

**REPORT TO THE PLANNING BOARD
TO BE HELD ON THE 9TH APRIL 2026**

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	RB2025/1587 - https://rotherham.planportal.co.uk/?id=RB2025/1587
Proposal and Location	Erection of self-build residential dwelling at land adjacent to The Stables, Old School Yard, School Hill, Whiston
Recommendation	Grant Conditionally subject to Unilateral Undertaking relating to Self Build Dwelling

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

Site Description & Location

The site in question relates to a plot of land that was formally garden land of The Stables Old School Yard, School Hill, Whiston. However, the site has been separated from the ownership of this property and is a separate plot of land. The site in question is steeply sloping from School Hill and down into the site to the rear.

There are a number of trees on the site including Oak trees protected by Tree Preservation Order (TPO No.10 1996). One tree is located on the steep slope adjacent School Hill and another is located lower down on the site on flat land to the rear of No. 2 Old School Yard.

There is vehicular access to the site from School Hill in the southwestern corner, immediately adjacent to the boundary with the neighbouring property No. 1 Old School Yard. The site falls within the Whiston Conservation Area.

There is an old now disused Water Tower at the top of the site in the style of a Gothic tower.

Background

RH1972/7190: Outline for 2 flats & detached house or 2 detached dwellings
GRANTED CONDITIONALLY 10/04/72

RB1988/1806: Outline application for the erection of a dwelling
REFUSED 09/03/89

RB1996/1356: Six weeks notice of intent to fell a sycamore tree within
Whiston Conservation Area
TREE PRESERVATION ORDER MADE 19/12/96

RB1997/0031: Retrospective application for the erection of extension to form store
GRANTED CONDITIONALLY 25/02/97

RB1997/1313: Outline application for a detached dwellinghouse at land at Old School Yard School Hill Whiston
REFUSED 04/01/99

RB2002/1046: Erection of a detached dwelling
GRANTED CONDITIONALLY 24/10/02

RB2007/0159: Erection of a dormer bungalow and detached garage
GRANTED CONDITIONALLY 29/03/07

RB2022/1701: Erection of 2 No. detached dwellings
GRANTED CONDITIONALLY 09/03/23

RB2025/1272: Application to undertake works to a tree(s) protected by Tree Preservation Order No.1 1976
PART GRANT PART REFUSED TWA 13/02/26

Proposal

The proposal is for the erection of a two-storey detached dwelling. The property would be accessed off School Hill, with a sloping driveway down to the property. The site in question is part of a former quarry and has steep embankments to the boundaries with School Hill and the neighbouring property to the east known as Lychgate Hall.

The land to these boundaries is steep with a former water tower dating back to the Victorian period located on the highest ground to the eastern part of the site.

The proposed two storey dwelling would be located on largely flat land roughly to the centre of the site and adjacent to The Stables, Old School Yard.

The property would roughly be 'L' shaped with an attached garage, immediately adjacent to the neighbouring property The Stables, set down at a lower level to the main dwelling with a dormer window to the front. To the side projection there would be another single storey wing with rooms in the roof space and dormer windows.

The dwelling would reflect the architecture of the Gothic style Water Tower on the site with ecclesiastical style windows to the front elevation.

More contemporary fenestration would be located to the remaining elevations.

The property would be constructed of natural pitch faced dressed stone with a natural slate roof. The windows would be black framed aluminium heritage style windows.

The proposal is a self-build therefore is exempt from the requirements of biodiversity net gain.

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 is within Whiston Conservation Area and is allocated for residential purposes in the Local Plan, (For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy Policies

CS6 'Meeting the Housing Requirement'
CS14 'Accessible Places and Managing Demand for Travel'
CS19 'Green Infrastructure'
CS20 'Biodiversity and Geodiversity'
CS21 'Landscapes'
CS23 'Valuing the Historic Environment'
CS27 'Community Health and Safety'
CS28 'Sustainable Design'
CS33 'Presumption in Favour of Sustainable Development'

Sites and Policies Document Policies

SP26 'Sustainable Transport for Development'
SP41 'Conservation Areas'
SP52 'Pollution Control'
SP55 'Design Principles'
SP64 'Access to Community Facilities'

Other Material Considerations

National Planning Practice Guidance (NPPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when this site was launched.

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.

Rotherham Adopted SPDs:

National Planning Practice Guidance (NPPG)

South Yorkshire Residential Design Guide

National Internal Space Standards

Supplementary Planning Document

- Air Quality and Emissions
- Transport Assessments, Travel Plans and Parking Standards

Publicity

The application has been advertised by way of site notices along with individual neighbour notification letters to adjacent properties. Seven objections have been received from neighbouring residents as part of the original publicity with an additional 3 objections received from subsequent publicity totally 10 objections. The comments received from the original proposal are summarised below:

- The dwelling is too high and would appear overbearing and harm the outlook and overshadow neighbouring properties.
- Concerns were raised that the site would be accessed via the private drive to the rear.
- Concerns were raised about the structural integrity of the embankments, in particular to School Hill. A structural report was requested to address these concerns.
- The height and footprint of the dwelling is too large. The dwelling should be smaller.
- Concerns about potential disruption during construction phase, in particular obstructing School Hill and potential dirt on the road and potentially construction traffic blocking neighbour's drives.

Additional publicity was undertaken notifying objectors that the application would be considered at Planning Board and that minor amendments had been made to the application. The Council received 6 additional comments including from 3 additional objectors. The additional comments raised are summarised below:

- The amended scheme is not materially different from the originally submitted plans.
- The site address is misleading and implies it relates to a separate property.

