

Rotherham local plan

Consultation Statement

accompanying adoption of the following
Supplementary Planning Documents:

Householder Design Guide
Development in the Green Belt
Equal and Healthy Communities
Town Centre Uses and Developments
Air Quality and Emissions
Shop Front Design Guide

June 2020

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Introduction

1. This Statement accompanies the following Supplementary Planning Documents (SPDs):
 - Householder Design Guide SPD
 - Development in the Green Belt SPD
 - Equal and Healthy Communities SPD
 - Town Centre Uses and Developments SPD
 - Air Quality and Emissions SPD
 - Shop Front Design Guide SPD
2. SPD must be prepared in line with the requirements of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (hereafter referred to as 'the Regulations').
3. Before adopting any SPD local authorities are required¹ to prepare a 'Consultation Statement' setting out who was consulted in connection with the preparation of the SPD, the main issues raised in response to the consultation, and how those issues were addressed in finalising the SPD.
4. Once adopted, they are a material consideration which can be taken into account when determining planning applications.

Background

5. Rotherham's Local Plan consists of:
 - Rotherham Core Strategy 2013 – 2028 (adopted September 2014)
 - Rotherham Sites and Policies Document (adopted June 2018)
 - Barnsley, Doncaster and Rotherham Joint Waste Plan Core Strategy (adopted March 2012)
6. The Local Plan provides the framework for determining planning applications. SPDs provide additional detail and guidance on how policies in the Local Plan will be applied when determining planning applications.
7. Following adoption of the Local Plan, the Council is in the process of updating a number of existing planning guidance documents and preparing new guidance documents to offer further assistance and clarification to applicants when preparing planning applications.

Consultation

8. Preparation of the SPDs has been undertaken by, or in conjunction and consultation with, relevant services within the Council. The Council's Development Management service within Planning has reviewed all the draft SPDs. Council Members were also provided opportunity to comment in June 2019.
9. The Council's Cabinet approved public consultation on the draft Supplementary Planning Documents at its meeting on 16 September 2019.

¹ Regulation 12 The Town and Country Planning (Local Planning) (England) Regulations 2012

10. In October 2019 the Council adopted a revised Statement of Community Involvement, which sets out how and when people can influence new planning documents. Consultation on the draft SPDs has been undertaken in accordance with the guidance in this document.
11. The table below sets out more detail regarding the consultation exercise.

Table 1: Consultation Plan

When were the SPDs consulted on?		Regulation 12(b) of the Regulations requires consultation over a minimum of four weeks. Consultation took place over a four week period, from 7 October to 4 November 2019.
What documents were published?		The following documents were made available as part of the consultation: <ul style="list-style-type: none"> • Draft Householder Design Guide SPD • Draft Development in the Green Belt SPD • Draft Equal and Healthy Communities SPD • Draft Town Centre Uses and Developments SPD • Draft Air Quality and Emissions SPD • Draft Shop Front Design Guide SPD • Hot Food Takeaways Evidence Base 2019 • A consultation statement • A representation form
Where were documents published?	Website	The draft SPDs were available to view on the Council's consultation website: https://rotherham-consult.objective.co.uk/portal/ Links were also provided from the main Planning Policy webpage: https://www.rotherham.gov.uk/localplan
	Printed copies	Printed copies of the draft SPDs were available to view at the Council's main offices at Riverside House.
How was the consultation publicised?	Notifications	The Council's Planning Policy team maintain a database of those interested in preparation of the Local Plan and other planning documents (general and specific consultees). Consultees were notified of the consultation by email.
	Press notice	Notices publicising the consultation were placed in local newspapers prior to the consultation starting. [add details here] Also add row for press release if this goes ahead

How could people comment?	Website, email and post	Comments could be provided through our consultation website, by email or by post. Details of how to comment were set out in the press notice, on the website, in the consultation statement, and in consultee notifications.
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12. The Council published a consultation statement alongside the draft SPDs, in line with the requirements of Regulation 12(a) of the Regulations. This statement has been updated post-consultation, setting out who was consulted in connection with the preparation of the SPDs, the main issues raised in response to the consultation, and how those issues were addressed in finalising the SPDs.
13. Regulation 12(b) states that when seeking representations on an SPD, documents must be made available in accordance with Regulation 35. This requires the Council to make documents available at its principal office and other places within the area that the Council considers appropriate, and to publish the document on the Council's website. Table 1 above sets out how these requirements have been met.

Consultation responses

14. The following table and sections summarise the main issues raised in representations received on each draft SPD and how they have been addressed in preparing the final SPDs. Tables 1 to 6 set out the details of representations from consultees, the Council's response, and any subsequent changes to SPDs.

Table 2: Number of representations received

Document	Number of representations received
Householder Design Guide SPD	3
Development in the Green Belt SPD	7
Equal and Healthy Communities SPD	7
Town Centre Uses and Developments SPD	4
Air Quality and Emissions SPD	6
Shop Front Design Guide SPD	3

Householder Design Guide SPD

15. Table 1 in Appendix 1 sets out details of the representations received, the Council's response to these, and the proposed changes to the SPD as a result.
16. The main issues raised in the representations were:
 - Sheffield and Rotherham Wildlife Trust suggested
 - Access for hedgehogs should be provided to a solid boundary wall or fence should be included
 - Include a reference of The Conservation of Habitats and Species Regulations 2017 in the document
 - Amendment on the wording of paragraph 19 is suggested regarding mitigation measures

17. The consultation responses are welcomed and the suggestions help to improve the accuracy and clarity of paragraph 19 of the document. The suggestion on wildlife enhancement to be included in the paragraph 19 as the SPD is only applicable when planning permission is required (i.e. for boundary treatment that is over certain height limit) such that it would be onerous to implement as a requirement.
18. In summary, changes made to the SPD following consultation are:
 - Add reference to The Conservation of Habitats and Species Regulations 2017 in paragraph 19
 - Include suggested mitigation measures and wildlife enhancement guidance in paragraph 19
19. In addition to changes as a result of representations received, the Council also revised the layout of the document and included additional guidance:
 - Reworded Design Guidance 1.2 and inserted figure in relation to the 45 and 25 degree rule
 - Additional guidance in Design Guidance 1.3 in regard to floor to ceiling windows and French / patio doors
 - Additional guidance on amenity of occupiers as Design guidance 1.8
 - Reworded Design Guidance 2.8 and included guidance on other consents that may be required for the proposed work
 - The contact details section has also been updated.

Development in the Green Belt SPD

20. Table 2 in Appendix 1 sets out details of the representations received, the Council's response to these, and the proposed changes to the SPD as a result.
21. The main issues raised in the representations were:

Country Land and Business Association suggested the sale price range should be agreed with the LPA and valuation being carried out in accordance with RICS valuation standards to avoid low price to attract speculative purchasers

Natural England suggested

- The SPD should ensure that any development incorporates sustainable design and construction and shows both adaptation to and reduction in the contribution to climate change
- full consideration of their interests in the process of selecting and assessing sites for allocation through the National Planning Policy Framework (NPPF) and incorporated into the SPD.
- Environmental enhancement of land within Green Belts is encouraged

Persimmon Homes suggests clarification on Guidance Note 8

South Yorkshire Archaeology Service suggests reference should be made to consider the impact on archaeological evidence, both in terms of the archaeology of standing structures and of buried archaeological evidence

Sheffield and Rotherham Wildlife Trust suggested:

- more specific on the guidance on excessive lighting on wildlife
- additional factors should be incorporated into the Green Belt Guidance 1 (General Guidance) – landscaping, designated sites within Green Belt (for example, local wildlife site) and biodiversity net gain
- Include a reference of The Conservation of Habitats and Species Regulations 2017 and recommend ecological survey to be undertaken at the early stage
- Suggestion for small scale development associated with nature conservation or increase access to nature to be considered as acceptable subject to it meets the relevant policy requirements.
- Suggest additional guidance to prevent similar situation arise over Grange Landfill (Droppingwell Tip)

22. The consultation responses are welcomed and the Council appreciate the comment of support from Sheffield & Rotherham Wildlife Trust. House sales and land ownership are not within planning control unless a planning condition is imposed for development to be solely for the applicant; however, the valuation standard could be considered should an application be submitted to remove a condition for agricultural occupancy. Comments from Natural England and South Yorkshire Archaeology Services are noted and the concerns are covered by Local Plan policies. In light of Persimmon Home's comment, Guidance Note 8 is revised to clarify the guidance for change of use in the Green Belt. The Wildlife Trust's suggestion on lighting guidance and early undertaking of ecological survey are noted and changes will be made to the document. The situation over Grange Landfill is due to limited control through planning condition when planning permission was first granted in 1958 and as planning practice has tighten over the years there is no requirement to provide further guidance to control similar development.

23. In summary, changes made to the SPD following consultation are:

- Amend the wording of bullet point 2 of para.77 in relation to valuation standard
- Additional paragraph is added to the Green Belt Guidance 8 to clarify the consideration in accordance with paragraph 145 and 146 of the NPPF
- Add additional paragraph 103 in Appendix 2 in relation to artificial lighting
- Amend the wording of paragraph 47 to make reference to The Conservation of Habitats and Species Regulations 2017 and advice on undertaking ecological survey at early stage of development

24. In addition to changes as a result of representations received, the Council also made minor grammatical change across the document for consistency and updated the contact details.

Equal and Healthy Communities SPD

25. Table 3 in Appendix 1 sets out details of the representations received, the Council's response to these, and the proposed changes to the SPD as a result.

