

Pedestrian Accessibility – An adoptable link and pedestrian dropped crossings facilities will be provided on the western side of the site with Pontefract Road with appropriate intervisibility to be provided. This will be provided through both a S38 and S278 legal agreement.

This will comprise of an uncontrolled crossing and will be implemented to assist pedestrians to cross Pontefract Rd (south) to link into the footpaths within the proposed development. No formal pedestrian crossing (Zebra / pelican etc.) is being promoted, as the location does not meet the Councils current criteria for a formal crossing in this location. As part of the s106 agreement, there are monies available to investigate and potentially implement a formal pedestrian crossing, should the current Council policy change and the site meet any future criteria. The provision of the uncontrolled crossing will meet the relevant design standards for visibility for both pedestrians and drivers which may result in the removal of some self set trees within the verge to achieve the required visibility.

A footway / cycleway link from the proposed development to both the existing footpath leading to Coleridge Road and across the area known as Brampton recreational field, to the south of the site is to be funded to provide a more direct link toward The Brampton Ellis school. This will also include the addition of signage of the route toward the nearby TPT. The monies are to be secured through a S106 agreement with the developers.

Footpath links will also be provided to Barnsley Road at various locations. Two new pedestrian refuges are to be provided in Barnsley Road and two existing crossings will be upgraded so as to provide enhanced links to the bus stops and TPT routes.

Whilst representations have been received requesting additional pedestrian crossing points, no formal pedestrian crossing (Zebra / pelican etc.) is being promoted on Barnsley Road, as the location does not meet the Councils current criteria for a formal crossing in this location. Nevertheless, as part of the s106 agreement, there are monies available to investigate and potentially implement a formal pedestrian crossing, should the current Council policy change and the site meet any future criteria. With regard to Wath Road, there is an existing 'humped' zebra crossing located near to Cliffe Road, within an existing traffic calmed area. This form of crossing is the correct type of crossing based on the speeds of vehicles along this road.

Works to improve the two existing pedestrian refuges on Barnsley Road, will be undertaken. This may involve potentially widening of the refuges and improved signage on the refuges.

A pedestrian link to Grove Road is also to be provided.

Additionally, the applicant was requested to provide a pedestrian link from the site to the northern area of Pontefract Road, linking the existing bus stop, however, there is a significant level difference between the site and Pontefract Road along the north western boundary of the site. It is for this reason that a

footway is provided within the site on the north western boundary of the site rather than directly adjacent to Pontefract Road.

The potential to provide a link from this footpath directly to the southbound bus stop on Pontefract Road at the northern corner of the site was discussed during the application process. The level difference means that if a connection was provided it would need to be stepped, however, the presence of the gas main precludes this. It was therefore considered safer to provide a connection from the pedestrian route onto the existing footway on Barnsley Road, with those wishing to access the bus stop on Pontefract Road using existing footways and crossing points at the Barnsley Road / Pontefract Road / Wath Road junction

Public Transport - The TA's claim that the site is accessible by public transport is accepted however no consideration has been given to the spare capacity of the services available. Although there are local bus stops it is a relatively short walk to a wider range of services on Manvers Way offering a wider range of destinations.

SYCMA have requested upgrades to two bus stops which will include bus shelters, real time passenger information digital displays and appropriate paving to help whilst boarding the bus. The bus shelters will be secured through the S106 agreement and the works to the highway through a S278 agreement.

Cycling Accessibility - There are no specific cycle facilities in the existing highway network in the immediate vicinity of the site. Nevertheless, there are a range of amenities and employment areas [accessible via the local highway network] that are located within an acceptable cycling distance (5Km) of the site. Within a short cycle ride it is possible to access the Trans Pennine trail and Manvers Way cycle infrastructure.

A footway / cycleway is to be provided through the site which will link Barnsley Road to the South of the site including through to the school.

Road Safety - Recent accident records show that there are no road safety issues in the vicinity of the site. While accident risk may increase with changes to the traffic flow characteristics or volumes, the potential increase in the vehicle trips generated by the development is unlikely to materially affect the road safety record on the local highway network. Changes to the road characteristics and design of the access should take into account potential issues

Sustainable Travel – The applicant has confirmed that they will fund sustainable initiatives at a rate of £500 per dwelling. The funds will be available for a range of initiatives / infrastructure improvements and the monies will be secured through a S106 agreement.

Objections have been received on Transportation grounds, related to the increased traffic which will lead to further delays, more accidents and more driver stress. Whilst it is acknowledged that the proposal would lead to an increase in traffic, as detailed above the Transportation Officer does not raise an objection in terms of traffic volumes or highway safety issues.

An objection has been received stating that there should be a second access onto Pontefract Road, this issue is addressed above and it is concluded that the development can safely and appropriately be accessed via the single access off Barnsley road.

A representation has been received from the British Horse Society requesting that any routes through the site should be multi-purpose and available for equestrian usage. This issue was discussed, and whilst the applicants were prepared to provide a multi-use surface, it is considered that the connections of the routes were not appropriate for horse use.

In conclusion it is considered that the scheme complies with both national guidance and industry standards, it is in accordance with the Local Plan and National Planning Policy Framework in that it promotes sustainable travel / transport, it has safe and suitable access for all highway users, the scheme if implemented will not have an unacceptable impact on highway safety and the residual cumulative impact on the road network will not be severe subject to securing the contributions and improvements detailed above.

Drainage and flood risk issues

Policy CS24' Conserving and Enhancing the Water Environment' states:

"Proposals will be supported which:

- a. do not result in the deterioration of water courses and which conserve and enhance:
 - i. the natural geomorphology of watercourses,*
 - ii. water quality; and*
 - iii. the ecological value of the water environment, including watercourse corridors;**
- b. contribute towards achieving 'good status' under the Water Framework Directive in the borough's surface and groundwater bodies*
- c. manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling;*
- d. improve water quality through the incorporation of appropriately constructed and maintained Sustainable Urban Drainage Systems or sustainable drainage techniques as set out in Policy CS25 Dealing with Flood Risk,*
- e. dispose of surface water appropriately according to the following networks in order of preference:
 - i. to an infiltration based system wherever possible (such as soakaways)*
 - ii. discharge into a watercourse with the prior approval of the landowner and navigation authority (to comply with part a. this must be following treatment where necessary or where no treatment is required to**

- prevent pollution of the receiving watercourse.)*
- iii. *discharge to a public sewer.”*

Policy CS25 “Dealing with Flood Risk” states, in part, that: *“Proposals will be supported which ensure that new development is not subject to unacceptable levels of flood risk, does not result in increased flood risk elsewhere and, where possible, achieves reductions in flood risk overall.”*

Policy SP47” Understanding and Managing Flood Risk and Drainage” states, part, that:

“The Council will expect proposals to:

a. demonstrate an understanding of the flood route of surface water flows through the proposed development in an extreme event 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) inappropriate 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.”