- Previous planning advice suggested that a two-storey dwelling in this location would not be acceptable.
- The scheme would lead to loss of light to the neighbouring property.
- Concerns were raised about disruption by development traffic, wear and tear on the road and Old School Yard being unsuitable for access at all.

Consultations

RMBC – Transportation Infrastructure Service: No objections subject to recommended conditions.

RMBC – Tree Service: No objections subject to conditions relating to tree protection measures and a suitable scheme of proposed tree planting at the site.

RMBC – Land Contamination: no objections subject to conditions.

RMBC – Drainage: No objections subject to conditions and a recommended informatives.

Appraisal

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

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

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

The main considerations in the determination of the application are:

- Principle of development
- Impact on the amenity of neighbouring residents
- Design and appearance and impact on the Whiston Conservation Area
- Highway Issues
- Land Contamination
- Trees
- Other concerns raised by objectors

Principle

Policy SP 11 “Development in Residential Areas” states that “Residential areas identified on the Policies Map shall be retained primarily for residential uses. All residential uses shall be considered appropriate in these areas and will be considered in light of all relevant planning policies.”

SP 12 ‘Development on Residential Gardens’ states that: “Proposals involving development on a garden or group of gardens, including infill of corner plots, will only be permitted where:

- a. the proposals would allow for a comprehensive scheme in the wider area to be achieved in the future; and
- b. the proposal does not harm the amenity of existing properties by overlooking, loss of privacy, loss of light or obtrusiveness; and
- c. development would not result in harm to the character of the area.”

The application site is allocated as a residential area and with this in mind the principle of development is acceptable subject to meeting the criteria set out in Policy SP 12.

Planning permission has already been granted for a scheme of 2 detached dwellings on the site (RB2022/1701) which was not commenced and has recently expired. Plot 1 of these approved dwellings would have been located in a similar position to the proposed dwelling, with Plot 2 located adjacent to School Hill.

In this instance the proposal for 1 No. detached dwelling, is considered to be appropriate for this residential area.

Impact on existing and future residents

The South Yorkshire Residential Design Guide sets out appropriate spacing distances between properties. The SYRDG states that there should be a minimum of 21m between principal elevations or elevations with habitable room windows; and that an elevation with a habitable room window should be a minimum of 10m from a boundary with another property.

The SYRDG also goes on to state that new development should not breach a 25 degree line when measured from the centre line of the original window, looking up and should not breach a 45 degree line from the nearest affected window on a neighbouring property measured from the side.

In this instance the dwelling has been designed to meet the minimum separation distances with the closest dwelling The Stables being clear of a 45 degree line measured from the nearest ground floor window.

The neighbouring properties Nos. 1 & 2 Old School Yard have unusually short rear gardens with their rear elevations being approximately 10 metres from the side elevation of the single storey with rooms in the roof space. Though this is closer than the recommended 12 metres, the only part of the property

to slightly clip the 25 degree line is the chimney stack, which is located in between these two properties. As such, the main habitable room windows on both properties would be clear of the 25 degree line as measured from ground level.

Furthermore, the side elevation of the proposed dwelling has no habitable room windows above ground floor level. As such, no overlooking would occur due to existing boundary treatment at the site.

With regards to overlooking from the new dwelling the habitable room window to the dormer window of Bed 4 is approximately 20 metres from the rear elevation of this property. Whilst this falls below the minimum standard of 21 metres, the window would be angled slightly away from the property and the first floor windows most directly affected would be obscure glazed on No. 2 Old School Yard. As such, owing to the constraints of this unusual site, this separation distance is considered to be acceptable in this instance and no harm in terms of overlooking would occur to the residents of the neighbouring property.

Bedrooms 2 and 3 would have a limited outlook looking towards the rockface. Whilst the outlook of bedrooms 2 and 3 would be limited, it is considered to be acceptable in this instance, due to the unique and constrained nature of the site. Furthermore, the dwelling due to its size and generous private garden area would provide a high standard of amenity for future residents.

It is noted that neighbouring residents raised concerns about the footprint and scale and height of the dwelling and argued that it would appear overbearing.

Whilst, this is noted, it is considered that the separation distances to neighbouring properties are acceptable and as such, the proposal would not appear overbearing to neighbouring residents and the overall scale is acceptable in amenity terms.

Having regard to the above it is considered that the proposed development would not adversely affect the amenity of existing neighbouring residential properties or the amenity of future residents of the proposed development. Accordingly, the scheme would comply with paragraph 136(f) of the NPPF, Local Plan policies CS27 'Community Health and Safety', SP52 'Pollution Control' and the South Yorkshire Residential Design Guide.

Therefore, for the reasons set out above the application would not give rise to any amenity issues to existing residents and future residents will be provided with sufficient internal and external space.

Design and appearance and impact on the Whiston Conservation Area

With regard to design the site falls within the Whiston Conservation Area.

Under Section 69 of the 1990 Planning (Listed Buildings and Conservation Areas) Act, a conservation area is an area of special architectural or historic

interest, the character or appearance of which it is desirable to preserve or enhance.

With regards to the setting of the Conservation Area Local Plan Policy CS23 'Valuing the Historic Environment' states that:

"Rotherham's historic environment will be conserved, enhanced and managed, in accordance with the principles set out below (which includes amongst other things that): d. Proposals will be supported which protect the heritage significance and setting of locally identified heritage assets such as buildings of local architectural or historic interest, locally important archaeological sites and parks and gardens of local interest."

Policy SP41 'Conservation Areas' states that:

"Development proposals within or likely to affect the setting of a Conservation Area will be considered against the following principles (amongst others) developments are required to ensure the preservation or enhancement of the special character or appearance of Rotherham's Conservation Areas and their settings."