26. The main issues raised in the representations were:

- Additional criteria to the checklist in Appendix 1
- The defined town, district or local centres should be shown in map form
- Concern regarding the effect on local economy if a retail area is within 800m of a school
- Concern regarding the impact of radio frequency and 5G infrastructure to all form of life (human, animals and plants)

- Planning policy should be more robust
- Suggest incentive for healthy cuisine takeaways
- Suggest setting a maximum number of outlets within an area
- Justification should be made for setting the threshold at 50 or more dwellings
- The provision of charging points should only be introduced through the Local Plan process
- Should allow more flexibility for developer to achieve sustainable design features in the checklist

27. The consultation responses are welcomed and the Council appreciate the comment of support from Canal & River Trust. The additional criteria as suggested by the Canal & River Trust on the potential effect of the development on adjacent Green Infrastructure assets is accepted and is included in the document. The locations of town, district and local centres are already identified in the Local Plan allocation map. If the proposed hot food takeaway is within the centres, it would be assessed against Policy SP22 on its own merit as stated in the Health and Equalities Guidance 2. The health concern regarding telecommunication would be considered against Policy SP61 'Telecommunications' and the Council follows the advice and guidance provided by Public Health England. Unfortunately planning legislation cannot control business rate or the nature of the business within the same use class. As hot food takeaways constitute a town centre use, the concentration of hot food takeaway unit within centres would be assessed against Policy SP22 and those outside centres would be required to satisfy both Policy SP22 and Policy CS12 which is considered to be robust in this instance. The threshold is set at 50 dwellings for the checklist as it is considered that this is an appropriate scale of development which would create a sense of community; it would be unreasonable to set the threshold at less than 50 dwellings. The provision of electric charging points is a national and local approach in tackling climate change and contributes to healthier community by reduce emissions which is covered in more detail in the Air Quality & Emission SPD and the forthcoming draft Transport Assessments. Travel Plans and Parking Standards SPD.

28. In summary, changes made to the SPD following consultation are:

Add additional criteria to section 2 and 3 of the checklist at Appendix 1:

- "Does the development positively address adjacent spaces, including Green Infrastructure and walking and cycling routes?"
- "Has the impact of additional use of neighbouring Green Infrastructure Assets been fully considered and addressed (e.g. litter, path erosion)?"

29. In addition to changes as a result of representations received, the Council has made grammatical changes across the document for consistency and updated the contact details.

Town Centre Uses and Developments SPD

30. Table 4 in Appendix 1 sets out details of the representations received, the Council's response to these, and the proposed changes to the SPD as a result.

31. The main issues raised in the representations were:

- Suggest clarity to the wording in para.21 for applicants to consider the guidance in the SPD when setting out the scope of evidence and analysis

- Suggest the benchmark of flexibility for sequential test to be in line with Sheffield (+/- 20%)
- Suggest the inclusion of an additional principle for the calculation of units in primary and secondary shopping frontage, to be based on the original number of units instead of proposed number of units

32. The consultation responses are welcomed. The suggestion to clarify the wording in para.21 is welcome and change will be made accordingly. While the benchmark percentage for flexibility is lower than Sheffield, the Council considers 10% is reasonable for Rotherham in consideration of the viability and vitality of centres across the borough. Furthermore this is a suggested figure, and the precise figure adopted in each case will be agreed with the applicant. The purpose of the calculation within the primary and secondary shopping frontage is to assess the effect of the proposed development such that it would be unreasonable to assess proposals against the existing number of units.

33. In summary, changes made to the SPD following consultation are:

Amend the wording of para.21 to:

- 'In line with Core Strategy Policy CS12 and the guidance given in this SPD, applicants should agree with the Local Planning Authority the scope of the evidence and analysis to be submitted to ensure that this is proportionate to the scale and nature of the proposal.'

34. In addition to changes as a result of representations received, the Council has clarified the approach to sequential tests for sites within mixed use areas, provided cross reference to the Equal and Healthy Communities SPD regarding hot food takeaways, and updated the monitoring data in Appendix 2, website links and the contact details.

Air Quality and Emissions SPD

35. Table 5 in Appendix 1 sets out details of the representations received, the Council's response to these, and the proposed changes to the SPD as a result.

36. The main issues raised in the representations were:

Suggested more emphasis on the benefit of trees in relation to climate change

Natural England suggested additional guidance be included in relation to designated sites

Persimmon Home raised the following issues:

- The threshold (>50 dwelling) identified in Table 1 is for transport assessments and not air quality assessments and the Council should provide justification to implement the threshold
- The damage cost assessment has no policy basis and it is not clear whether all or certain medium proposals must include the assessment
- Clarify the flow chart as to the requirements for minor, medium and major proposal
- Clearer guidance should be given for the criteria identified in Table 1 and Table 2 and include justification to its incorporation
- Box 3 of the SPD (electric charging point) should be omitted as it should only be introduced through the Local Plan process

- Clarification is required for the provision of secure cycle storage
- Further guidance should be provided on Travel Plan
- The wording in Box 4 and 5 should be altered to allow flexibility

37. The consultation responses are welcomed and the Council appreciate the comments of support from Natural England and Highway England. The benefit of green infrastructure is acknowledged and it is being covered in the Council's corporate policy document 'Rotherham Council Responding to the Climate Emergency' that is currently in the process of adoption. The guidance suggested by Natural England is noted and will be reflected in the document.

In terms of the thresholds for each land use type above which an emissions/air quality assessment is required, our thresholds have been chosen to be consistent with other English authorities Emissions and Air Quality Guidance. A damage costs approach is also consistent with other English authorities Emissions and Air Quality Guidance. The term 'close' to major roads is being used to avoid being too prescriptive, a development could be adjacent to a major route or some distance away from a particular road of concern to have an impact. Pre-application discussions prior to any assessment being undertaken is encouraged in order to evaluate which roads are likely to be impacted upon and the likely significance of any development and whether the medium proposals must include the assessment. Some medium proposals such as a distribution centre (B8) would have a much greater impact in terms of emissions from transport than others.

38. In summary, changes made to the SPD following consultation are:

- Include a new section as 'The Habitats Regulations' after 'Clean Air Zones' to reflect comment from Natural England
- Insert a paragraph (para.39) to clarify some Medium proposals may also require an emissions and cost calculation given the nature of the use.

39. In addition to changes as a result of representations received, the Council has made the following changes:

- Amendment to para.11 and 13 in the National Planning Policy section to reflect the revised NPPG (Nov.2019)
- Omitted para. 15 in the Local Planning Policy section as irrelevant
- Updated Map 1 'Air Quality Assessment Areas' to reflect the latest data and simplify the indicators
- New section is added to introduce the provision of electric vehicle charging points / infrastructure for all development via planning condition as part of the Council's response to mitigating and adapting to climate change
- Amendment to Box 3 to reflect the number of electric vehicle charging point requirement for residential development
- Amendment to Box 4 to increase the percentage of parking spaces to be provided with electric vehicle charging point in non-residential development from 10% to 20%
- Omit the exception for electric charging point provision in para.49
- Included the contact details to the document

Shop Front Design Guide SPD

40. Table 6 in Appendix 1 sets out details of the representations received, the Council's response to these, and the proposed changes to the SPD as a result.

41. The main issues raised by the British Sign and Graphics Association (BSGA) were:
- The guidance is onerous and excessive as it has an emphasis on traditional shopfronts as opposed to modern ones
 - The emphasis on avoiding internal illumination is contradictory and fails to reflect internal illumination is the most common form of fascia sign within the town centre and fails to take account of innovation in sign design. No mention of LED illumination
 - Suggestions for a number of amendments and / or to clarify parts of the document
42. The consultation responses are welcomed and it is acknowledged that some clarifications are required in the document and to incorporate elements in relation to modern shopfront. The representation has made reference to the shopfront design on College Street in Rotherham Town Centre and it is worth to note that it is within a Conservation Area and the Council is intending to improve the shopping environment through the implementation of the SPD on new proposals over time.
43. In summary, changes made to the SPD following consultation include:
- A number of changes have been made in response to the representation and are detailed in Appendix 1.
44. In addition to changes as a result of representations received, the Council also reformatted sections of the document for clarity; added an additional section in relation to shop front cohesion and paragraphs regarding security shutters, and included contact details in the document.

Adoption Statement

45. In accordance with Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), notice is hereby given that the following Supplementary Planning Documents were formally adopted on 15 June 2020 by the Council:
- Householder Design Guide SPD
 - Development in the Green Belt SPD
 - Equal and Healthy Communities SPD
 - Town Centre Uses and Developments SPD
 - Air Quality and Emissions SPD
 - Shop Front Design Guide SPD
46. The adopted SPDs, along with the consultation statement and this adoption statement, can be viewed on the Council's website: www.rotherham.gov.uk/localplan.

The documents are also available to view at the Council's principal offices: Riverside House, Main Street, Rotherham, S60 1AE.

47. Any person with sufficient interest in the decision to adopt the Supplementary Planning Documents listed above may apply to the High Court for permission to apply for judicial review of the Council's decision to adopt it. Any such application must be made promptly and in any event not later than 3 months after the date on which this Supplementary Planning Document was adopted (15 June 2020).