Paragraph 167 of the NPPF notes in part that: *“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.”*

The applicant’s submission confirms that the site is within Flood Zone 1 as shown on the Environment Agency maps, meaning that it is very unlikely to flood and that the sequential test is satisfied.

It is proposed for the surface water from the adoptable highways to discharge to the existing surface water sewer in Barnsley Road. Due to the topography of the site a gravity discharge is not possible, therefore surface water from the development is to be pumped to the existing sewer network. Dwelling and private infrastructure surface water is to discharge to shallow infiltration drainage. It is proposed to discharge the foul water flows from the development to the 300mm diameter combined sewer in Barnsley Road.

The Drainage Engineer has confirmed that the information submitted with the application is sufficient to demonstrate that the site can be drained efficiently, as such a condition is required to agree final details and ensure compliance with the submitted information.

Yorkshire Water have been consulted on the application and raise no objection with the proposal, and note that there is public combined sewer recorded to cross the site.

There has been an objection to the application on the grounds of drainage. This states that the area currently floods and that existing drains and sewers cannot deal with the volume of water, therefore, how can the sewers deal with the additional water from 311 houses when they already cannot cope? And why is the system only being designed to 1 in 30 year event of surface water flooding?

Both the Councils Drainage Engineers and Yorkshire Water have been consulted on the application and have raised no objections in terms of surface water drainage or waste water to the existing sewers. Additionally, the submitted FRA confirms that the surface water drainage is to be designed such that there is no external flooding for the 1 in 30 year event and all flows retained on site for up to the 1 in 100 year + climate change event + 10% urban creep, which is considered to be acceptable.

Having regard to the above and subject to the recommended conditions it is considered that the proposals accord with the above Local Plan Policies and the advice within the NPPF.

Ecology and biodiversity

In assessing these issues, Policy CS20 'Biodiversity and Geodiversity,' notes in part, that: *"The Council will conserve and enhance Rotherham's natural environment and that resources will be protected with priority being given to (amongst others) conserving and enhancing populations of protected and identified priority species by protecting them from harm and disturbance and by promoting recovery of such species populations to meet national and local targets."*

Policy SP33 'Conserving and Enhancing the Natural Environment' states, in part, that: *"Development should conserve and enhance existing and create new features of biodiversity and geodiversity value,"* and adds that: *"Development will be expected to enhance biodiversity and geodiversity onsite 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."*

Policy SP35 'Protected and Priority Species' states that *"Planning permission for development likely to have a direct or indirect adverse impact on the following will only be granted if they can demonstrate that there are no alternative sites with less or no harmful impacts that could be developed and that mitigation and / or compensation measures can be put in place that enable the status of the species to be conserved or enhanced:*

- a. Protected species;*
- b. Species of principal importance for the conservation of biodiversity;*

*c. Species prioritised for action within the Rotherham Biodiversity Action Plan;
d. Populations of species associated with statutorily protected sites. Measures to mitigate and, or compensate for, any impact must be agreed prior to development commencing and should be in place by the time development is brought into use”.*

The NPPF further advises in part of paragraph 174 that: *“Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other things):*

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;”

The application has been supported by a Preliminary Ecological Appraisal which lists the matters of ecological interest at the site, making recommendations and mitigation where necessary. A Biodiversity Net Gain (BNG) Matrix was submitted with the application, which concluded that overall the proposed scheme will achieve a positive on-site post intervention score.

The Councils Ecologists Consultant has been consulted on the application and raises no objections to the Preliminary Ecological Appraisal or its content. They have indicated that the mitigation measures contained in the PEA should be conditioned, this includes:

- A diverse native planting scheme incorporated into the landscaping plan to improve the site for bats and birds
- A scheme for bat boxes
- A scheme for bird boxes
- A sensitive lighting scheme
- Reptile method statement in paragraph 5.6 of the PEA to be implemented.
- Pre works site walkover is recommended to ensure no new sett excavations have been created prior to development.
- During the construction phase any excavations should be covered overnight.
- Gaps should be provided within boundary treatments of gardens to enable hedgehogs to continue to move through the site, (13cm x13cm), and hedgehog sheltering features (log piles etc) should be located close to retained trees and hedge lines.

The Councils Ecologist Consultant has also assessed the BNG Matrix and raises no objections to the calculation of the habitats on the site or the predicted scores from the proposed scheme. The features and habitats of ecological interest (i.e. hedgerows and trees, rough grassland and bramble scrub) appear to be mostly retained and enhanced.

The findings of the BNG Matrix demonstrate that total net unit change for habitat was 13.84%, and 34.93% for hedgerows. It is therefore demonstrated that the proposed scheme will achieve a positive on-site post intervention score which is considered to be accurate.

Policy SP36 'Soil Resources' states, in part, that *“Development will be required to demonstrate the sustainable use of soils during construction and operation stages, where appropriate and to be determined in discussion with the Local Planning Authority..... Built development should be designed and sited with an appreciation of the relative functional capacity of soil resources and threats to soils with the aim of preserving or enhancing identified soil functions. Measures to incorporate green space and sustainable drainage elements that retain permeable surfaces, allow water infiltration, reduce soil erosion and maintain natural soil functions will be supported. Measures that waste soil resource, reduce soil quality, compact or pollute soils or that create a predominantly impermeable surface should be avoided.”*

The proposal includes the submission of a Soil resource Assessment which outlines how soils will be dealt with on site through the construction phase as well as within the development. It is also noted above that the proposal is to include an adequate quantum of green space as well as sustainable drainage elements. It is therefore considered to be appropriate in this regard.

With this in mind it is considered that the proposals accord with relevant Local Plan Policies as well as guidance within the NPPF.

Landscape and Tree matters

Policy CS19 “Green Infrastructure” states, in part, that: *“Rotherham’s network of Green Infrastructure assets, including the Strategic Green Infrastructure Corridors, will be conserved, extended, enhanced, managed and maintained throughout the borough. Green Infrastructure will permeate from the core of the built environment out into the rural areas...Proposals will be supported which make an overall contribution to the Green Infrastructure network based upon the principles set out below –*
d. Improving connectivity between new developments and the Strategic Green Infrastructure network and providing buffering to protect sensitive sites.”

Policy CS21 ‘Landscapes,’ states, in part, that: *“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.”*

Policy SP32 ‘Green Infrastructure and Landscape’ goes onto state in part that: *“The Council will require proposals for all new development to support the protection, enhancement, creation and management of multi-functional green infrastructure assets and networks including landscape, proportionate to the scale and impact of the development and to meeting needs of future occupants and users.”*

The Council's Landscape Design Team considers that the amended landscape proposals are acceptable in terms of the details provided for the landscaping and planting within the site as well as the large detention pond area at the front of the site. In this respect it is requested that a condition be attached to any permission to require the submission of full details of landscaping.