Policy SP 43 'Conserving and Recording the Historic Environment' states that:

"All proposals affecting a heritage asset will require careful assessment as to the impact and appropriateness of development to ensure that the historic, architectural, natural history, or landscape value of the asset and / or its setting are safeguarded and conserved, and any conflict avoided or minimised in accordance with the policies of this Local Plan."

The National Planning Policy Framework (NPPF) states at paragraph 207 that:

"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

The National Planning Policy Framework (NPPF) states at paragraph 208 that:

"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking

account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

The National Planning Policy Framework (NPPF) further states at paragraph 212:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

The dwelling as designed is largely contemporary in form, though references the Gothic architecture of the Victorian Water tower on the site. It is of a unique design and is considered to have a high quality appearance, utilising good quality materials such as natural stone, natural slates and aluminium windows.

It is considered that the design and appearance of the dwelling is attractive and would enhance the character and appearance of the Whiston Conservation Area.

Highway Issues

It is noted that neighbouring residents raised concerns about the potential for construction traffic or future residents accessing the property from the Old School Yard, which is a private road.

However, this would not be acceptable in highway terms due to this road being unadopted and already serving 5 dwellings. Furthermore, it is substandard in width to be able to be brought up to an adoptable standard.

As such, the access for the development phase and future residents would be entirely from School Hill, which is an adopted road.

The Council's Highway Engineer raised no objections to the proposals in highway safety terms subject to recommended conditions relating to the gradient of the access drive and that the driveway and parking areas is suitably hard surfaced.

It is noted that a neighbouring resident raised concerns about potential disruption on School Hill from construction traffic. This is noted and it is considered reasonable to append a standard informative about good working practices during the construction phase. If these are not adhered to then the Council has powers to intervene if necessary.

Furthermore, concerns were raised about potential damage to the roads surface due to construction traffic. Whilst this is noted, it was not raised as a concern by the Council's Highway Engineer.

In light of above and the comments and recommended conditions of the Council's Highway Engineer, it is considered that the proposals are acceptable in highway terms.

Land Contamination

With regards to potential land contamination at the site, the Council's Contaminated Land Officer has made the following comments:

The submitted Land Contamination Screen Form has provided information stating that it does not consider there to be any contamination risks at the above site. Having reviewed our records, I would agree with this fact. As such I do not consider any further assessment of the contamination risks are required for the proposed development. However, I would recommend that should unexpected contamination be encountered during the development, the Local Authority will need to be contacted. Also, any soils which are imported, should be tested to show they are uncontaminated and suitable for the proposed use.

The Council's Contaminated Land Officer went on to provide recommended conditions, in case unexpected significant contamination is encountered on site during the construction process.

It is considered reasonable to append the recommended conditions to any approval on this basis.

Trees

With regards to Trees, it is noted that there are two protected Trees on the sites identified in the submitted Tree Survey as T1 and T2. The Survey concluded that T1 had moderate dieback and more limited prospects, while T2 was in good condition and had good long-term prospects. Two number trees were identified to be removed identified as T5 and T6, both Ash Trees. These trees were previously approved for removal under the previous planning permission RB2022/1701 due to their vulnerability to Ash dieback.

The Tree Survey recommended suitable tree protection measures be agreed by way of condition to any approval for the remaining trees identified as T1, T2 and T4.

The Council's Head of the Tree Service has reviewed the report and is satisfied with the proposals and recommends suitable conditions relating to a tree protection plan being agreed and implemented during the construction phase, and suitable tree re-planting. It is considered reasonable to append these conditions to any approval on this basis.

Other issues raised by objectors

It is noted that concerns were raised about the structural integrity of the existing embankment to School Hill. Whilst this is noted the majority of the building works would be set away from this embankment. It is considered that in this instance no safety issues are raised in terms of land stability.

It is noted that objectors raised concerns over confusion of the site address implying that it related to a different property. Whilst this is noted the land in question did previously belong to this property The Stables. However, the land has been separated from the ownership of this dwelling and is completely separate ownership. However, the site address is not considered to be incorrect as the land is adjacent to The Stables Old School Yard.

A neighbouring resident raised concerns that previous planning advice had suggested that the site would be more suitable for a bungalow and not a two-storey house. These comments are noted. However, the application has been considered entirely on its own individual merits and is considered to be acceptable in this instance.

Conclusion

In conclusion, it is considered that the principle of the residential development of this site is acceptable. The dwelling as proposed is considered to be of an acceptable design and appearance, and not to harm the amenity of neighbouring residents in terms of harm to outlook, overlooking or overbearing impact. The development is considered to be acceptable in highway and drainage terms subject to conditions.

It is recommended for the aforementioned reasons set out in this report, to be approved by Members, subject to the recommended conditions.

Conditions

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 08 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 number 08 is 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.'

01

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

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

02

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

(Drawing numbers CS-DP-154-001 Rev1 (received 02/12/2025)

(Drawing numbers CS-DP-154-006 Rev2/ 007 Rev 2/ 009 Rev2) (received 04/03/2025).

Reason To define the permission and for the avoidance of doubt.

03

No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted or samples of the materials have been left on site, and the details/samples have been approved in writing by the Local Planning Authority. The walls shall be constructed of natural coursed stone with the roof being covered in natural slate, unless otherwise agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details/samples.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with Core Strategy Policies CS28 and Local Plan Policy SP41.

04

Details of the windows and doors including their colour treatment shall be submitted to and approved in writing with the Local Planning Authority. The windows shall be painted aluminium, unless otherwise agreed in writing with the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with Core Strategy Policies CS28 and Local Plan Policy SP41.