Appendix 1: Consideration of representations received

Table 1: Householder Design Guide SPD

Consultee	Summary of representation
Sheffield and Rotherham Wildlife Trust	<p>1. We request that the following sentence is included in this guidance. 'Walls and fences can be a barrier to wildlife, including hedgehogs. Access can be provided for hedgehogs by creating a min 13cm x 13cm (CD-sized) hole in an otherwise solid boundary.'</p> <p>2. We support this guidance but suggest the following amendments (bats and birds should be talked about separately) 19 Birds and bats are protected under the Wildlife and Countryside Act 1981 <i>and The Conservation of Habitats and Species Regulations 2017</i>. Where bats or birds have been found present in <i>or on</i> a building adequate care should <i>must</i> be taken to protect active nesting sites <i>by altering working practices and/or timing</i>. It is a criminal offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats, damage or destroy a bat roosting place (even if bats are not occupying the roost at the time) or intentionally/recklessly obstruct access to a bat roost. <i>If a bat, or roosting potential, is identified then specialist advice must be sought before progressing. and where necessary construction work should be delayed to avoid nesting or hibernation periods. Mitigation for any loss of wildlife habitat Where necessary may be required, should be provided for example bat and/or bird boxes within extensions or alterations to mitigate for loss of wildlife habitat. As good practice, inbuilt bat boxes can also be integrated into new builds/extensions with roost entrances and flight paths protected from lighting. The advice of the RMBC Ecology Development Officer and/or a professional ecologist can be sought for further guidance.</i></p>
	Council response
	<p>1. Whilst recognising that a solid boundary could be a barrier to wildlife, the erection of boundary treatment that is no more than 1m fronting the highway or 2m elsewhere, is exempt from planning control. As such, it would be onerous to impose the requirement of hedgehog access through the planning process, however this could be included as a suggestion and paragraph 41 is amended to reflect this.</p> <p>2. Suggested amendment to paragraph 41 (former paragraph 19) is mostly welcomed given the suggested reference to The Conservation of Habitats and Species Regulation 2017 which transpose European Union Directive 92/43/EEC (The Habitats Directive) because of Brexit.</p>
	Changes to SPD
	<p>1. & 2. Paragraph 41 amended to: <i>Birds and bats are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017. Where birds have been found present in or on a building adequate care should be taken to protect active nesting sites by altering working practices and/or timing. It is a criminal offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats, damage or destroy a bat roosting place (even if bats are not occupying the roost at the time)</i></p>

	<i>or intentionally/recklessly obstruct access to a bat roost. If a bat, or roosting potential, is identified then specialist advice must be sought before progressing. Where necessary, mitigation for any loss of wildlife habitat may also be required. Consideration should be given on ecological enhancement measures as part of the building work, such as providing hedgehogs access in boundary treatment or integrate bat/bird/bee boxes to the external wall of the build.</i>
Environment Agency	Summary of representation
	The Environment Agency has no comments to make
	Council response
	Noted
	Changes to SPD
None	
Coal Authority	Summary of representation
	No specific comments to make
	Council response
	Noted
	Changes to SPD
None	
Other changes to the SPD by the Council	
Reworded Design Guidance 1.2 and insert figure in relation to the 45 and 25 degree rule on two storey extension: <i>'See the figure in p.8 for more details of how we apply a 45° and a 25° rule.'</i>	
Additional guidance in Design Guidance 1.3 with regard to floor to ceiling windows and French / patio doors: <i>'Floor to ceiling windows and french / patio doors can increase the effect of overlooking and will usually be resisted if they are proposed in elevations above ground floor where they would be near to the boundary of an adjacent residential property.'</i>	
Additional guidance on amenity of occupier as Design guidance 1.8: <i>'A proposal which results in any habitable room without the provision of a sufficient outlook will normally be refused. High level windows/ rooflights or obscurely glazed windows do not provide a sufficient outlook to a habitable room and result in a poor standard of amenity.'</i>	
Reworded Design Guidance 2.8 and include guidance on other consents that may be required for the work: <i>'Most such vehicular accesses are exempt from planning control if it is not on a classified road. However, the following consent may be required: Highway Consent under Section 184 of the Highway Act for the constructional details of any work within the highway. Consent to carry out pruning and/or felling tree work if the property is in a Conservation Area or the trees are being protected by Tree Preservation Orders Listed Building Consent if the work would involve demolition and/or may affect the setting of adjacent Listed Building.'</i>	
Update the weblink in the Council's contact details at the last page of the document:	
Contact details If you have any questions regarding this Supplementary Planning Document please contact Planning Policy:	

Submit an enquiry to Planning Policy online:

<https://www.rotherham.gov.uk/xfp/form/535>

Email: planning.policy@rotherham.gov.uk

Telephone: 01709 823869

Website: <https://www.rotherham.gov.uk/localplan>

Post: Planning Policy Team, Planning, Regeneration and Transport,
Regeneration & Environment Services, Rotherham Metropolitan Borough
Council, Riverside House, Main Street, Rotherham, S60 1AE

For planning application and pre-application advice, please contact Development Management:

Submit an enquiry to Development Management online:

<https://www.rotherham.gov.uk/xfp/form/216>

Email: development.management@rotherham.gov.uk

Telephone: 01709 823835

Website: <https://www.rotherham.gov.uk/planning>

Post: Development Management, Planning, Regeneration and Transport,
Regeneration & Environment Services, Rotherham Metropolitan Borough
Council, Riverside House, Main Street, Rotherham, S60 1AE

Table 2: Development in the Green Belt SPD

Consultee	Summary of representation
<p>Country Land and Business Association (CLA)</p>	<p>Comment on para.77. The requirement that any sale price for a property with an agricultural occupancy condition must be agreed with the authority beforehand should be approached with great care. Any such valuation should be in accordance with RICS (Red Book) valuation standards and must avoid selling prices so low that they attract speculative purchasers.</p> <p>Council response</p> <p>The Council considers it would be unreasonable to control the sale of the property should it remain as a rural worker's home. However, for the purpose of para. 77 in relation to the removal of the condition through a Section 73 planning application, it is considered to be reasonable to include wording in relation to the valuation standard.</p> <p>Changes to SPD</p> <p>Amend the wording of bullet point 2 of para.79 (revised paragraph number): <i>'there is no demand for a rural worker's home in the area. In this case, the rural worker's home must have been put up for sale with a land agent, at a price agreed with us that takes account of the occupancy condition, for at least 12 months and have received no reasonable offer. Adverts should have been placed regularly in local newspapers and agricultural publications. Written proof in the form of invoices for adverts would be required and correspondence with land agents, valuers (to ensure valuation is undertaken in accordance with a recognised valuation standard and the sale price has been set reasonably), interested parties, and so on.'</i></p>
<p>Natural England</p>	<p>Summary of representation</p> <p>Green Belt</p> <ul style="list-style-type: none"> - We would, request full consideration of our interests in the process of selecting and assessing sites for allocation through the National Planning Policy Framework (NPPF). These interests include biodiversity; geodiversity; landscape character and quality; green infrastructure; access to the countryside and other open space; the protection and enhancement of soils; and environmental land management. This should be incorporated into the SPD. - The SPD should ensure that any development incorporates sustainable design and construction and shows both adaptation to and reduction in the contribution to climate change. - Natural England considers that there are a number of environmental constraints which may affect the size, scale, form and delivery of housing sites. <p>Biodiversity</p> <ul style="list-style-type: none"> - We advise that any development proposals should aim to avoid damage to existing biodiversity features, and to create opportunities for enhancing biodiversity through the delivery of Local Biodiversity Action Plan (LBAP) targets. <p>Geodiversity</p> <ul style="list-style-type: none"> - Planning policies should take a strategic approach to the conservation, enhancement and restoration of geodiversity, and promote opportunities for the incorporation of geodiversity interest as part of development.

	<p>Soils</p> <ul style="list-style-type: none"> - Early consideration should be given to the quality of soil resource on potential housing sites and therefore the study process provides a useful opportunity to consider soils and to ensure their protection during the plan making process. <p>Landscape Character</p> <ul style="list-style-type: none"> - The Local Authority should consider landscape character when allocating sites for development, particularly designated landscapes, including historic landscapes, to protect their natural beauty and amenity, wildlife and cultural heritage. <p>Green Infrastructure</p> <ul style="list-style-type: none"> - Green Infrastructure (GI) should be an integral part of the creation of sustainable communities and the study can provide a useful starting point in the consideration of GI provision and the allocation of new housing sites and policy development through the LDF. <p>Council response</p> <p>The comments mostly provide the general guidance on the position of Natural England in terms of site allocation in the plan making process. However, this consultation on the SPD is to provide specific guidance for development in the Green Belt which does not alter any land use that was allocated in the adopted Local Plan (Sites and Policies Documents).</p> <p>All proposals would be assessed against the Core Strategy Policy CS28 'Sustainable Design' and Sites & Policies Document Policy SP55 'Design Principles' to secure sustainable design and construction. As such, it is not required to reiterate in the SPD.</p> <p>Changes to SPD</p> <p>None</p>
Persimmon Homes	<p>Summary of representation</p> <ol style="list-style-type: none"> 1. The NPPF is clear in para.145G that the limited infilling or the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt is not classed as inappropriate development. However the Feb 2019 updated version of the NPPF has removed mention of harm on the original purpose of including the land within the Green Belt. The first sentence of guidance note 8 should therefore be amended to read as below: Planning applications to change the way land is used will need to show that the openness of the Green Belt will not be affected. 2. The second part of the guidance should be made clearer and outline the situations where buildings are classified as exceptions to inappropriate development within the Green Belt. <p>Council response</p> <ol style="list-style-type: none"> 1. It is acknowledged the reference of '...the purpose of including land within it than the existing development' in bullet point 6, paragraph 89 of the NPPF (March 2012) has been removed from the July 2018/ Feb 2019 NPPF and paragraph 145 of the latest NPPF specifically relates to the construction of new buildings. Nevertheless,

	<p>the Green Belt Guidance 8 covers the general change of use of land within the Green Belt which include development that are referred in Para.146 d) and e) of the NPPF which change of use would classed as inappropriate development if it is conflict with the purposes of including land within it.</p> <p>2. The definition of inappropriate development is listed on p.3 of the document which would be relevant for all development within the Green Belt and the SPD should read alongside with the individual guidance set out in the document.</p> <p>Changes to SPD</p> <p>1. Additional paragraph is added to the Green Belt Guidance 6 to clarify the position in accordance with paragraph 145 and 146 of the NPPF: <i>“While the construction of new buildings for limited infilling or the partial or complete redevelopment of previously developed land is not considered to be inappropriate in the Green Belt (footnote para. 145g of the NPPF), planning application should demonstrate whether redundant or in continuing use (excluding temporary buildings), which would:</i> – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”</p> <p>2. None</p>
<p>South Yorkshire Archaeology Service</p>	<p>Summary of representation</p> <p>It would be helpful if this could reference the need to consider the impact on archaeological evidence, both in terms of the archaeology of standing structures and of buried archaeological evidence.</p> <p>The SPD should make it clear that both conversion and new build has the potential to impact on archaeological evidence, either from the development and use of an individual historic building or from wider historic settlement activity. The potential archaeological impact of potential schemes within the Green Belt should be considered at an early stage, allowing for appropriate design and, if necessary, appropriate mitigation measures at the planning stage.</p> <p>This amendment could either be as a catch-all reference in a new ‘other issues’ section or more specific text could be inserted where the issue is most likely to occur, i.e. in the: ‘conversion of existing buildings’ and in the ‘infill dwellings in Green Belt villages’ sections</p> <p>Council response</p> <p>There a number of policies in the Core Strategy and Site & Policies Document of the Local Plan which consider the potential archaeological impact resulting from development such that it is not required to be reiterated in the SPD. The list of the policies are as following: CS21 ‘Landscape’ CS23 ‘Valuing the Historic Environment’</p>