In relation to trees, an Arboricultural Survey has been submitted in support of the application which confirms that 20 trees will require removal to facilitate the development, of which seven are suitable to transplant to a new location within the site. The trees that require removal are located predominantly along the southern boundary and 2 are close to the electricity pylon fronting Barnsley Road. They are all small self sown and classed as Category C 'trees of low quality and value'

The Survey has been assessed by the Councils Tree Service Consultant, who raises no objection to the application and requests that conditions be attached to any permission to protect the existing trees and hedgerows to be retained.

Therefore, subject to relevant planning conditions, the proposal is considered to be appropriate in relation to its impact on trees and hedgerows at the site. The proposal is therefore in accordance with the above Local Plan policies

General amenity issues – contaminated land, noise and air quality

Policy CS27 'Community Health and Safety' states, in part, that:

"Development will be supported which protects, promotes or contributes to securing a healthy and safe environment and minimises health inequalities. Development should seek to contribute towards reducing pollution and not result in pollution or hazards which may prejudice the health and safety of communities or their environments. Appropriate mitigation measures may be required to enable development. When the opportunity arises remedial measures will be taken to address existing problems of land contamination, land stability or air quality."

Policy SP52 'Pollution Control' states that: *"Development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that mitigation measures will minimise potential impacts to levels that protect health, environmental quality and amenity. When determining planning applications, particular consideration will be given to:*

- a. the detrimental impact on the amenity of the local area, including an assessment of the risks to public health.*
- b. the presence of noise generating uses close to the site, and the potential noise likely to be generated by the proposed development. A Noise Assessment will be required to enable clear decision-making on any planning application.*
- c. the impact on national air quality objectives and an assessment of the impacts on local air quality; including locally determined Air Quality Management Areas and meeting the aims and objectives of the Air Quality Action Plan.*

- d. any adverse effects on the quantity, quality and ecology features of water bodies and groundwater resources.*
- e. The impact of artificial lighting. Artificial lighting has the potential to cause unacceptable light pollution in the form of sky-glow, glare or intrusion onto other property and land. Development proposals should ensure that adequate and reasonable controls to protect dwellings and other sensitive property, the rural night-sky, observatories, road-users, and designated sites for conservation of biodiversity or protected species are included within the proposals.”*

Policy SP54 ‘Contaminated and Unstable Land’ states that: “Where land is known to be or suspected of being contaminated, or development may result in the release of contaminants from adjoining land, or there are adverse ground conditions caused by unstable land, development proposals should:

- a. demonstrate there is no significant harm, or risk of significant harm, to human health or the environment or of pollution of any watercourse or ground water;*
- b. ensure necessary remedial action is undertaken to safeguard users or occupiers of the site or neighbouring land and protect the environment and any buildings or services from contamination during development and in the future;*
- c. demonstrate that adverse ground conditions have been properly identified and safely treated;*
- d. clearly demonstrate to the satisfaction of the Local Planning Authority, that the land is suitable for its current or proposed use.”*

In respect to the above, supporting information was submitted with the application in relation to land contamination issues. The Council’s Environmental Health section have assessed the information and have commented that the site comprises of a parcel of arable farmland which has historically been open/agricultural land except for construction of an overhead power line and various underground services.

However, it was considered there may be some potential for the site to be impacted from contamination associated with past farming practices and the presence of naturally occurring metals within the soils. After relevant testing it has been established that the site is uncontaminated and will not pose any significant risks to human health from exposure to soil contamination. Additionally, the site is not considered to be affected by hazardous ground gas or radon gas. It is also considered there is negligible risk from past coal mining affecting the surface stability of the site.

In conclusion it is considered there is low risk to the future users of the site from potential contamination and the site is considered suitable for its proposed end use.

In terms of general amenity the application has been supported by a Noise Impact Assessment which assessed the impact of road traffic noise from Barnsley Road and Pontefract Road on the residential amenity of future occupiers both within their homes and also in rear gardens. It recommends

that some plots require enhanced glazing and some plots will require acoustic barriers around the garden areas to mitigate any noise issues, and once implemented the residential amenity of the future occupiers will be acceptable. This should be secured via planning condition.

As a result of comments from Sport England, the Noise Impact Assessment has been updated to include an assessment of noise generated from the use of the playing fields for cricket and football, and any such impact on the residential amenity of future occupiers. Sport England have assessed the amended/updated Noise Impact Assessment and do not object to its findings which demonstrated that the uses on the playing field will not result in an unacceptable level of residential amenity for future residents.

The Council's Environmental Health Officer has assessed the Noise Impact Assessment and raises no objections so the findings and the proposal subject to the above mitigation measures being implemented. They also note that there is potential for disamenity to occur for existing residents from noise during the construction phase and the working hours of the construction work and machinery used on site and dust and mud from the excavation of the land, construction work and traffic flow of lorries entering and exiting the site. As such a condition is required to be attached to any planning permission requiring the submission of a Construction Management Plan to control such issues.

In relation to Air Quality issues, the application was supported by an Air Quality Assessment which concludes that there is potential to cause air quality impacts as a result of emissions during the construction phase, and as such the use of good practice control measures would provide suitable mitigation to reduce potential impacts to an acceptable level, this can be included in the Construction Management Plan. It also notes that air quality impacts during the operational phase of development are not predicted to be significant.

In relation to Air Quality, it is of note that policy CS30 'Low Carbon & Renewable Energy Generation' states: "*Development must seek to reduce carbon dioxide emissions through the inclusion of mitigation measures...*" In addition regard will be had to the guidance contained within Council's adopted SPD 'Air Quality and Emissions'.

NPPF states at paragraph 112 that amongst other things applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

The site is not within an Air Quality Management Area. And the Council's Air Quality Officer notes that that Rotherham's Delivering Air Quality Practice Guidance, along with one of the key themes of the NPPF, is that developments should enable future occupiers to make "green" vehicle choices and "incorporate facilities for charging plug-in and other ultra-low emission vehicles". Whilst the Air Quality Assessment did not make any recommendations, it is considered that electric vehicle recharging provision

should be provided as part of the scheme as there will be significantly increased demand in future years during the lifetime of this development. It is therefore recommended that if planning permission is granted a condition is attached requiring the submission of details of electric charging points to be provided.

It is noted that there is a pylon within the site and overhead cables crossing the site, and also a gas pipe line running along the boundary with Pontefract Road. Cadent Gas and National Grid have been consulted on the application and have raised no objections regarding the assets at the site.

With the above in mind it is considered that the proposal accords with the above Local Plan policies.