05

The rainwater goods shall be constructed of cast iron or cast aluminium, painted black with the gutters hung on rise and fall gutter brackets, unless otherwise agreed in writing with the Local Planning Authority.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity and in accordance with Core Strategy Policies CS28 and Local Plan Policy SP41.

06

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 Authority. Works thereafter shall be carried out in accordance with an approved Method Statement. This is to ensure the development will be suitable for use and that identified contamination will not present significant risks to human health or the environment.

Reasons

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 187, 196 and 197 of the National Planning Policy Framework, December 2024.

07

If virgin material, subsoil/topsoil materials are required to be imported to site for remedial works, then these materials will need to be tested at a rate and frequency to be agreed with the Local Authority to ensure they are free from contamination and will not present a risk to future users of the site and the environment.

Reasons

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 187, 196 and 197 of the National Planning Policy Framework, December 2024.

08

Prior to the commencement of development, a tree protection plan, to minimum scale of 1:200 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 shall be produced and agreed with the Local Planning Authority.

Reason In the interests of visual amenity in accordance with Policy SP33 'Conserving and Enhancing the Natural Environment.'

09

A suitable scheme of proposed tree planting, including tree size and species as well as specification of planting pits and five years post planting maintenance shall be submitted to and approved by the Local Planning Authority prior to the first use of the development hereby approved. The planting shall be undertaken in accordance with the approved details and timescales agreed with the Local Planning Authority.

Reason

In the interests of visual amenity in accordance with Policy SP33 'Conserving and Enhancing the Natural Environment.'

10

The dwellings hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are occupied. Reason In the interests of neighbouring amenity and the visual amenity of the area.

11

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

Reason

In the interests of sustainable development and air quality.

12

The vehicular access drive shall not exceed a gradient of 5 % for a distance of 5 metres measured from the highway boundary and 10 % thereafter.

Reason

To ensure that the approved dwelling can be safely accessed.

13

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 the dwelling hereby approved can be reached conveniently from the footway in the interests of the adequate drainage of the site, road safety and residential amenity.

14

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 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.

Informative

01. Drainage Informative:

1. Flood resilience should be duly considered in the design of the new building/s or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.
2. Developments should have floor levels set higher than the recorded flood level or a minimum of 300mm above proposed ground level due to surface water flooding.
3. Surface water drainage plans should include the following:
 - *Rainwater pipes, gullies and drainage channels including cover levels.*
 - *Inspection chambers, manholes and silt traps including cover and invert levels.*
 - *Pipe sizes, pipe materials, gradients and flow directions.*
 - *Soakaways, including size and material.*
 - *Typical inspection chamber / soakaway / silt trap and SW attenuation details.*
 - *Site ground levels and finished floor levels.*

4. Surface Water Discharge From Brownfield Site:

There should be no increase in surface water discharge from the site to existing sewers / watercourses. On site surface water attenuation will therefore be required if drained areas to existing sewers / watercourses are to be increased.

A 30% net reduction to existing peak discharge (up to a 1/100 yr storm + 40% CC) will be required if the site is being re-developed. A full justification will be required where the development cannot achieve the 30% betterment on the existing run-off rate.

5. On Site Surface Water Management:

The site is required to accommodate rainfall volumes up to 1 in 100 year return period (plus climate change) whilst ensuring no flooding to buildings or adjacent land.

The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas etc. to demonstrate how the 100 year + 40% CC rainfall volumes will be controlled and accommodated.

Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within highway.

Guidance on flood pathways can be found in BS EN 752.

6. The applicant may require written consent from the Environment Agency, for any proposed discharge to “controlled waters” (main river/watercourse)
7. If the development is proposing to make a new highway drainage connection to an existing highway drainage system, detailed CCTV surveys and modelling of the existing highway drainage system will be required to determine the capability to accept additional flow. Discharge will be limited to greenfield run-off rates.

0.2 Control of working practices during construction phase (Close to residential)

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.

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.

Application Number	RB2026/0071 https://rotherham.planportal.co.uk/?id=RB2026/0071
Proposal and Location	Erection of 3 dwellings at 17 Green Street, Greasbrough, Rotherham
Recommendation	Grant subject to conditions

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



Site Description & Location

The application site relates to the rear garden area of the two storey detached property at no. 17 Green Street in Greasbrough. The host property lies off the eastern side of Green Street.

The property comprises of a traditional two storey stone building which is reflective of the architectural properties in the immediately surrounding area. In recent years the property has been vacant for several years and this has led to it become overgrown as well as the external fabric of the building significantly deteriorating. The original garage has been demolished, in anticipation of an approved side extension being constructed but has never been completed. There is a stone wall, approximately 1m high along much of the frontage with Green Street.

The site lies within the Greasbrough Conservation Area. The property has a large rear garden that backs onto neighbouring gardens of properties on Booth Street.

The application site slopes down moderately from north to south and there is a difference in land levels between the site and the rear back gardens of properties on Booth Street. The site is accessed directly from Green Street. It

is also noted that Green Street only has a single pedestrian footway which is located on the eastern side of the street.

The site is within a long established residential area and has residential dwellings bordering all sides of the property.

Background

This site has the following previous planning history:

RB2022/0133 – Two storey side and single storey rear extension – granted

The garage to the original development has been demolished and it is understood that this permission has been implemented.

RB2022/0890 – Change of Use of Dwellinghouse (C3) to Residential Care Accommodation (C2) including two storey side extension and single storey rear extension – anticipated to be withdrawn

The most recent application was determined in 2025.

RB2024/1362 – Erection of 3 dwellings – refused

The reasons for refusal were as follows:

01

The Council considers that visibility at the proposed vehicular access to Green Street is severely restricted to the right, such that the driver of a vehicle leaving the site, must emerge into the highway before an acceptable degree of visibility is available. The proposed development would be significantly detrimental in terms of highway safety.