	<p>SP42 'Archaeology and Scheduled Ancient Monuments'</p> <p>Changes to SPD</p> <p>None</p>
<p>Sheffield and Rotherham Wildlife Trust</p>	<p>Summary of representation</p> <ol style="list-style-type: none"> 1. SRWT and YWT support guidance on D. Enclosure 2. SRWT and YWT support guidance E. Lighting (paragraph 14) but it is a little vague about what would be suitable/not suitable. Can the guidance note also refer to potential impacts on wildlife from excessive lighting. One good recent guidance document is the 'Bats and artificial lighting in the UK – joint publication by the Institution of Lighting Professionals and Bat Conservation Trust available from https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/ 3. We suggest there could be an additional factors as follows: <ul style="list-style-type: none"> F: Landscaping 15. Any landscape plans submitted as part of a development in the Green Belt should not only consider the landscape and open elements of the greenbelt, but also the ecology of the area, especially if the development is in an ecological network (e.g. Local Nature Recovery Strategy or Nature Recovery Network) Relevant policies: SP32, SP33, CS19, CS20, CS21 And an additional factor as follows, either in General guidance or in Green Belt guidance 6 Agriculture and forestry proposals and Green Belt guidance 7 Equestrian development G: Designated sites 16. Any development or change of use in the Green Belt needs to consider any designations on the land, which the landowner may not be aware of, for example Local Wildlife Site designation. RMBC's current Sites and Policies maps can be consulted for up to date information. H: Biodiversity Net Gain Certain types and scales of development in the Green Belt will be subject to new Biodiversity Net Gain requirements. The Council's Ecological Development Officer will be able to advise more specifically. 4. We suggest re-wording paragraph 47 as follows: <p><i>"Farm buildings, and in particular older farm buildings, may contain animals and birds protected under the 1981 Wildlife and Countryside Act and The Conservation of Habitats and Species Regulations 2017. Examples include bats, Schedule 1 bird species including barn owls and nesting birds. As part of any conversion, it may be necessary to provide suitable areas for the protected species concerned to ensure their favourable conservation status. Early surveys (undertaken by a suitably qualified and experienced professional ecologist) to identify any potential ecology considerations is recommended due to survey seasons and potential mitigation lead-in time. The Council's Ecological Development Officer will be able to advise more specifically."</i></p> 5. We suggest an additional guidance note (e.g. paragraph 87) as follows in this section (or another section if RMBC decide it is more appropriate)

	<p>“Small-scale development associated with nature conservation or increasing access to nature may be considered appropriate if all other green belt and other related policy requirements are fulfilled. For example, a bird hide, compost toilet or outdoor shelter for environmental education purposes.”</p> <p>6. In addition, and I am not sure where this would fit - given the current controversy over Grange Landfill (Droppingwell tip) might this be an opportunity for RMBC to consider whether it could include some guidance to help prevent a similar situation arising again?</p>
	<p>Council response</p>
	<ol style="list-style-type: none"> 1. Comment of support is noted. 2. Suggestion on lighting guidance is welcomed and changes will be made accordingly. 3. It is considered that the policies in the Core Strategy and the Sites & Policies document provide a comprehensive approach to landscaping and ecology, there is no additional guidance specifically required for development in the Green Belt. 4. Suggestion noted and changes will be made accordingly. 5. All development subject to a planning application would be assessed on a case by case basis as the definition of such uses can be quite broad and there are other variable factors to consider 6. The issue arising over Grange landfill (Droppingwell Tip) is due to the lack of planning condition to control the perpetuity of its operation period as planning permission was granted in 1958. The built environment and the planning legislation has changed over time such that it is not considered there is a need for guidance on similar development in the SPD.
	<p>Changes to SPD</p>
	<ol style="list-style-type: none"> 2. Add additional paragraph in Appendix 2: “Artificial lighting would have potential impacts on wildlife such as bats, it is therefore important to thoroughly assess and mitigate any lighting scheme. Further advice can be sought from the Council’s ecologist and Local Wildlife Trust.” 4. Paragraph 51 amended to: <i>“Farm buildings, and in particular older farm buildings, may contain animals and birds protected under the 1981 Wildlife and Countryside Act and The Conservation of Habitats and Species Regulations 2017. Examples include bats, Schedule 1 bird species including barn owls and nesting birds. As part of any conversion, it may be necessary to provide suitable areas for the protected species concerned to ensure their favourable conservation status. Early surveys (undertaken by a suitably qualified and experienced professional ecologist) to identify any potential ecology considerations is recommended due to survey seasons and potential mitigation lead-in time. The Council’s Ecological Development Officer will be able to advise more specifically.”</i>
<p>Environment Agency</p>	<p>Summary of representation</p> <p>The Environment Agency has no comments to make</p> <p>Council response</p> <p>Noted</p>

	Changes to SPD
	None
Coal Authority	Summary of representation
	No specific comments to make
	Council response
	Noted
	Changes to SPD
	None
Other changes to the SPD by the Council	
Paragraph 6 last bullet point: Amend word 'well-being' to 'wellbeing'.	
Amend first sentence of paragraph 14: <i>'The Council will not allow proposals for floodlighting in the Green Belt unless it can be demonstrated the lighting will not detract from the character of the Green Belt.'</i>	
Paragraph 17: amend the wording to remove reference of 'we' <i>'The Council will take account of the degree to which your building has already been extended, and the effect of any further extension. You will need to consider several factors, such as the design, form and size of your extension.'</i>	
Paragraph 21: amend the wording to remove reference of 'we' <i>'When considering the proposal, the Council will also take account of the extension's effect on the character and appearance of the surrounding area.'</i>	
Paragraph 22: amend the wording to remove reference of 'we' and 'your' <i>'For large-scale proposals, particularly those in the open countryside, the Council will take account of the intended purpose of the extension. If the proposal is to bring an unimproved small home up to modern standards, this may represent a 'very special circumstance' to justify an extension over and above the 33% limit.'</i>	
Paragraph 24: amend the wording to remove reference of 'we' <i>'If planning permission is granted for an extension greater than 33% of the volume of the original building because of the removal of outbuildings, it is likely that the Council will also remove permitted development allowances for both further extensions and outbuildings.'</i>	
Paragraph 25: amend the wording to remove reference of 'we' <i>'In addition, the Council is also likely to remove permitted development rights where the extension(s) results in a volume increase in excess of 20% of the original volume in order that subsequent extensions can be adequately controlled.'</i>	
Paragraph 27: amend the wording to remove reference of 'we' and 'you' <i>'Applicant should be mindful an extension would not be a way of getting planning permission for a separate home (which would not be allowed under Green Belt policy). A proposed extension should not, by itself, or together with any existing dwelling, create a building</i>	

which would be readily capable of conversion into more than one dwelling, or which would facilitate the future formation of a separate residential curtilage. Under such circumstances the Council will treat it in the same way as applications for a new home.'

Paragraph 30: amend the wording to remove reference of 'we' and 'you'
'If planning permission is granted for a replacement building greater than 10% of the volume of the existing building because of the removal of outbuildings, it is likely that the Council will also remove permitted development allowances.

- If the outbuildings were within 5m of the original building, permitted development is likely to be removed for further extensions, and also possibly for outbuildings.*
- If the outbuildings were more than 5m away from the building, it is likely that the Council would remove permitted development allowances for further extensions AND outbuildings.'*

Paragraph 33: amend the wording to remove reference of 'we', 'you' and 'your'
'The Council will grant planning permission for replacement buildings only if your proposal meets factors A to E listed in the General guidance section of this guidance note, relevant local and national planning policies and the following criteria:

- both the building to be replaced and its curtilage must be lawful;*
- the building must not be materially larger than what it is replacing;*
- replacement buildings must not be significantly more visible and stand out more than the existing buildings;*
- plans of the existing building and calculations of the increase in volume of the replacement building should be submitted with the application;*
- replacing a temporary building (such as a caravan) with a permanent structure would not be permitted;*
- replacing a building converted from a traditional local building (such as a barn) with a more modern structure would affect the character of the Green Belt and it would not be allowed unless keeping the building as it is has proved not to be possible.'*

Paragraph 73: amend the wording to remove reference of 'we'
'Green Belt land in Rotherham is never far from a built-up area where there is a considerable supply of housing. For this reason, planning permission for a rural worker's home in the Green Belt would only be granted in very special circumstances.'

Paragraph 77: amend the wording to remove reference of 'we' and split into two paragraphs
'If planning permission is granted for a permanent home, the Council will remove permitted development rights for further extensions to, and new buildings within the curtilage (the small area forming part or parcel of the home or building within which it is contained or to which it is attached) of the agricultural or forestry worker's home. This is to make sure that further development cannot reduce the openness of the Green Belt.

The Council will also apply an 'occupancy condition' to state that the home can be lived in only by a rural worker in the area, or such a person's widow, widower or dependants.'

Paragraph 79: amend the wording to remove reference of 'we'
'The Council may remove the occupancy condition explained above only if it can demonstrate:

- the worker no longer needs to live close to the relevant activity (in which case justification and reason would be required); and*

- *there is no demand for a rural worker's home in the area. In this case, the rural worker's home must have been put up for sale with a land agent, at a price agreed with us that takes account of the occupancy condition, for at least 12 months and have received no reasonable offer. Adverts should have been placed regularly in local newspapers and agricultural publications. Written proof in the form of invoices for adverts would be required and correspondence with land agents, valuers (to ensure valuation is undertaken in accordance with recognised valuation standard and the sale price has been being set reasonably), interested parties, and so on.'*

Paragraph 80: amend the wording to remove reference of 'we'

'In accordance with chapter 6 of the NPPF, 'Supporting a prosperous rural economy', the Council recognises that farm businesses may need to diversify (move into other business activities) in rural areas to bring about benefits such as protecting or creating jobs, reusing buildings that might otherwise become derelict, and supporting other rural businesses.'