Impact on existing/proposed residents

SP55 'Design Principles' states, in part that: *"the design and layout of buildings to enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from overshadowing."*

The South Yorkshire Residential Design Guide (SYRDG) notes that: *"For the purposes of privacy and avoiding an 'overbearing' relationship between buildings, the minimum back-to-back dimension (between facing habitable rooms) should be 21 metres. This also corresponds to a common minimum rear garden or amenity space of about 10 metres in depth."*

The SYRDG further goes on to note that in respect of ensuring adequate levels of daylighting, back-to-back distances should, as appropriate to specific circumstances, be limited by the 25 degree rule. Furthermore so as to avoid an overbearing relationship, the SYRDG additionally requires back to side distances and the extent of rear extensions to be limited by the 45 degree rule.

Further to the above the NPPF at paragraph 130 states, in part, that planning decisions should ensure that developments *"create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users."*

It is noted that there are existing residential properties adjoining the eastern boundary on Grove Road and Coleridge Road and the western boundary on Regency Road. In terms of the amenity of nearby existing residents, the site generally adjoins the rear gardens of existing residential properties, and the side garden of a properties on Grove Close, Milton Close and Regency Road.

The developers have provided a section plan showing the relationship of the proposed and existing land levels in relation to the existing dwellings on Grove Road. In this regard it is shown that the existing properties are at a land level of 40.37, with garden levels rising towards the boundary of the site. The rear gardens and land level of the proposed new dwellings are show to be at 42.65 which is approximately 2.3m higher than the existing dwellings.

The plan also shows that the proposed new dwellings would be located approximately 24m from the existing properties and shows that the 25 degree rule is complied with. As such whilst the dwellings will be set at a higher level they will not significantly impact on daylight, or have an overbearing relationship with the existing properties.

There has been an objection from local residents regarding the impact that the development would have them particularly in relation to the loss of privacy. In this regard, whilst it is acknowledged that the proposal would lead to the development of houses in an area where there is currently no development, the dwellings proposed to be located along these boundaries all achieve the minimum separation distances from the existing dwellings, having back gardens in excess of the minimum length of 10m, and achieving the 21m separation distance between rear elevations of properties.

Objections have been received relating to the number of dwellings and that the development is overdevelopment of the site, however the number of dwellings is less than that stated in the Local Plan, and as such is considered appropriate in this respect.

Objections have been received in relation to the impact that the development of this green field will have on the quality of life and mental health of exiting residents, and objectors state that the field should be turned into a park, to also assist with climate change goals. In this respect, as noted above in the report the site is no longer Urban Greenspace and is allocated for Residential use in the Local Plan, and its development for this use is therefore acceptable in principle.

An objection has been received on the basis that the proposal would lead to an increase in litter and antisocial behaviour, these issues could be viewed as indirect outcomes of a development and are not considered to carry significant weight in the determination of such a planning application for a residential development. Other issues relating to the devaluation of houses are not material planning considerations.

An objection has been received stating that the development is not wanted or needed, and that local people would not be able to afford houses on the site. In this respect there is a need for new houses within the Borough and for this reason this site has been allocated for residential use to meet the demand. The application includes the provision of 78 affordable homes, and the mix of open market homes is also varied including units from 2-5 bedrooms.

With regard to the impact of the proposal on the amenity of future residents of the development, it is noted that the South Yorkshire Residential Design Guide (SYRDG) provides minimum standards for the size of rear gardens as well as spacing standards between the new properties. The majority of the plots achieve the relevant minimum garden size and separation distances with the exception of 2 locations. In this respect Plot 4 has a rear garden of less than 10m, being 9.3m, however the garden significantly exceeds the minimum area for a rear garden and there is over 21m separation distance from the plot

to the rear. Additionally, there is only 19.5m between the rear elevation of Plot 167 and the front elevations of 171 & 172, which is less than the required 21m. In this respect the developers have submitted a section plan to demonstrate that there is no implications in relation to overdominance/overshadowing, and the layout in this location shows a road and parking spaces in between the two dwellings. Therefore, it is considered that whilst the minimum standards are not achieved in these locations, it is not considered that the residential amenity of future occupiers would be significantly impacted by the shortfall, and as such they are considered acceptable.

Issues regarding contaminated land, noise and air quality have been considered as noted above and where appropriate mitigation measures are to be incorporated into the scheme. As such it is considered that the scheme will provide a good standard of amenity for future residents.

In addition to this, a Ball Strike Assessment has been undertaken by the applicant at the request of Sport England, to ensure that the use of the existing recreation ground to the south west of the site does not have an adverse impact on the general amenity of future residents. As a result it is considered that the presence of the football pitch could lead to balls being kicked towards the houses closest the boundary and as such it is recommended that a 6m high Ball Strike fence is erected along the boundary for 100m in the location of the football pitch. Whilst this fence is proposed to be high at 6m, there is a difference in land levels of 1m so it will result in an overall height of 7m from the application site. However, it is over 20m away from the closest dwelling and it is considered that it could be designed not to have a significant adverse impact on amenity. The fence would be provided by the developers and would be maintained by the Management Company who would look after all the Open spaces and play areas, to be secured by the S106 Agreement.

Sport England had originally objected to this as a statutory consultee as they raised questions regarding the details of the visual appearance of the fence and its ongoing maintenance. Sport England were then contacted and advised that the LPA is aware of the location, length and height of the fence, and that it will be maintained via the Management Company. In this regard Sport England have confirmed that they withdraw their objection subject to a condition being attached to the permission requiring full details to be submitted for approval.

As part of the application, and due to the size of the development the developers have been asked to investigate the provision of a defibrillator. They have stated that they cannot provide it on site as a defib requires a power source and someone to be its guardian. They have said that they are more than happy to provide one, however do not know where it can be located.

Additionally, the applicants have assessed the safety of the drainage basin, and in this respect are to provide some signage around the area itself.

It is considered that the proposed layout is in accordance with the guidance outlined in the SYRDG, and that it would not have a significant adverse impact on the amenity of the existing residents as the proposal would not cause any significant loss of privacy or result in any overshadowing of neighbouring properties or amenity spaces. The proposal is therefore considered acceptable in accordance with the guidance contained within the SYRDG and Local Plan policy SP55 'Design Principles'.

Heritage issues

Policy CS23 'Valuing the Historic Environment' states, in part, that *"Rotherham's historic environment will be conserved, enhanced and managed in accordance with principles set out"*

Policy SP43 'Conserving and Recording the Historic Environment' states, in part that: *"Development proposals that affect known or potential heritage assets will need to provide supporting information in sufficient detail that the impact of the proposed scheme on those heritage assets can be established....., Heritage Statements should consider the impact of the specific development proposed with regard to: the setting of heritage assets on or in the vicinity of the site; detailed archaeological assessment; and the results of field evaluation."*

It is noted that the site is not located within or adjacent to a Conservation Area. Whilst there are 10 Grade II Listed Building within 1km of the site, the proposed development would have a neutral impact on the setting and significance of the listed buildings as views are obscured by existing development.