02

The Council also considers that the revised design and re-positioning of plot 01 with its cramped appearance and single storey bungalow design in close proximity to the host property, along with the big drop in rooflines has an overall unsatisfactory visual appearance on the street scene and Conservation Area. The proposal is at odds with the character of the surrounding built form on this part of Green Street in conflicts with the general advice within CS28 Sustainable Design, SP12 'Development on Residential Gardens', SP55 'Design Principles' SP41 'Conservation Areas' and the NPPF which advocates high quality design principles.

03

The Council further considers that the overall design and layout of the proposed development has an unsatisfactory relationship with existing properties along Booth Street due to the higher land levels leading to loss of privacy and overbearing impact to already restricted private rear garden areas. The boundary fencing proposed to mitigate this, further increases the dominant impact on neighbours. Accordingly, the development is considered to be of an unsatisfactory design which is in conflict with Local Plan policies

CS28 Sustainable Design, SP12 'Development on Residential Gardens', SP55 'Design Principles' and the SYRDG which advocates good design principles with particular emphasis on preventing dominance and loss of privacy to neighbours.

Proposal

This is a full application which proposes the demolition of the host property and the erection of 3no. new dwellinghouses on the site.

The changes to the previously refused application can be summarised as follows:

- Demolition of the host property.
- Re-location of the proposed access into the site from the south of the host property to a central point in the development site.
- The construction of 3no. new properties with plot 1 and plot 2 at the front of the site being new two storey properties (4 bedrooms) and plot 3 being a dormer bungalow (2 bedrooms) located to the rear of the site.
- Plot 3 has been moved further north, several metres further away from the southern boundary
- All of the new plots will use the new access into the site which also includes a revised internal turning area which will allow for manoeuvring a vehicle into the private driveways of the new properties.

The design and materials of plots 1 and 2 has a broadly traditional design with a mix of brick and render external materials. Plot 3 has the appearance of a traditional bungalow on its front western elevation with a large rear dormer window at the rear, facing east.

All plots have their own parking bays, but share a communal driveway to access the properties.

An Arboricultural Report has been submitted in support of the development and this can be summarised as follows:

- A total of 14 items of woody vegetation, comprised of 10 individual trees and 4 tree groups or hedges.
- Of the surveyed trees: 1 tree is retention category 'U', 11 trees and 1 tree groups are retention category 'C'.
- 1 tree is retention category 'B'
- Much of the site contains little of arboricultural significance, having once been laid to grass but now generally consisting of dense scrub, nettles and brambles.
- Species diversity at the site is relatively low. The dominant species is Apple and Cypress with some adjacent Sorbus and Cherry.
- Most of the trees are semi-mature with only occasional young, early-mature and mature trees.
- The site's most significant tree is the adjacent Maple T6. This was entirely inaccessible at the time of surveying, and visibility of the stem and lower crown was largely obscured by Ivy. Thus it was given only a

cursory inspection and all measurements are approximate. This tree is prominent throughout the site and surrounding area and provides a moderate level of amenity value.

A Biodiversity Metric has been provided which indicates the following:

- The proposed development will result in an overall deficit in Habitat Units (-0.74 Habitat units and -.023 Hedgerow Units), and will require an increase of 0.83 habitat units and 0.25 hedgerow units to achieve +10% BNG.

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 28th June 2018.

The application site is allocated for residential purposes in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

CS3 Location of New Development

CS14 'Accessible Places and Managing Demand for Travel'

CS20 'Biodiversity and Geodiversity'

CS28 'Sustainable Design'

CS33 'Presumption in Favour of Sustainable Development'

Sites and Policies

SP11 Development in Residential Areas

SP12 Development on Residential Gardens.

SP26 Car Parking Layout

SP32 Green Infrastructure and Landscape

SP33 'Conserving and Enhancing the Natural Environment'

SP41 'Conservation Areas'

SP55 Design Principles

SP56 'Car Parking'

Other Material Considerations

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

The revised NPPF came into effect in December 2024. It states that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise."

South Yorkshire Residential Design Guide.

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 application has been advertised by way of individual neighbour notification letters to adjacent properties along with a site notice located on Green Street. A total of 10 representations have been received in total and these can be summarised below:

- Of all the plans put forward by the land owner, this is the most destructive towards the wider Greasbrough area.
- The landowner has actively sought the existing property to deteriorate.
- The development is too close to existing boundaries.
- The development is too large.
- Reduction in light to neighbouring properties by at least 25%.
- There remains no clear or suitable drainage strategy for foul water or wastewater disposal.
- It is queried whether evidence has been provided to demonstrate that infiltration drainage is feasible.
- Increased runoff of surface water from the proposed new property into Green street.
- 4 bedroom properties require more than 2 allocated car parking spaces.
- The revised drawings do not adequately address the concerns raised in response to the previous planning application. For example, plans for three dwellings were previously rejected, so it is unclear why a similar proposal is now being reconsidered.
- Although the private drive has been widened to accommodate emergency vehicle access and turning, the visibility when exiting onto Green Street remains compromised. Green Street is narrow, with vehicles frequently parked opposite the site entrance. Delivery vehicles, service vehicles and refuse collection will struggle to enter and exit safely. This will cause disruption not only during construction but also once the properties are occupied.
- The proposed dwellings will continue to overlook neighbouring properties, resulting in a loss of privacy. In addition, the scale and proximity of the new houses would appear overbearing and out of keeping with the surrounding development.
- The section D – D is taken from No 29 Booth Street and not No 31 Booth Street and is inaccurate. The roof should be lowered to comply with guidance.
- The proposed driveway for plot 3 is shown as sloping (sideways) on the cross section, this would seem incorrect as you would expect to step out onto a flat surface adjacent the car.
- The excessive private drive area will all drain to the bottom of the private drive and will be held as there is a proposed wall fronting plot 3.