Paragraph 81: amend the wording to remove reference of 'we'

'The Council will allow existing buildings to be re-used for other purposes as long as the use does not have a significantly greater effect than the present use on the openness of the Green Belt, and does not conflict with the purposes of including land within it.'

Paragraph 82: amend the wording to remove reference of 'you'

'Planning permission would not be required to sell unprocessed goods produced on the farm, and a minimal amount of other related goods, from the farm. Farm shops play an important role in providing fresh produce to local people, and are a good example of diversification. However, planning permission would be required to sell produce which have not produced on site (within the farm).'

Paragraph 87: amend the wording to remove reference of 'we'

'Paragraph 145(b) of the NPPF notes that new buildings (such as stables) are only acceptable if they provide appropriate facilities for outdoor sport and outdoor recreation, and as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. If planning permission is required for the equestrian development in the Green Belt, planning permission would only be granted if the proposal meets factors (a) to (e) listed in Section 2 of this guidance note, relevant draft planning policies and the following criteria:

- *Stables should be a suitable distance away from homes to avoid problems of smell, noise, pests and so on (taking account of wind directions and other relevant factors). Officer will seek guidance on an appropriate distance from our Environmental Health Department.*
- *Existing buildings should be used wherever possible and any new buildings should generally be made from wood with felt roofs so they are relatively easy to dismantle when they are no longer needed and are in keeping with the character of the Green Belt.*
- *Stables and associated tack room/storage should be appropriate for the outdoor recreational use of the associated land, and genuinely required for that use. Livery proposals will be considered on their impact on the character and amenity of the area.'*

Paragraph 88: amend the wording to remove reference of 'we' and 'us'

'As explained, the Council will not usually agree to extensions to buildings in the Green Belt if the volume of the original building would be increased by more than 33%. You must submit plans and your calculations of the increase in volume with your application.'

Paragraph 96: amend the wording to remove reference of 'we' and 'us'

'As explained, the Council will not usually agree to extensions to buildings in the Green Belt if the volume of the original building would be increased by more than 33%. You must submit plans and your calculations of the increase in volume with your application.'

Update the weblink in the Council's contact details at the last page of the document:

Contact details

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Table 3: Equal and Healthy Communities SPD

Consultee	Summary of representation
Canal & River Trust	<p>We welcome the draft Draft Equal and Healthy Communities SPD, which builds upon the Planning Practice Guidance, and sully identifies that development and urban design should seek to promote active, healthy lifestyles and healthy living environments. The Trust believe that enhanced access to our network as part of the Green Infrastructure Network could help achieve some of these aims; and could make the Local Plan more effective in meeting the aims of the National Planning Policy Framework to support healthy communities and lifestyles.</p> <p>The Trust have recently undertaken research on the contribution our network makes to wellbeing. We believe that our network can promote healthy lifestyles through providing routes for walking and cycling, and can also provide spaces for people to relax, which could improve their self-reported wellbeing. Our 2017 Community Survey (produced by Kantar TNS) identified that 90% of our visitors undertook physical activity, and that waterway users have a higher life satisfaction figure (81%) than non-users (71%). These are two examples of how use of our network could help prevent ill-health through improving the measures identified within the boroughs Joint Health and Wellbeing Strategy 2016-19.</p> <p>Additional information upon this can be found in our outcomes report: https://canalrivertrust.org.uk/refresh/media/thumbnail/33802-canal-and-river-trust-outcomes-report-waterways-and-wellbeing-full-report.pdf</p> <p>The proposed incorporations of an equal and healthy communities checklist, supported by the draft guidance, has the potential to help ensure that development is designed positively to support resident’s wellbeing. The Trust would welcome the incorporation of a checklist which takes account for people’s access to the strategic Green Infrastructure network in Rotherham, which would include our waterway corridor.</p> <p>Having reviewed the draft checklist (appendix 1), we wish to make the following comments:</p> <ol style="list-style-type: none"> 1. Movement and Access We welcome the consideration given in this section to the promotion of easy access to sites by walking, cycling and public transport. Consideration for the provision of new access points (subject to our consent onto the towpath network where required) and improved signage could help ensure that developments in proximity to our network can benefit from access to a traffic free route for sustainable travel, which provides access to major services and employment generators at Rotherham Town Centre and in and around Meadowhall. 2. Development Design Development in proximity to our network can have a significant impact upon the attractiveness of our network for walking and cycling, as well as its use as a recreational resource. Although the wording of the checklist is for the formation of a ‘safe, attractive and well designed environment’, we are concerned that the criteria checklist does not include any sections asking whether the development positively addresses external spaces, including adjacent Green Infrastructure and walking and cycling routes.

For example, the focus on secured by design features could result in the formation of tall fencing or barriers to neighbouring amenity space or publicly accessible paths, which could discourage their use, and could result in harm to the wellbeing of residents.

We therefore advise that consideration is given to the formation of a new criteria in this section concerning the impact on adjacent land. Potential wording is provided below:

“Does the development positively address adjacent spaces, including Green Infrastructure and walking and cycling routes”

3. Optimising Green Infrastructure and Access to Open Space

We welcome the consideration given towards the integration of development to Green Infrastructure and existing Open Space. This should help to ensure that future residents can benefit from our network where possible.

It is important to recognise that significant new developments in the vicinity of Green Infrastructure assets, including the canal and waterway network, do place extra liabilities and burdens upon the infrastructure, particularly as a result of the use of pathways as a form of open space and as a sustainable transport route. In addition, there is often an increased burden in terms of ongoing maintenance costs, for example the removal of litter from the water and maintenance of the towpath.

The Trust currently operates a ‘steady state programme’ whereby we ensure that the waterway network remains safe and operational and basic maintenance is carried out. In addition to the General Works Programme of maintenance and vegetation management we carry out reactive repairs and have a rolling programme to replace lock gates and other operational structures. However, we are unable at present to fund large scale enhancement/improvement projects. As a result, the repercussions of nearby development can have a significant impact on the ability to improve our towpath in line with any additional use and it is essential that appropriate contributions are secured from developers in order to maintain and improve the condition of the infrastructure.

We presume the above would also apply for the impact of development on Green Infrastructure assets throughout Rotherham Borough.

We therefore request that part 3 is expanded to incorporate the consideration of the impact of development on neighbouring Green Infrastructure Assets, and the potential need for off-site contributions to mitigate any harm the development could result in towards that asset. Suggested potential wording is provided below:

“Has the impact of additional use of neighbouring Green Infrastructure Assets been fully considered and addressed (e.g. litter, path erosion)?”

Council response

Comment of support is noted.

	<p>The suggestion on additional criteria for checklist section 2 (Development Design) and section 3 (Optimising Green Infrastructure) are welcome and change will be made accordingly.</p> <p>Changes to SPD</p> <p>Add additional criteria to section 2 of the checklist at appendix 1: “Does the development positively address adjacent spaces, including Green Infrastructure and walking and cycling routes?”</p> <p>Add additional criteria to section 3 of the checklist at appendix 1: “Has the impact of additional use of neighbouring Green Infrastructure Assets been fully considered and addressed (e.g. litter, path erosion)?”</p>
James Rodgers	<p>Summary of representation</p> <p>Whilst I understand the authority’s principles on restricting Hot Food Takeaways, it needs to be made clear in the form of maps, the extent of which areas will be classed as being in a defined town, district or local centre. In Maltby for example, all of the retail areas are within 800 metres of a school. If Hot Food Takeaways were to be restricted as per your proposal then none could exist in Maltby. This would lead to local job losses and the retail areas would decline further with empty shops that cannot be filled.</p> <p>Council response</p> <p>The town, district and local centres are defined in Policy SP19 ‘Development within Town, District and Local Centres’ with the support of maps at the Appendix 1: Retail Centres in the Sites & Policies Document, and shown on the Policies Map.</p> <p>The Health and Equalities Guidance 2 states ‘The exception to this is where proposals also fall within a town, district or local centre (as defined in the Local Plan)’. In this case proposals will be considered against the requirements of Policy SP22 ‘Hot Food Takeaways’.</p> <p>Changes to SPD</p> <p>None</p>
John Harwood	<p>Summary of representation</p> <p>The damage to human, animal and plant life health is increasing exponentially. The cause is the covert introduction of dangerous radio frequency radiation and 5G infrastructure. Since no genuine safety testing has been carried out on this technology and given that the providers of this technology cannot obtain public liability insurance for their profiteering, the introduction of wireless and 5G infrastructure breaches the RMBC’s duty of care to the public. ‘Captured’ agencies like ICNIRP and PHE can no longer be trusted to set the genuine safe limits that we all need. Safety always lags behind technology. The severity of symptoms of Electro Hyper Sensitivity (EHS) has still to be acknowledged and dealt with.</p>