SP42 'Archaeology and Scheduled Ancient Monuments' stated, in part that *"Development proposals that may impact upon archaeology, whether designated as a Scheduled Ancient Monument or undesignated, will be considered against the following principles:*

- a. development that would result in harm to the significance of a Scheduled Monument or other nationally important archaeological site will not be permitted;*
- b. the preservation of other archaeological sites will be an important consideration. When development affecting such sites is acceptable in principle, the Council will seek preservation of remains in situ, as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for archaeological recording to ensure an understanding of the remains is gained before they are lost or damaged, in accordance with Policy SP 43 'Conserving and Recording the Historic Environment'".*

The Site Development Guidelines require the proposal to be supported by a Heritage Statement for Archaeology. South Yorkshire Archaeology Service have been consulted and have stated that an archaeological investigation has identified that the site contains buried remains relating to probable Iron Age to Romano- British activity, including a trackway and a multi-phased series of

enclosures and boundaries. On account of their archaeological interest, the buried remains are identified as comprising a non-designated heritage asset.

The proposed development will include extensive groundworks, including the creation of formation levels, foundations, and service runs. These works have the potential to harm or destroy important archaeological evidence that may exist within the site.

The NPPF at paragraph 203 states that “*the effect of a scheme on non-designated heritage assets should be considered in determining the application,*” with Local Plan Policy SP42 ‘Archaeology and Scheduled Ancient Monuments’ stating that the Council will seek preservation of remains in situ as a

preferred solution. The level of weight afforded is to be proportionate to the scale of harm and the significance of the asset. Where development resulting in the loss of archaeological sites is permitted, Local Plan Policy SP42 and NPPF paragraph 205 requires that provision be made to secure a record of archaeological remains in advance of their loss. As such, should the scheme be permitted a scheme of archaeological mitigation will be required. SYAS recommend that this be secured by attaching a condition.

It is therefore considered that the proposal is in accordance with the above Local Plan policies, subject to the relevant condition being attached to any permission.

Housing Mix and Affordable Housing provision

Policy CS7 ‘Housing Mix and Affordability’ states in part, that:

”a. Proposals for new housing will be expected to deliver a mix of dwelling sizes, type and tenure taking into account an up to date Strategic Housing Market Assessment for the entire housing market area and the needs of the market, in order to meet the present and future needs of all members of the community.

b. The Council will seek the provision of affordable housing on all housing development according to the targets set out below, subject to this being consistent with the economic viability of the development: i. Sites of 15 dwellings or more or developments with a gross site area of 0.5 hectares or more; 25% affordable homes on site”

SPD8 Affordable Housing was adopted in June 2021, and expands on the above policy.

The proposal includes the provision of 78 units for affordable housing which is 25% of the whole site and therefore fulfils policy requirements. Two, three and four bedroom houses are acceptable as proposed. The homes are split between social rent, shared ownership and first homes which is acceptable to the Affordable Housing Officer.

It is therefore considered that the mix of houses proposed by the applicant is acceptable and that the provision of 78 affordable units is appropriate in compliance with Local Plan policy CS7. The provision of the affordable units would be secured by a S106 Agreement.

Impact on infrastructure, including Education and local GPs

With regards to GP Surgeries, Rotherham CCG were consulted on the application and stated that *“While the development has the potential to create circa 600 patients and may have a small impact on outlying Rotherham surgeries, there is a general practice in the village of Brampton that isn’t under Rotherham CCG – as such, I can’t comment as to whether it has sufficient capacity as its contract will be managed by Barnsley CCG”*. As a result Barnsley CCG were consulted comments were received from the practice at Brampton as follows *“no objections from us as such but if we have to accept more pts with lack of clinicians up and down the country and recruitment issues - it's going to be hard but there are no quick answers”*

It should also be recognised that the process to allocate this site has taken place over a number of years with many rounds of public consultation, and infrastructure providers were involved in the process in order that they could align their service and delivery plans to the provision of residential development to be generated by the site.

With regards to the impact on schools, the Education Service notes that both Saint Pius X Catholic High School and Wath Academy are oversubscribed. As there is insufficient capacity in local schools for new children moving into this new housing development the developer will be required to pay a financial contribution for educational purposes via a S106 Legal Agreement. In accordance with the Education Service policy the contribution towards Education would be £609,451.00.

Other issues raised by objectors

An objection has been received from an occupier of Grove Close on the grounds that no vehicular or pedestrian access should be provided from the development site onto Grove Close as this would be a lifechanging inconvenience for existing residents.

The original planning application indicated an emergency vehicular link from the development into Grove Road, however through negotiations with the developer it was noted that the emergency link was not required and it was removed from the scheme. However, the amended proposal does include for a pedestrian link from the site onto Grove Close to improve links for pedestrians. Whilst it is acknowledged that there is currently no through access from Grove Close, and that the pedestrian link would lead to its increase usage, it is not considered that this would cause a significant adverse impact to the residential amenity of existing residents.

Planning Obligations

The Community Infrastructure Regulations 2010 introduced a new legal framework for the consideration of planning obligations and, in particular, Regulation 122 (2) of the CIL Regs states:

"(2) Subject to paragraph (2A), A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development;
- (c) fairly and reasonably related in scale and kind to the development."

All of the tests must be complied with and the planning application must be reasonable in all other respects. This is echoed in Paragraph 57 of the NPPF.

With the above circumstances in mind the following S106 Obligations are recommended should Planning Permission be approved.

- 25% on site affordable housing provision
- Commuted sum of £500 per dwelling towards sustainable transport measures - £155,500
- Contribution to maintenance of existing Off Site Play Area £45,000
- Contribution to footpath links to Regency Road to include signage to the TPT £45,000
- Contribution to meet the increased demand of sport in the locality £145,659
- Contribution towards 2 bus shelters with real time digital displays near the site £54,947
- Contribution to Education £609,451.75
- Establishment of a Management Company to manage and maintain the areas of Greenspace, including the LEAP and Ball Strike Net

Having regard to the above it is considered that the above obligations meet the criteria set out in a Paragraph 57 of the NPPF and the Community Infrastructure Regulations and are therefore considered to be acceptable.

Other Considerations

The four South Yorkshire Authorities have committed to ensuring that relevant developments are provided with Gigabit-capable full fibre broadband. A condition is recommended that would address this matter.