- The loss of the host property will have a negative impact on the surrounding Conservation Area.
- The host property has been in place over 100 years and should be retained.
- Increased overlooking to neighbouring properties, particularly on Booth Street.
- Dominant impact to neighbouring properties.
- The Drainage Strategy will lead to an increase in flooding to properties on Booth Street.
- Potentially excavating plot 1 could undermine the wall and surrounding housing.
- No objections in principle to a re-development of the site.

A total of 5 Rights to Speak have been received, including the applicant.

Consultations

RMBC - Transportation Infrastructure Service – no objections to revised plans subject to condition

Drainage – no objections subject to condition

Ecologist – no objections subject to condition

Tree Officer – no comments

External
Yorkshire Water – no objections subject to condition

Appraisal

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

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

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

The main considerations of the application are as follows:

- The principle of development
- Highway safety issues

- The design of the proposal, impact on the street scene and character of the immediate surrounding area and nearby residential properties
- Trees and Landscaping
- Other issues

Principle of development

The application site is located in an existing garden area allocated residential within the adopted Local Plan and there is an existing property on the site.

The principle of a residential development is acceptable in purely land use terms, the assessment of the design and details of any new development will be critical and this will be considered in the paragraphs below with particular regard to policies SP11 'Development in Residential Areas' as well as SP12 'Development on Residential Gardens'. This will also include consideration of the scale and density of the new development and how this relates with the character, design and density of the surroundings and Conservation Area.

Highway safety issues

Policy SP 56 'Car Parking Layout' indicates that layouts must be designed to:

- reduce the visual impacts of parking on the street-scene and provide defined visitor parking on-street;*
- discourage the obstruction of footways by kerb parking, and parking that compromises the operation of the highway; and*
- ensure in-curtilage / on plot parking does not result in streets dominated by parking platforms to the front of the property or large expanses of garage doors fronting the street.*

The Highway Officer notes that Green Street is residential and subject to a 20mph speed limit restriction. There is no footway provision opposite the development site and a footway substandard in width, directly outside the development site.

The applicant has now provided a revised drawing ref 2025-156 01 Rev A that sets out the proposed final layout.

The development if approved, will result in 3no 4-bedroom dwellings being provided, with 2no dwellings fronting Green Street, and the third dwelling (plot 3) being located to the rear of plots 1 and 2. The Highway Officer notes that parking is provided in accordance with the Councils parking standards, which for a 4-bedroom dwelling is 2no off highway spaces. It is also noted that the parking spaces for plots 1 and 2 fronting Green Street are located to the rear of the dwellings and are accessed via a shared driveway, that leads to plot 3.

The private driveway is sufficiently wide enough to cater for 2-way traffic at the

entrance, and a turning facility has been provided to ensure that delivery vehicles

etc. to plot 3, can enter and leave the site in a forward gear. The site frontage will include a widened footway, requiring the setting back of an existing wall, though this widening will 'protect' visibility for vehicles exiting the development. Visibility is in accordance with industry standards for the posted speed limit on Green Street i.e. 20mph, with visibility being in excess of 25m in length.

Overall the Transportation Unit have confirm that they have no objection to the latest revisions in a highway safety context, subject to conditions. this aspect of the proposal is considered to meet the criteria within policy SP56 'Car parking layout'

The design of the proposal, impact on the street scene and character of the immediate surrounding area including neighbouring properties

Local Plan policy CS28 'Sustainable Design' indicates 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. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping. Moreover it states design should take all opportunities to improve the character and quality of an area and the way it functions.

Policy SP11 'Development in Residential Areas' states areas identified for residential shall be primarily retained for residential uses and all residential uses shall be considered appropriate in these areas and will be considered in light of all relevant planning policies.

Policy SP12 'Development on Residential Gardens' states that

Proposals involving development on a garden or group of gardens, including infill of corner plots, will only be permitted where:

- a. the proposals would allow for a comprehensive scheme in the wider area to be achieved in the future; and*
- b. the proposal does not harm the amenity of existing properties by overlooking, loss of privacy, loss of light or obtrusiveness; and*
- c. development would not result in harm to the character of the area.*

Policy SP41 'Conservation Areas' indicates '*...Development proposals within or likely to affect the setting of a Conservation Area will be considered against the following principles:developments are required to ensure the preservation or enhancement of the special character or appearance of Rotherham's Conservation Areas and their settings...spaces, street patterns, views, vistas, uses, trees and landscapes which contribute to the special character or appearance of a Conservation Area will be safeguarded.*

Policy 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."*

In this instance the surrounding character of the area is mixed with varying house types and materials. However, the large majority of properties are two storeys in height (with the exception of one high dormer style bungalow adjacent to the site). In terms of more general design considerations the revised NPPF at paragraph 131 states, in part, that: *"The creation of high quality and sustainable buildings and places is fundamental to what the planning and development process should achieve."* Paragraph 139 adds, in part, that: *"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."*

The site slopes downwards both west to east as well as north to south, and the change in land levels is significant and will have a substantial impact on the design of the development. This amended application show two replacement two properties along the frontage of Green Street. A number of the objections have queried why the original host property cannot be retained and have highlighted its heritage value. In this case the property is considered to be of a traditional design and appearance, though it is not listed and not considered to be of any specific or unusual architectural merit. It has also become more dilapidated. Whilst its retention is preferred, it is not considered that demolition of this property could be resisted in this case.