	<p>Thousands of people are already suffering severe symptoms that are directly related to EHS, yet thanks to repressed media reporting, they may be unaware of the causes. This issue absolutely must be addressed in every new policy and consultation that is even remotely relevant. If we look to the Russian nation, who's situation is years in front of the UK, they are in the process of taking down masts and reducing signal levels. How much more suffering will councils ignore before acting on their duty of care?</p> <p>Council response</p> <p>The health concerns in relation to telecommunication proposals would be considered against Policy SP61 'Telecommunications' and the NPPF. The Council follows the advice and guidance provided by Public Health England (PHE) regarding the health and safety of mobile technologies including 5G. PHE have recently composed a new study on 5G technologies (Oct 2019). This concludes that when 5G is added to a network there is a slight increase to overall exposure of radio waves. However, it is advised that the overall exposure is expected to remain low and therefore should have no consequence for public health. For further information: https://www.gov.uk/government/publications/5g-technologies-radio-waves-and-health/5g-technologies-radio-waves-and-health</p> <p>Changes to SPD</p> <p>None</p>
Mr & Mrs Stamp	<p>Summary of representation</p> <p>You make reference in paragraphs 34-38 that evidence undoubtedly supports the link between the incidence of fast food outlets and obesity and other health related issues so I strongly believe that the policy must be more robust and specific in paragraph 38. Could there be incentives within the planning regulations to encourage healthier food outlets? E.g. a percentage reduction in business rates to those opening up innovative, healthier takeaways with less emphasis on saturated fat and meat? I know that reference is made in other documents to limiting the number of adjacent fast food outlets, but should the council be committing within this document to not granting permission to further outlets once a maximum number has been established within a particular area (or even to reducing the numbers)?</p> <p>Council response</p> <p>Business rates, the type of business (for example, the cuisine and cooking of the takeaways) fall outside of planning control such that planning policy cannot interfere with business rates or the specific cuisine of the takeaways. Policy SP22 'Hot Foot Takeaway' would control the percentage of A5 use within centres and require sequential test for such use if it is out of centre, this is considered to be effective to limit the number and location of the hot food takeaways over the plan period.</p> <p>Changes to SPD</p> <p>None</p>

Persimmon Homes	Summary of representation
	1. The guidance will be applied to all applications of 50 or more dwellings. No justification is provided by RMBC for the threshold. Further information should be provided in order to demonstrate the requirement. 2. Within the checklist the mention of charging for electric bikes / vehicles within point 3 should be removed. The provision of charging points for electric bike and vehicles should only be introduced through the Local Plan process. 3. Within the aim of achieving sustainable design features is accepted, the mention of green roofs and shade trees should be removed from point 4 in section 3 of the checklist. This will allow more flexibility for developers to provide sustainable design features on a site by site basis which can be incorporated into the design of schemes. The point should be altered to the below: - Is there provision of or requirement for sustainable design features such as sustainable urban drainage systems of other appropriate features?
	Council response
	1. The Council feels it is a reasonable threshold for the purpose of the checklist in line with the guidance in the SPD. Development for 10 or more dwelling constitutes as a major development; however it is considered that in this instance a proposal of 50 or more dwellings is of a scale more likely to create a sense of community. 2. The provision of electric vehicular charging point is in response to the national and local guidance to mitigating and adapting to climate change and contribute to healthier communities by reducing emission and the use of fossil fuels. This is supported by existing adopted Local Plan policy. The Council has now taken the approach to impose planning conditions on all development for the provision of electric charging points / infrastructure. 3. The use of green roofs and shade trees should be encouraged as it would be in line with the Government approach to promote greenery in development (Planning for the Future , published on 12 th March 2020)
	Changes to SPD
None	
Environment Agency	Summary of representation
	The Environment Agency has no comments to make
	Council response
	Noted
Coal Authority	Changes to SPD
	None
	Summary of representation
No specific comments to make	
Council response	
Noted	
Changes to SPD	
None	

Other changes to the SPD by the Council

Amend the word 'wellbeing' from 'well being / well-being' across the document for consistency.

Update the weblink in the Council's contact details at the last page of the document:

Contact details

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Reformat References as Appendix 4

Table 4: Town Centre Uses and Developments SPD

Consultee	Summary of representation
Sheffield City Council	<ol style="list-style-type: none"> 1. Para 21. Request that consideration be given to including guidance in the SPD for applicants so they can ensure their impact assessments are 'proportionate to the scale and nature of the proposal' 2. Para 48. Request that consideration be given to greater flexibility in relation to the site search for the sequential test. Typically Sheffield uses + or- 20%.
	<p>Council response</p>
	<ol style="list-style-type: none"> 1. Amended wording of para.21 2. While it is acknowledged that the percentage is lower than Sheffield, the 10% benchmark is deemed to be reasonable in Rotherham. Furthermore this is an indicative figure, and allows flexibility to be adjusted on case by case basis in negotiation with the applicant.
	<p>Changes to SPD</p>
Wickersley Parish Council	<ol style="list-style-type: none"> 1. Amend the wording of para.21 <i>In line with Core Strategy Policy CS12 and the guidance given in this SPD, applicants should agree with the Local Planning Authority the scope of the evidence and analysis to be submitted to ensure that this is proportionate to the scale and nature of the proposal.</i> 2. None
	<p>Summary of representation</p>
	<p>'Paragraph 72 of the SPD on Town Centre Uses and Developments sets out the principles to be observed for development within Primary and Secondary Shopping Frontages. Wickersley Parish Council considers an additional principle should be added to cover the situation where more than one adjacent units are proposed to be changed to a single new non A1 use. In such cases the calculation should be based on the original number of units, not the number of units subsequently proposed.</p> <p>The Parish Council make this point because a recent situation arose where it was proposed to change 3 units to a single A3 use and the calculation was based on the new number of units rather than the existing. This skewed the percentage calculation in such a way that it underestimated the impact of the proposal on the mix of retail units in the District Centre.'</p>
<p>Council response</p>	
<p>It would be unreasonable for the calculation to be based on the existing number of units as the purpose of policies SP20 and SP21 is to assess the effect of the proposed development to the Primary and Secondary Shopping Frontage. It is worth noting that the intensity and scale of development would also be assessed in addition to assessing how the development would impact on the percentage of A1 units.</p>	
<p>Changes to SPD</p>	
<p>None</p>	

Environment Agency	Summary of representation
	The Environment Agency has no comments to make
	Council response
	Noted
	Changes to SPD
	None
Coal Authority	Summary of representation
	No specific comments to make
	Council response
	Noted
	Changes to SPD
	None
Other changes to the SPD by the Council	
After paragraph 16 included a new paragraph and table clarifying the approach to sequential tests for sites within mixed use areas, highlighting that where main town centre uses are proposed which accord with the menu of acceptable uses for that mixed use area then no further sequential test evidence will be required.	
At the end of paragraph 17 inserted a cross reference to the Equal and Healthy Communities SPD regarding hot food takeaways.	
Amend paragraph 21 to change 'we' to 'The Council': <i>'The Council provides and encourages the use of pre-application service which aims to increase the efficiency of the Council's planning process and to resolve any planning problems and issues with applicants at an early stage, before the submission of a planning application.'</i>	
Amend paragraph 72 to change 'we' to 'Officers': <i>'In line with the NPPF and Core Strategy Policy CS33, the Council will take a positive approach that reflects the presumption in favour of sustainable development. Officers will work with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.'</i>	
Since the SPD being drafted, new monitoring data have been recorded and Appendix 2 is amended to reflect the change.	
Update the weblinks I the document, and in the Council's contact details at the last page of the document:	
Contact details	
If you have any questions regarding this Supplementary Planning Document please contact Planning Policy:	
Submit an enquiry to Planning Policy online:	
https://www.rotherham.gov.uk/xfp/form/535	
Email: planning.policy@rotherham.gov.uk	
Telephone: 01709 823869	
Website: https://www.rotherham.gov.uk/localplan	

Post: Planning Policy Team, Planning, Regeneration and Transport,
Regeneration & Environment Services, Rotherham Metropolitan Borough
Council, Riverside House, Main Street, Rotherham, S60 1AE

For planning application and pre-application advice, please contact Development Management:

Submit an enquiry to Development Management online:

<https://www.rotherham.gov.uk/xfp/form/216>

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Post: Development Management, Planning, Regeneration and Transport,
Regeneration & Environment Services, Rotherham Metropolitan Borough
Council, Riverside House, Main Street, Rotherham, S60 1AE

Table 5: Air Quality and Emissions SPD

Consultee	Summary of representation
Mr & Mrs Stamp	<p>I think it is commendable that reference is made in paragraph 13 to the benefit that trees have in absorbing dust and other pollutants but I believe that more emphasis should be placed on the overarching benefits of trees in relation to CO2 and ultimately climate change. Indeed Friends of the earth are currently campaigning for the doubling of the UK forest area by 2045. Rotherham could set an example by referencing more, the benefits of trees within this document. https://friendsoftheearth.uk/trees</p> <p>Council response</p> <p>Comment is noted and it is covered in the Council's policy document 'Rotherham Council Responding to the Climate Emergency' which the Council current in the process to adopt.</p> <p>Changes to SPD</p> <p>None</p>
Natural England	<p>Summary of representation</p> <p>Natural England advises that the following information should be included in the SPD.</p> <ul style="list-style-type: none"> • the magnitude and scale of the development's pollution footprint (once known), using an appropriate air quality modelling technique, and what effect this would have on the designated site(s) taking into account information such as: • the sensitivity of the notified or interest features • the most appropriate environmental benchmarks for each feature on each designated site (e.g. site relevant critical levels and critical loads). <p>We recommend using the Air Pollution Information System (www.apis.ac.uk) to obtain information about site/habitat sensitivity (e.g. critical loads and levels for ecosystem protection)</p> <p>Natural England welcome the references in the SPD to improve air quality or mitigate impacts, such as through traffic and travel management, and green infrastructure (GI) provision and enhancement.</p> <p>Implications of layout for noise, pollution and disturbance of adjacent sensitive sites and how GI may be used to achieve this is important. This also links closely with sustainable transport within Rotherham, the use of GI to connect to or incorporate an existing or planned network, such as walking and cycling routes, which should help reduce the reliance on more polluting transport. More guidance on how to incorporate GI to achieve a better environment needs to be included in this SPD.</p> <p>Regarding effects on general air quality (regional or national), we advise that in addition to assessing local air quality effects, consideration should also be given to national air quality impacts resulting from diffuse pollution over a</p>