In respect of waste management requirements, it is considered that the information has not been provided with the application with regards the waste management requirements which are set out in policy WCS7 'Managing Waste In All Developments'. As such a Waste Management Plan complying with WCS7 will need to be submitted and will be secured by way of condition to any permitted scheme.

Conclusion

The site was previously allocated as urban Green Space in the former Unitary Development Plan (UDP) but that Plan has been replaced with the adopted Local Plan, which includes the Sites and Policies Document that was adopted on 27 June 2018. The Sites and Policies Document reallocated the site for 'Residential' purposes. It forms allocated Housing Site H98 and is located within a suitable distance from Wath-upon-Deerne centre, with many facilities. As such, the proposal is acceptable in principle.

The scheme is acceptable in terms of the design and layout, highway safety, provision of open space, drainage, ecology and landscaping as well as other general amenity issues identified above. The scheme is considered to be sustainable and has notable benefits in terms of market and affordable housing provision and associated social and economic benefits arising from such provision. Development in this location will support the ongoing delivery of services and facilities within Wath-upon-Deerne wider area and provide much needed market housing to meet Local Plan targets for housing development within the Plan period to 2028.

Therefore, having considered the planning balance the scheme put forward satisfies the requirements set out within both national and local planning policies and guidance, and for the reasons set out in this report the application is recommended for approval subject to conditions and the signing of the s106 legal agreement.

The Development Management Procedure Order 2015 requires that planning authorities provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start. Conditions numbered 11, 12, 21, 22, 23, 30 & 33 of this permission require matters to be approved before development works begin; however, in this instance the conditions are justified because:

- i. In the interests of the expedient determination of the application it was considered to be appropriate to reserve certain matters of detail for approval by planning condition rather than unnecessarily extending the application determination process to allow these matters of detail to be addressed pre-determination.
- ii. The details required under condition numbers 11, 12, 21, 22, 23, 30 & 33 are fundamental to the acceptability of the development and the nature of the further information required to satisfy these conditions is such that it would be inappropriate to allow the development to proceed until the necessary approvals have been secured.'

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 and to assist in the delivery of development.

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 and as shown on the approved plans (as set out below)

- Site Location Plan BRWM_A01_2
- Proposed Site Layout BRWM_A01_01 Rev ZL
- Landscape Masterplan R/2538/1E
- Materials Plan BRWM_A01_06_01 Rev C
- Boundary Fence Elevations SD.04 Rev B
- POS Area Plan BRWM_A01_04_01
- Site Sections BRWM_A01_5
- Rear and Side Section BRWM_A01_14_05
-

House Types

- Almouth Traditional Al_Sem_R21-401
- Barnwood Traditional Bw_Det_R21-401
- Barnwood DT Traditional Bw_Det_R21-401
- Brampton Traditional Bt_Det_R21-401
- Burnham Traditional Bu_Trad_Det R21-401
- Danbury Traditional Da_Sem_R21-401
- Deepdale Traditional Dp_Sem_R21-401
- Delamere detached Traditional DE_MA_Det_R21-901 Rev A (Floor Plans)
- Delamere detached Traditional DE_MA_Det_R21-901 (Elevations)
- Galloway Traditional Ga_Sem_R21-401
- Galloway DT Traditional Ga_Trad_DT_R21-401
- Glenmore Traditional Gl_Det_R21-401
- Greenwood Traditional Gw_Det_R21-401
- Haldon Traditional Hd_Sem_R21-401
- Kennet Traditional Ke_End_Trad R21-401
- Knebworth DT Traditional Kn_Det_R21-401
- Marston Traditional Ma_Det_R21-401
- Rendlesham Traditional Re_MA_End_R21-903 (Elevations)
- Rendlesham Traditional Re_MA_End_R21-901 (Floor Plans)
- Rivington Traditional Ri_Trad_Det R21-401
- Selwood Traditional Se_Det_R21-401
- Sherwood Traditional Sh_Det_R21-401

Reason

To define the permission and for the avoidance of doubt.

03

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details on the approved Materials Plan Drawing No. BRWM_A01_06_01 Rev C.

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with Local Plan Policy

04

The boundary treatment shall be provided on site in accordance with the approved details on the approved site plan Drawing No. BRWM_A01_01 Rev ZL and in accordance with the Fence and Wall details on Drawing No. SD.04 Rev B. The approved boundary treatment shall be implemented prior to the occupation of each dwelling.

Reason

In the interests of the visual amenity of the area and in accordance with the Local Plan Policies.

05

Prior to the commencement of any above ground development details of the sub station shall be submitted to and approved by the Local Planning Authority. The sub station shall be built in accordance with the approved details.

Reason

In the interests of the visual amenity of the area and in accordance with the Local Plan Policies.

TRANSPORT AND SUSTAINABILITY

06

Prior to the commencement of any above ground works details of the proposed level boarding works ie. raised kerbs at the bus stops indicated in draft form on Drg No BRWM-A01-01 Rev ZL on Barnsley Road and Grove Road shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the first dwelling.

Reason

In the interest of highway safety and to improve access to public transport.

07

Prior to the commencement of any above ground works details of the provision of 2 new pedestrian refuges, the upgrade of 2 pedestrian refuges and a lining scheme in Barnsley Road as indicated in draft on Drg No BRWM_A01_01 Rev ZL shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the first dwelling.

Reason

In the interest of highway and pedestrian safety

08

Prior to the commencement of any above ground works details of the provision of a dropped pedestrian crossing in Pontefract Road as indicated in draft on Drg No BRWM_A01_01 Rev ZL shall be submitted to and approved by the Local

Planning Authority. The approved details shall be implemented prior to the occupation of the 150th dwelling.

Reason

In the interest of highway and pedestrian safety

09

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

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

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

All to the satisfaction of the Local Planning Authority and shall thereafter be maintained in a working condition

Reason

To ensure that surface water can adequately be drained and that mud and other extraneous material is not deposited on the public highway and that each dwelling can be reached conveniently from the footway in the interests of the adequate drainage of the site, road safety and residential amenity and in accordance with Local Plan Policies.

10

Before the development is brought into use the car parking area shown on Drg No BRWM-A01-01 Rev ZL 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.

11

Before the development is commenced road sections, constructional and drainage details shall be submitted to and approved by the Local Planning Authority.

Reason

No details having been submitted they are reserved for approval.

12

Prior to any development commencing a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries.
- Dust arising from all construction related activities.
- Mud on the Highway
- Artificial lighting used in connection with all construction related activities and security of the construction site.
- Storage / loading / unloading of materials / plant and car parking facilities for the construction staff.

The agreed plan shall be adhered to throughout the construction of the development.

Reason

In the interest of Highway Safety and to safeguard the amenities of the occupiers of nearby properties in accordance with Local Plan Policy SP52 and part 15 of the NPPF.