Plots 1 and 2 are considered to be of a typical two storey scale with a design which is broadly reflective of the wider area. It is considered that the plots seek to try and replicate the traditional appearance of the existing two storey property though in a more modern form and is in a prominent location within the street and the Conservation Area.

Plot 3 at the rear of the site is a dormer bungalow which is less visible from the street frontage and has the appearance of a single storey property from the west and a dormer bungalow from the east with a large dormer window across the full width of the rear elevation.

As set out above, the wider street scene is characterised by plots which have generous spacing distances between them.

Whilst a number of the objectors have raised concerns with the loss of the traditional host property and the negative impact on the Conservation Area, it is considered that the replacement properties seek to try and replicate the design and appearance of this albeit in a more modern form. Overall therefore the position of the new plots on this revised application is considered to have a satisfactory visual appearance on the character of this part of the street scene and the Conservation Area.

In terms of garden/amenity areas it is noted that the development shows the new properties will all have a private rear amenity area that exceeds the minimum recommended amenity area of 60sqm as recommended in the SYRDG.

In terms of the impact on neighbouring properties, Local Plan Policy SP12 states that development would only be permitted where...

b. the proposal does not harm the amenity of existing properties by overlooking, loss of privacy, loss of light or obtrusiveness;

The properties along Booth Street have been in place for many years, though a large number of these have spacing distances to the rear which are significantly lower than the current minimal standard of 10m as outlined in the SYRDG. In addition, a number of these properties have rear garden area which are 1.5-2m lower than the ground levels of the adjacent site area.

The gable side of plot 03 is over 12m to the nearest existing properties on Booth Street. A 25 degree spacing outlook from a midpoint from existing rear windows to the top of the future roofline has been shown, which is also expected in the SYRDG.

In order to try and reduce the dominance on the properties, this revised application shows only a single plot at the rear of the site which has a split level development. It is accepted that a 25 degree outlook from the ground floor windows of existing properties can now be achieved.

The development shows a large areas of car parking and turning areas in the existing rear garden of the development. This creates a large proportion of hardsurfacing required for the turning area and driveways. A concern is that cars coming into the site and manoeuvring into the driveways will shine headlights into the rear elevations of properties on Booth Street, causing disturbance, particularly in winter months and the hours of darkness.

The applicant has attempted to counter the above concerns by putting a new fence along the southern boundary along with a larger area of landscaping along the boundary which will increase the distances between cars manoeuvring and the private rear gardens of the existing properties. It is considered that this may mitigate some of the concerns raised, particularly when the landscaping has had time to mature.

Overall, the new development is considered to have a satisfactory relationship with the neighbouring properties to the south along Booth Street. The replacement plots on the Green Street frontage are considered to have an overall satisfactory relationship with the existing properties on Green Street.

This development on a back garden is therefore considered to confirm with Local Plan Policies CS28 Sustainable Design, SP12 Development on Residential Gardens and SP56 'Design Principles' and SYRDG as well as the general advice within the NPPF.

Trees and Landscaping

The majority of the site represents existing garden area with relatively limited landscaping located within the central area other than grass.

It is noted that an accompanying tree report and Arboricultural Method Statement has been submitted with the application. There are existing trees within the site, though the majority of these would be retained. The most significant tree (A category B tree) lies in adjacent site area in the north east of the site, some of which overhangs the boundary. However, this should not be affected by the proposed development. Tree protection fencing is also proposed to safeguard any neighbouring trees and landscaping. The Tree Officer has not specifically commented on the application.

Overall therefore it is considered that the applicant has demonstrated that this element of the proposal complies with policy SP32 'Green Infrastructure and Landscape'.

Biodiversity Net Gain

It is noted that under the new Environment Act 2021 all new planning permissions granted will have to deliver 10% biodiversity net gain from April 2024.

The BNG metric indicates that the overall change on the site will result in a total net

loss of 83.98% habitat and 100% net loss of and hedgerows on site.

Therefore 0.83 habitat units and 0.25 hedgerow units will be required to ensure a minimum 10% net gain. The BNG report indicates offsite units will need to be purchased due to the lack of availability on site.

A standard condition regarding the provision of 10% gain of BNG enhancement would address the above and would require that off site contributions are provided. It is considered that this would meet the aims of policy SP33 'Conserving and Enhancing the Natural Environment'.

Other issues

Drainage

The Drainage Officer has not raised any specific objections to the proposal in terms of flood risk or drainage issues.

Yorkshire Water have not raised any objections, subject to conditions.

The site does not lie within a Coal Mining Risk area and it is not necessary to consult the Coal Authority or submit a formal Coal Mining Risk Assessment.

Noise

The Environmental Health department have not raised any specific issues from a noise or pollution control standpoint. It is not considered that this proposal raises any specific noise issues.

The proposal is therefore considered to meet the criteria of policy SP52 'Pollution Control' indicates 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.

Conclusion

Overall in land use terms, the site is allocated for residential purposes and the principle of a new development is acceptable. In this case it is considered that the land available for a reduced development of 3no. units is of a sufficient size to accommodate the scale and type of development proposed and these have overcome the previous reasons for refusal on overdevelopment and highway safety.

The proposal has sufficient visibility at its vehicular access to Green Street and this is considered satisfactory in terms of highway safety.

The application is recommended for approval subject to conditions.

Conditions

01

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

Reason

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

02

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

(Drawing numbers

Location plan 2025-156 01

Location and block plan 105/69 01

Site Plan revised 2025-156 01 Rev A

Elevations plot 1 2025-156 02

Elevations plot 2 2025-156 03

Elevations plot 3 2025-156 04

Site sections 2025-156 07

Received 19.01.26, 16.02.26 and 03.03.26

Reason

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

03

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

Reason

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

04

No above ground development shall take place until the approved boundary treatment (ref 1.8m panel fencing plan 2025-156 Rev A) has been erected on site and shall be retained for the duration of the development.