	<p>greater area. The UK Government has international commitments to reduce national emissions of pollutants and consideration should be given to impacts that occur on a regional, national and international scale and which also contribute to background concentrations.</p> <p>Council response</p> <p>The suggestion are welcome and change will be made accordingly.</p> <p>Changes to SPD</p> <p>Insert a new section on The Habitats Regulations on after Clean Air Zones section:</p> <p><i>The Habitats Regulations require that a development proposal, or a project or plan, will not cause a likely significant effect or, where likely significant effects cannot be discounted, no adverse effect on the integrity of designated sites.</i></p> <ul style="list-style-type: none"> - <i>The predicted impact and effect of emissions to air from the development on Natural England’s designated site(s) should be determined. This will include the magnitude and scale of the development’s impact on air pollution, using an appropriate air quality modelling technique. It is important to identify important ecological features that may be affected, with reference to a geographical context in which they are considered important. The impact and effect must be established by considering the in-combination impact with other projects and plans. The effects of air pollution arising from the development on the integrity of the designated site shall be established.</i> - <i>Levels of predicted pollutants should be evaluated against the National air quality objectives and European Directive limit and target values for the protection of vegetation and ecosystems https://uk-air.defra.gov.uk/assets/documents/Air_Quality_Objectives_Update.pdf</i> - <i>The most appropriate environmental benchmarks for each feature on each designated site (e.g. site relevant critical levels and critical loads) should be used. It is recommended that the Air Pollution Information System (www.apis.ac.uk) is used to obtain information about site/habitat sensitivity (e.g. critical loads and levels for ecosystem protection)</i> - <i>Rotherham’s designated sites can be found at https://designatedsites.naturalengland.org.uk/</i>
<p>Persimmon Homes</p>	<p>Summary of representation</p> <p>1. The threshold identifies in Table 1 is based upon adapted criteria from appendix B of the Department of Transport document ‘Guidance on Transport Assessment’ which was adopted in 2007. This appendix relates to the indicative thresholds for transport assessment and not air quality emissions assessments. Although the two are in some ways related, in that transport has an effect on air quality, they are two different issues which require separate reports. In addition this guidance as withdrawn in 2014. No reasoning is provided as to why this guidance has been used for the purpose of both air quality assessment and transport assessments. It is, in our opinion, not appropriate to base the criteria on this guidance as it is outdated. No additional justification has been provided as to why the threshold is set at >50 dwellings. If RMBC wishes to implement such a threshold then robust and transparent evidence must be provided in order to justify and explain the threshold.</p>

2. The damage cost assessment requirement has no policy basis, either locally or nationally. It is also no clear as to whether air quality assessment accompanying all medium proposals must include a damage costs assessment or whether only certain medium proposals must provide this. The flowchart on p.8 indicates that emissions cost assessment is required for major scale developments but not for medium proposals. P.14 of the document implies that all medium proposals should include a damage cost whereas p.23 states 'certain medium and all major'. This position should be clarified and the criteria for determining whether or not an emissions cost assessment is required for medium scale proposals should be clearly outlined. Within previous guidance damage cost assessments were only required for development proposals classified as major. Such proposals are in sensitive locations whereby the potential economic costs of development needs to be assessed. Medium proposals are not as sensitive and there is no reason provided as to why such stringent examination is needed for them. This requirement should be removed for medium classified proposals as it is overly onerous. Alternatively clarification of specific criteria affecting some medium proposals which would require such an assessment should be clearly set out. In addition the flow chart on p.8 should be made clearer as to the requirements for minor, medium and major proposals.
3. Major proposals are identified as those which meet or exceed both the criteria identified in Table 1 and which meet at least one of the criteria in Table 2. No evidence is provided which supports the criteria and it is therefore not justified. Whilst some of the criteria is clear and easily measurable others are not. In particular, the third criteria states that development 'close' to a number of identified roads would be classed as a major proposal. This is ambiguous and does not provide clear guidance for developers as which category their development would fall in. This criteria is additional to the criteria previously used to categorise major development as outlined in the 'Delivering Air Quality Good Practice Guidance' and justification should be included as to its incorporation.
4. Box 3 within the SPD outlines suggested mitigation for residential development which would be adhered to by all proposals. It requires 1 charging point per dwelling where dedicated parking is to be provided. Such a requirement is not appropriate for an SPD and can only be introduced through the Local Plan process. The proposed requirement cannot be sought without evidence gathering, policy formulation, viability testing and ultimately Examination in Public. The NPPF is clear in para.105 that it is for planning policies to incorporate provision for charging points.
5. Box 1 also outline the provision of secure cycle storage, further information should be provided by RMBC as to the specifics of their requirement. As written it is ambiguous as to what is meant by the term 'secure cycle storage'. It is in Persimmon Homes' view that anchor points on dwellings without garage would be sufficient.
6. In addition to adhering to Box 3 medium and major proposals must also provide a Travel Plan as required by the RMBC's guidance document: Transport Assessments, Travel Plans and Parking Standards: Good Practice Guidance 2014 (and any subsequent replacement). This document is not adopted as part of the Development Plan. It is not appropriate to rely on such documentation and a specific SPD should be provided on the requirements of Travel Plans and Parking Standards. Par.53 provides some requirements for Travel

	<p>Plans. This includes annual monitoring of the Travel Plan against the agreed targets and objectives. Further guidance should be provided as to how long such annual monitoring should be undertaken for.</p> <p>7. Box 4 provides additional suggested mitigation options for medium and major proposals. Point 5 relates to new or improved bus stop infrastructure. This may not always be required and the wording should therefore be altered to allow flexibility.</p> <p>Council response</p> <p>1. In terms of the thresholds for each land use type above which an emissions/air quality assessment is required, the thresholds have been chosen to be consistent with other English authorities Emissions and Air Quality Guidance. For example West Yorkshire authorities, West Midlands authorities and Sussex local authorities all use the same thresholds.</p> <p>2. Noted the suggestion and will amend the document for clarity.</p> <p>3. The term ‘close’ to major roads is used to avoid being too prescriptive. A development could be adjacent to a major route or some distance away from a particular road of concern to have an impact. The Council encourage pre-application discussions prior to any assessment being undertaken and at this stage can evaluate which roads are likely to be impacted upon and the likely significance of any development.</p> <p>4. See further details in ‘Other changes by the Council’ below regarding the provision of electric vehicle charging points.</p> <p>5.& 6. The Council is currently in the process of preparing a Transport Assessment, Travel Plans and Parking Standards SPD which will provide further guidance on cycle storage and Travel Plan.</p> <p>7. All mitigation measures would be considered on case by case basis.</p> <p>Changes to SPD</p> <p>1. None</p> <p>2. Insert new paragraph in Stage 1: development type classification for clarity: <i>‘Some medium proposals, such as a distribution centre (B8), would have a much greater impact compared with other uses in terms of emissions from transport. If a proposal meets or exceeds one of the criteria in Table 1 and it also meets or exceeds one or more of the criteria listed as ‘other’ at the bottom of table 1, an emissions and cost calculation would be required.’</i></p> <p>3. None</p> <p>4. See details below</p> <p>5.& 6. None</p> <p>7. None</p>
Highway England	<p>Summary of representation</p> <p>The first point to note is that Highways England are aligned with the ambition of Rotherham MBC in improving air quality. Our Air Quality Strategy was published in August 2017, and supports working in partnership with other organisations to deliver compliance with the air quality legislation.</p>

	<p>The introductory paragraphs of Rotherham’s Air Quality SPD provide an overview of the role the planning system plays in order to improve air quality and reduce exposure to air pollution. It states that, “Whilst planning policy cannot solve immediate air quality issues, it has a role to play so that any likely scheme impacts are reasonably mitigated and future scheme occupants are able to make sustainable vehicle choices”. As a statutory consultee in the planning process, Highways England strongly agree with this stand point. We recognise that planning applications may contribute to existing air quality issues on the SRN</p> <p>However, Highways England are currently unable to make recommendations on the basis of air quality through the planning system. Our role in the planning system is defined by DfT Circular 02/2013 ‘The Strategic Road Network and the Delivery of Sustainable Development’ and as such we are reliant on Rotherham considering the air quality impact of any planning application. However, we are strongly supportive of the objectives and will aim to assist where possible. We also strongly advocate the use of sustainable modes of transport and seek to encourage these through individual site Travel Plans.</p> <p>The SPD states that Rotherham with Sheffield are required by Government to implement a Clean Air Zone (CAZ) due to the exceedance of statutory limits relating to the annual average concentrations of Nitrogen Dioxide (NO2). As such it identifies that development proposals which are likely to impact on the air quality in any of the designated national exceedance areas, will require “particular emphasis on mitigation measures” to ensure no adverse impacts on air quality will result. A representative from Highways England has been in attendance at the Clean Air Zone Steering Group and there is a commitment moving forward to collaborate where possible.</p> <p>We are particularly supportive of your thresholds for each land use type above which an air quality assessment and mitigation will be required.</p> <p>Overall, we are strongly supportive of the fact that impact on air quality is a material consideration in the determination of planning applications. We recognise that it is ultimately for the Local Planning Authority to determine the weight to be given to it and the acceptability of proposed mitigation measures, though we aim to work in partnership to achieve our shared objective.</p>
	<p>Council response</p> <p>Support is noted</p> <p>Changes to SPD</p> <p>None</p>
<p>Environment Agency</p>	<p>Summary of representation</p> <p>The Environment Agency has no comments to make on the Supplementary Planning Documents</p> <p>Council response</p>

	Noted
	Changes to SPD
	None
Coal Authority	Summary of representation
	No specific comments to make
	Council response
	Noted
	Changes to SPD
	None
Other changes to the SPD by the Council	
Amendment to National Planning Policy section (para.11 and 13) to reflect the wording of the new NPPG (Nov.2019):	
<p>11 To support the NPPF, the Government has produced Planning Practice Guidance(PPG),including guidance relating to air quality (3).Paragraph 8 of this Planning Policy Guidance (reference ID: 32-008-20140306 32-008-20191101), deals specifically with mitigating air quality impact and states:</p> <p><i>“Mitigation options where necessary will be will need to be location-locationally specific, will depend on the proposed development and should be need to be proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. <u>Planning conditions</u> and <u>obligations</u> can be used to secure mitigation where the relevant tests are met.” (Bold and underline emphasis added.)</i></p>	
<p>13 Examples of mitigation include:</p> <ul style="list-style-type: none"> — the design and layout of development to increase separation distances from sources of air pollution; - <i>maintaining adequate separation distances between sources of air pollution and receptors;</i> — using green infrastructure, in particular trees, to absorb dust and other pollutants; - <i>using green infrastructure, in particular trees, where this can create a barrier or maintain separation between sources of pollution and receptors;</i> - <i>appropriate means of filtration and ventilation;</i> — promoting infrastructure to encourage modes of transport with low impact on air quality; - <i>including infrastructure to promote modes of transport with a low impact on air quality (such as electric vehicle charging points);</i> - <i>controlling dust and emissions from construction, operation and demolition; and</i> - <i>contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.</i> 	
Omit para. 15 as it is incorrectly included	
Adding paragraph in Local Planning Policy section to include Policy SP57 ‘Sustainable Construction’:	

'Policy SP57 Sustainable Construction which indicates that development will need to be designed to withstand and adapt to the predicted impacts of climate change.'