13

Prior to the first dwelling being occupied a Travel Pack shall be produced in the form of an introduction pack to the area with information on buses, trains, cycle and walking routes, local facilities such as schools, doctor's surgeries and other local facilities (shops, parks etc.) and submitted to and approved by the Local Planning Authority. The approved Travel Pack shall be provided for each new resident on first occupation of any dwelling.

Reason

To promote sustainable transport methods

14

Prior to the occupation of the dwellings, details of one vehicle charging point per dwelling shall be submitted to and approved by the local planning authority. The dwellings shall not be occupied until the charging point has been provided and shall thereafter be retained.

Reason

In the interests of sustainable development and air quality

LAND CONTAMINATION

15

If during development works unexpected significant contamination is encountered, the Local Planning Authority shall be notified in writing immediately. Any requirements for remedial works shall be submitted to and approved in writing by the Local Planning Authority. Works thereafter shall be carried out in accordance with an approved Method Statement.

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

If site won topsoil is stockpiled for reuse in garden areas, then these soils will be chemically tested to ensure they are suitable for use. If subsoil/topsoil is required to be imported to site for remedial works/garden areas, then these soils will also need to be tested at a rate and frequency to be agreed with the Local Planning Authority to ensure they are free from contamination. The results of which will need to be presented within the format of a Validation Report to be submitted and 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.

ECOLOGY

17

The development shall be carried out in accordance with the mitigation recommendations set out in Section 5 of the Preliminary Ecological Appraisal prepared by Quants Environmental, dated October 2021. Thereafter such measures shall be retained and maintained unless otherwise agreed with the Local Planning Authority.

Reason

In the interest of biodiversity enhancement.

18

Prior to above ground development taking place details of the type and location of bat and bird boxes and the location of openings 13cm x 13cm in fences to allow hedgehogs to move through the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with a timeframe to be agreed with the Local Planning Authority and shall thereafter be retained and maintained unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of biodiversity enhancement.

19

Prior to any lighting being installed on the site, a Lighting Plan shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Plan shall be carried out in accordance with the guidance contained within the Institute of Lighting Engineers "Guidance Notes for the Reduction of Light Pollution". The approved details shall be implemented prior to the lights being first switched on.

Reason

To minimise light pollution and reduce the impact on bats

20

Details of the number, style and location of deadwood and rubble piles to be located on site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use.

Reason

In the interest of local ecology in accordance with the Local Plan and the NPPF

LANDSCAPING AND TREES

21

Prior to commencement of development, a detailed landscape scheme for the front boundary and the drainage basin area of the site shall be submitted to, and approved in writing by the Local Planning Authority, and prior to the commencement of any above ground development a landscape scheme for the remainder of the site shall be submitted to, and approved in writing by the Local Planning Authority.

The landscape schemes 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 for the lifetime of the development, including replacement planting, that will be carried out for a period of 5 years after completion of the planting scheme.

The approved schemes shall thereafter be implemented in accordance with the approved landscape scheme and in accordance with the appropriate standards and codes of practice within a timescale agreed, in writing, by the Local Planning Authority.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and in accordance with Local Plan Policy.

22

No operations (including initial site clearance) shall commence on site in connection with development hereby approved until a suitable scheme (Arboricultural Method Statement) for the protection of existing trees and hedgerows has been submitted and its installation on site has been approved in writing by the Local Planning Authority.

All protection measures must fully detail each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

- Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837*, with tree works proposals. All trees must be plotted on a scaled site plan**, clearly and accurately depicting trunk locations, root protection areas and canopy spreads. *(Provided)*
- Arboricultural Impact Assessment (AIA). *(Provided)*
- A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
- Timing and phasing of works
- Site specific demolition and hard surface removal specifications
- Site specific construction specifications (e.g. in connection with foundations, bridging, water features, surfacing)
- Access arrangements and car parking
- Level changes
- Landscaping proposals
- A Tree protection plan** in accordance with BS5837* detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.

- Soil remediation plans, where unauthorised access has damaged root protection areas in the construction exclusion zones.

All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

*Using the most recent revision the of the Standard

** Plans must be of a minimum scale of 1:200 (unless otherwise agreed by the Local Planning Authority)

Reason

To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of Rotherham's environment, air quality and adapting to and mitigating climate change in accordance with Rotherham's Core Strategy Policies CS3: Location of New Development, CS19: Green Infrastructure, CS20 Biodiversity and Geodiversity, Policy CS21 Landscape, Policy CS28 Sustainable Design.

23

The development shall be constructed in accordance with a suitable Tree Monitoring Program.

a) Prior to the commencement of development (including ground works and site clearance), the following shall be submitted to and approved by the Local Planning Authority:

A tree monitoring program to include:

- Confirmation of who shall be the lead arboriculturist for the development.
- Confirmation of the Site Manager, key personnel, their key responsibilities and contact details.
- Details of induction procedures for all personnel in relation to Arboricultural matters.
- A detailed timetable of events for arboricultural supervision concerning all tree protection measures within the approved Tree Protection Plan, including:
 - Prestart meeting with a Rotherham Council Tree Officer
 - Initial implementation/installation of the tree protection measures
 - Approved incursions into construction exclusion zones
 - Final removal of the tree protection measures
- Procedures for dealing with non-approved incursions into the construction exclusion zones as detailed in the approved Arboricultural Method Statement.

b) Within three months of first use of the development hereby approved, a report containing the following details shall be submitted to and approved by the Local Planning Authority:

- Results of each site visit by the lead arboriculturist with photos attached.

- Assessment of the retained and planted trees including any necessary remedial action as a result of damage incurred during construction.

Reason

To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of Rotherham's environment, air quality and adapting to and mitigating climate change in accordance with Rotherham's Core Strategy Policies CS3: Location of New Development, CS19: Green Infrastructure, CS20 Biodiversity and Geodiversity, Policy CS21 Landscape, Policy CS28 Sustainable Design.

GREEN SPACES

24

Before the commencement of any above ground development details of The Local Equipped Area of Play (LEAP) and the Seating Areas shown on the approved plan, and a timetable for their implementation shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented in accordance with the approved timetable and thereafter retained and maintained.

Reason

In the interests of the amenity of the residents and in accordance with the Local Plan.

GENERAL AMENITY

25

The development shall incorporate mitigation measures in relation to glazing and background trickle ventilation as identified in the Noise Report at 4.2 and shown on the site plan in Appendix C. Any gardens identified in Appendix C that are predicted to experience noise levels above 55 dB LAeq,T are to be provided with a 2 m tall acoustic barrier at the garden boundaries/fence line. The acoustic barrier must have a minimum mass per unit area is at least 10 kg/m² (e.g. close-boarded timber or blockwork).