Reason

In order to ensure a satisfactory appearance in the interests of visual amenity and to protect neighbouring privacy during the construction phase of the development in accordance with Core Strategy Policy CS28.

Highways

05

The development shall not be commenced until details of the proposed alterations in the highway at Green Street, indicated on plan reference 2025-156 01 Rev A, have been submitted to and approved by the Local Planning Authority and the approved details shall be implemented before the development is brought into use.

Reason

In the interest of road safety.

06

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

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

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

The area shall thereafter be maintained in a working condition.

Reason

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

07

Prior to the commencement of works a Construction Method Statement shall be submitted to and approved in writing by the Council and the approved statement shall be adhered to throughout the construction period. The Statement shall provide for; Storage / loading / unloading of materials / plant; and car parking facilities for the construction staff and include reference as to how the development will legally take access from the adjacent highway i.e. s278 or s184 agreement.

Reason

In order to minimise impact on the surroundings during construction.

Yorkshire Water

08

The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason

In the interest of satisfactory and sustainable drainage

09

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason

To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network.

RMBC Drainage

10

The development shall not be begun until details of the surface water and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These 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.

Ecology

11

No development above slab level shall commence until a Biodiversity Enhancement Scheme (BES) has been submitted to and approved in writing by the Local Planning Authority. The BES shall include a scaled plan and schedule setting out the type, specification and exact locations of all biodiversity enhancement features to be incorporated into the development. The BES shall demonstrate full compliance with BS 42021:2022 for all integrated bird and swift bricks, and with current Bat Conservation Trust (BCT) guidance for all bat roosting features. As a minimum, each new dwelling must incorporate ALL of the following:

- One integrated bird or swift nesting brick;
- One integrated bat roosting feature, appropriately selected and sited relative to the building's design, height and orientation, and in accordance with the relevant guidance; and
- A 13 cm × 13 cm hedgehog highway gap provided within the boundary fencing or walls of each dwelling plot, ensuring permeability for hedgehogs between residential gardens.

The development shall thereafter be carried out in accordance with the approved BES, and all features shall be retained and maintained for the lifetime of the development.

Reason

To ensure no net loss in biodiversity across the site.

Biodiversity Net Gain

12

No development shall commence on site until:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The details shall be implemented in accordance with the timescales set out in the approved Biodiversity Gain Plan.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>)

Reason

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition), to ensure Biodiversity Net Gain.

Landscaping

13

Prior to the occupation of the first dwelling a final planting scheme, showing location and types of landscape treatment, shall be submitted for approval by the Local Planning Authority. The mitigation planting scheme should be prepared in accordance with RMBC Landscape Design Guide (April 2014). The scheme shall incorporate details of tree species, sizes, densities, planting methods, aftercare and replacement planting, and shall be prepared at a minimum scale of 1:200. The approved landscape and planting mitigation scheme shall thereafter be fully implemented in the next available planting season and maintained to ensure healthy establishment. shall be maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority. Any plants dying, removed or destroyed within five years of planting shall be replaced the following planting season.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of 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 CS20 Biodiversity and Geodiversity, Policy CS21 Landscape, Policy CS28 Sustainable Design.

Land contamination

14

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 Authority. Works thereafter shall be carried out in accordance with an approved Method Statement. This is to ensure the development will be suitable for use and that identified contamination will not present significant risks to human health or the environment.

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 187, 196 and 197 of the National Planning Policy Framework, December 2024.

15

If virgin material, subsoil/topsoil materials are required to be imported to site for remedial works, then these materials will need to be tested at a rate and frequency to be agreed with the Local Authority to ensure they are free from contamination and will not present a risk to future users of the site and the environment

Reason

To ensure the safe occupation of the site in accordance with Policy SP54 of the Rotherham Local Plan and paragraph numbers 187, 196 and 197 of the National Planning Policy Framework, December 2024.

Informatives

Highways

01

You will appreciate that these works will require an Agreement under S278 Highways Act, 1980 and involve the provision of a new vehicle access and widened footway and the reinstatement of part of the kerblines (old VAC) fronting Green Street.

Ecology

02

Vegetation clearance should be undertaken outside of the bird nesting season (March-August inclusive). Should this not be possible then a suitably qualified ecologist should undertake a nesting bird check no more than 48 hours prior to the start of works. Should active nests be found, works should cease until the nests are no longer active and the chicks have fledged and the ecologist has deemed the area to be free of nesting birds.

If a protected species (such as any bat, amphibian, small mammal or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. You should then seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species.

Environmental Health

03

It is recommended that the following advice is followed to prevent a nuisance/loss of amenity to local residential areas. Please note that the Council's Neighbourhood Enforcement have a legal duty to investigate any complaints about noise or dust. If a statutory nuisance is found to exist they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in an unlimited fine upon conviction in the Magistrates' Court. It is therefore recommended that you give serious consideration to the below recommendations and to the steps that may be required to prevent a noise nuisance from being created.

- (i) Except in case of emergency, operations should not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays. There should be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority should be notified at the earliest opportunity of the occurrence

- of any such emergency and a schedule of essential work shall be provided.
- (ii) Heavy goods vehicles should only enter or leave the site between the hours of 08:00 - 18:00 on weekdays and 09:00 - 13:00 Saturdays and no such movements should take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).
 - (iii) Best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.
 - (iv) Effective steps should be taken by the operator to prevent the deposition of mud, dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.

POSITIVE AND PROACTIVE STATEMENT

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