Reason

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

26

The development hereby approved shall not be occupied until full details of the location, design, specification and layout of the ball stop mitigation as detailed in the Labosport document titled 'Ball Trajectory Analysis for West Melton, Rotherham, Report Number LSUK.22-0420 have been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The approved ball stop mitigation shall be installed in full before the development is first occupied and maintained in accordance with the approved details.

Reason

In the interests of the visual amenity of the area and to provide protection for the occupants of the development from potential ball strike from the adjacent playing field

LEVELS

27

Prior to the commencement of any above ground development details of existing and proposed finished floor levels of the approved properties and gardens shall be submitted and approved in writing. The development shall be implemented in accordance with the approved levels.

Reason

For the avoidance of doubt and in the interests of the amenity of the existing residents adjoining the site in accordance with the Local Plan.

DRAINAGE

28

The development shall be carried out in accordance with the details shown on the submitted plan, "Flood Risk Assessment prepared by FORTEM, rev 4 dated 26/04/2022", unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interest of satisfactory and sustainable drainage

29

The development hereby granted shall not be occupied until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These approved works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

Reason

To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin and in accordance with Policy CS25 of the Local Plan.

HERITAGE

30

Part A (pre-commencement)

No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of

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

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

Part B (pre-occupation/use)

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

Reason

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

WASTE MANAGEMENT PLAN

31

Prior to the development being first occupied a Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will need to include:

- 1) information on the amount and type of waste that will be generated from the site;
- 2) measures to reduce, re-use and recycle waste within the development, including the provision of on-site separation and treatment facilities (using fixed or mobile plants where appropriate);
- 3) an assessment of the potential to re-use or adapt existing buildings on the site (if demolished it must explain why it is not possible to retain them);
- 4) design and layouts that allow effective sorting and storing of recyclables and recycling and composting of waste and facilitate waste collection operations during the lifetime of the development;
- 5) measures to minimise the use of raw materials and minimise pollution of any waste;

- 6) details on how residual waste will be disposed in an environmentally responsible manner and transported during the construction process and beyond;
- 7) construction and design measures that minimise the use of raw materials and encourage the re-use of recycled or secondary resources (particularly building materials) and also ensure maximum waste recovery once the development is completed; and
- 8) details on how the development will be monitored following its completion.

The agreed details shall be implemented and thereafter maintained.

Reason

To minimise the amount of waste used during the construction and lifetime of the project and to encourage the re-use and recycling of waste materials on site.

COMMUNICATION

32

Prior to the commencement of any above ground development, details of measures to facilitate the provision of gigabit-capable full fibre broadband for the development hereby approved, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

In accordance with Local Plan Policy SP61 'Telecommunications' and Chapter 10 of the NPPF.

ECONOMIC

33

Prior to the commencement of development, a Local Labour Agreement relating to the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The scope of the Agreement shall be agreed in writing prior to submission of the formal document. The development shall thereafter be carried out in accordance with the approved Agreement.

Reason

To improve skills in all of Rotherham's communities through the promotion of access to training, education and local employment opportunities, in accordance with Policy CS10 'Improving Skills and Employment Opportunities'

Informatives

01

The planning permission is subject to a Legal Agreement (Obligation) under Section 106 of the Town and Country Planning Act 1990. The S106 Agreement is legally binding and is registered as a Local Land Charge. It is

normally enforceable against the people entering into the agreement and any subsequent owner of the site.

02

You should note that the Council's Neighbourhood Enforcement have a legal duty to investigate any complaints about noise or dust which may arise during the construction phase. If a statutory nuisance is found to exist they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in the Magistrates' Court. It is therefore recommended that you give serious consideration to reducing general disturbance by restricting the hours that operations and deliveries take place, minimising dust and preventing mud, dust and other materials being deposited on the highway.

03

Nature conservation protection under UK and EU legislation is irrespective of the planning system and the applicant should therefore ensure that any activity undertaken, regardless of the need for any planning consent, complies with the appropriate wildlife legislation. If any protected species are found on the site then work should halt immediately and an appropriately qualified ecologist should be consulted. For definitive information primary legislative sources should be consulted.

Furthermore, vegetation removal should be undertaken outside of the bird breeding season, March to September inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present, work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

04

The applicant is advised that access for fire appliances should be in accordance with Building Regulations Approved Document B volume 1 part B5 section 13.

Water supplies should be in accordance with Approved Document B, Volume 1, part B5, Section 14

However, subject to Section 55 of the South Yorkshire Act 1980, South Yorkshire Fire & Rescue now have pump appliances with a gross weight of 18 tonnes, which is significantly heavier than indicated in ADB 1, section 13

05

SY Police Architectural Liaison Officer states that the development should be built to Secured by Design standards. www.securedbydesign.com

06

Yorkshire Water

1.) The submitted Flood Risk Assessment prepared by FORTEM, rev 4 dated 26/04/2022 is acceptable. In summary, the report states that

- a.) Foul water will discharge to public combined sewer in Barnsley Road to which Yorkshire Water has no objection too.
- b.) Surface water for the Western and Central Catchments is to discharge to shallow infiltration drainage
- c.) The site is remote from watercourse
- d.) Surface water from the Eastern Catchment and the Western and Central Catchment adoptable highway to discharge to the existing 225mm diameter highway drain in Barnsley Road restricted to 21 litres/second subject to Highway Authority requirements.

2.) On the Statutory Sewer Map, there is a 225 mm diameter public combined sewer and also an additional length of unmapped section of 225 mm diameter public combined sewer recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme.

- a.) In this instance, it would appear that the public sewer is unlikely to be affected by building-over proposals.

3.) If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), he/she should contact our Developer Services Team (telephone 03451 208 482, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Code for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's requirements.

07

Cadent Gas

The Intermediate pressure gas pipeline has a minimum BPD (building proximity distance of 3m) no habitable building may be within 3m of the IP gas pipeline , Cadent will also have pipeline protection measures that will need adopting that will afford Cadent gas assets the required protections, all these measures will need to be accepted in their entirety, Cadent must be liaised with and consulted before any civils work commences as we will need to meet the developers and issue our restrictions for developing/working in the vicinity of the IP gas pipeline.

08

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848.

Further information is also available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2021 until 31st December 2022.

09

Some of the works within the Highway will require the developer to enter into a S278 agreement with the Council, the applicant should contact david.phillips@rotherham.gov.uk in this regard

10

Longevity of Ecology Surveys

A repeat walkover if development does not take place within a year of granting planning permission is advised. If there is evidence of change or the presence of protected species, then further surveys may be required.

11

With regard to condition 32 the attached document would need to be filled in and submitted with any discharge of condition application. The information would be sent to SFSY, again at hello@superfastsouthyorkshire.co.uk who will assess the information provided.

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.