Map 1 Air Quality Assessment Areas is amended to reflect the latest AADT data (2018) and reduced the number of indicators from 11 to 4 for clarity.

Additional section on the provision of electric vehicle charging points is added after Local Planning Policy section:

A key theme 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 (ULEVs). The NPPF (paragraph 110) requires a scheme proposal to 'be designed to enable charging of plug-in and other ULEVs in safe, accessible and convenient locations'.

Policy CS30 'Low carbon & Renewable Energy Generation' 1 Energy states 'Development should seek to reduce carbon dioxide emissions through the inclusion of mitigation measures...c. Incorporating low carbon and renewable energy sources. Developments will be supported which encourage the use of renewable, low carbon and decentralised energy. All development should achieve, as a minimum, the appropriate carbon compliance targets as defined in the Building Regulations.

The Council policy document 'Rotherham Council Responding to the Climate Emergency' <https://modern.gov.rotherham.gov.uk/mgConvert2PDF.aspx?ID=125067> aims to reduce borough-wide carbon emissions to net zero by 2040 and one of the key areas identified to reduce borough-wide transport emissions is to 'facilitate a borough-wide switch to EVs (electric vehicles) and Ultra Low Emission Vehicles (ULEVs) through continuing to expand charging infrastructure' (para.6.8.5 of the policy document). Ensuring that new development is equipped with appropriate charging infrastructure will help ensure that Rotherham's residents and businesses are well placed to make use of electric vehicles as the Government moves forward its plans to phase out the sale of petrol, diesel and hybrid powered vehicles.

Electric Vehicle Charging Points Provision

A standard level of electric vehicle charging points provision is expected in most development in addition to mitigation arising from the exposure assessment, via planning condition, as follows:

- *Residential developments: A minimum of 1 charging point per dwelling and 1 charging point per parking space for flats (including changes of use to dwellings).*
- *Non residential developments (for proposals with 5 or more parking spaces): Provision of vehicle charging point infrastructure (cabling routes) to serve every car parking space and a minimum of 20% of parking spaces to have charging points.*

The exact number, specification, location and maintenance schedule for electric vehicle recharge infrastructure should be agreed with the relevant authority.

Omit paragraph 48 – 51 and reworded into the Electric Vehicle Charging Point Provision section.

Amendment to Box 4 to reflect the requirement for electric vehicle charging points provision stated above:

- *Commercial/Retail – ~~10%~~ 20% of parking spaces to be provided with an electric vehicle charging point; this may be phased with 5% initial provision and the remainder at an agreed trigger level.*

- *Industrial – 10% 20% of parking spaces to be provided with an electric vehicle charging point; this may be phased with 5% initial provision and the remainder at an agreed trigger level.*

Reformat the document and moved 'Planning Recommendation' to be after 'Status' section.

Include Council's contact details at the end of the document:

Contact details

If you have any questions regarding this Supplementary Planning Document please contact Planning Policy:

Submit an enquiry to Planning Policy online:

<https://www.rotherham.gov.uk/xfp/form/535>

Email: planning.policy@rotherham.gov.uk

Telephone: 01709 823869

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Post: Planning Policy Team, Planning, Regeneration and Transport,
Regeneration & Environment Services, Rotherham Metropolitan Borough
Council, Riverside House, Main Street, Rotherham, S60 1AE

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Post: Development Management, Planning, Regeneration and Transport,
Regeneration & Environment Services, Rotherham Metropolitan Borough
Council, Riverside House, Main Street, Rotherham, S60 1AE

Table 6: Shop Front Design Guide SPD

Consultee	Summary of representation
<p>British Sign and Graphics Association</p>	<p>Concern the SPD by far exceeds the policy on which it is supposedly based, that it exceeds what is permitted in law; that it is impractical and unrealistic; it fails to take account of the actuality of Rotherham’s shopping environment; that its requirements are unduly onerous and excessive.</p> <p>The main difficulty is its emphasis on ‘traditional’ shopfronts as opposed to ‘modern’. There is no example of what the Council consider to be a quality modern shopfront.</p> <p>The emphasis on avoiding internal illumination is contradictory and fails to reflect the reality that internal illumination is the most common form of fascia sign within the town centre. The SPD fails to take account of innovation in sign design and there is no mention of LED illumination. The smaller size of the luminaries, their long life and their minimal heat generation allows modern box signs to be much slimmer and more versatile than their neon tube illuminated predecessors. These signs needed thickness in the depth of the box to allow for the bulkier tubes and their fittings, as well as to allow heat to dissipate. Moreover, the SPD fails to recognise that internal illumination allows light to be very carefully directed (eg. Through letters / logo only), whereas external illumination necessarily casts light not only onto the sign but also its surrounds. It also often produces an uneven light spread which is itself unsatisfactory both for the retailers and the street-scene.</p> <ol style="list-style-type: none"> 1. Para.12 needs to recognise ‘blinds’ may not require planning permission and if they contain advertising materials they must be treated as advertisement. Standard retractable blind may have deemed consent under Class 5 in Schedule 3 of the Regulations 2. Para.15 is incorrect as many illuminated signs may be displayed with deemed consent and it is unclear on wording of ‘extra large’ – suggest the first sentence to be deleted 3. Para.17 section on ‘drawings’ should make clear that the required details will vary depending upon the application 4. Para.22 need clarification on wording and contradictory 5. Bullet point 6 of para.22 needs to be amended and point 7 should be deleted as it is contradictory 6. Para.24 should insert word ‘normally’ to allow exceptions 7. Para.26 has no justification for such requirement 8. Para.27 is unacceptable and should be reworded 9. Para.28 require clarification as ‘professional’ lettering 10. The section on ‘hanging and projecting signs’ is unacceptable as there are many examples of projecting signs fixed to the fascia panel in Rotherham town centre

11. Para.45 should be reworded as it is incorrect
12. Para.46 should include LED illumination
13. Para.47 contradict with para.45 and should be reworded
14. Para.49 misspell word and the restriction on the colour and palette is unnecessary and should be deleted
15. Para.50 suggest rewording for clarity
16. Para.52 bullet point 3, the use of 'acrylic, Perspex, plastic' should be qualified and should be reworded
17. Para.52 bullet point 9 is unreasonable for business to be restricted in its choice of colour because of adjacent properties and should be deleted

Council response

The suggestion are welcome and some changes will be made accordingly.

In regard to point 4, the Council considers new shopfronts should harmonise with the host building even if the current shopfront does not do so. With regard to the suggested example on College Street, it is worth noting that it is within Conservation Area and it is the Council's intention to improve and enhance existing shopfronts over time.

In regard to point 7, the purpose of the document is to provide guidance for applicants on how to achieve better design of shopfront and signage such that the consideration of the content on the signage is relevant.

Changes to SPD

1. Amend the paragraph and remove the wording 'with flair'
2. Amend the paragraph in regard to the proposals that require planning permission:
'The Town and Country Planning (General Permitted Development) (England) Order (as amended), planning permission is required if:
 - *the development is within the curtilage of a listed building;*
 - *any alteration would be within a Conservation Area;*
 - *the development would consist of or include the construction or provision of a verandah, balcony or raised platform;*
 - *any part of the development would extend beyond an existing shop front;*
 - *the development would involve the insertion or creation of a new shop front or the alteration or replacement of an existing shop front; or*
 - *the development would involve the installation or replacement of a security grill or shutter on a shop front*

The list is not exhaustive and as a general guidance planning permission is likely to be required if the development would significantly change the external appearance of the building. As such, the Council should be contacted for advice prior to commencing any work.'
3. Reword section on Advertisement Consent to:
'The display of advertisements with the associated structure is controlled through Advertisement Consent and separate planning permission is not required in addition to the consent.'

There are 3 different categories of advertisement consent which are set out in the Town and Country Planning (Control of Advertisements)(England) Regulation 2007.

Detailed guidance is available in the Government publication 'Outdoor Advertisements and Signs' available at: <https://www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers>

In general, A-boards, signs that are larger than 0.3m² or illuminated, would require advertisement consent. As regulation can be difficult to interpret, with certain criteria and conditions to be met, the Council should be contacted for advice prior to commencing any work.'

4. Clarify requirement for submitting a planning application with reference to pre-application advice, validation policy on planning application and insert a box to identify general requirements.
5. Amend bullet point and reformat as 'Key Principles':
 - *The style of the shop front should harmonise with the age and character of the building as a whole.*
 - *The scale of the shop front should be in proportion with the rest of the building.*
 - *An existing shop front which contributes to the character of a building or area should be retained and refurbished rather than replaced. Any original features such as pilasters and fascia that have been concealed by later additions should be exposed and restored in order to enhance the appearance of the shop front.*
 - *It is important that the replacement shop front respects the period and style of the building in terms of proportion and quality of materials and relate well to neighbouring properties.*
 - *Where adjacent shop fronts are to be operated as a single concern then each shop front should be individually expressed by retaining or reintroducing pilasters between them.*
 - *Over-cluttering of signage on the shopfront will not be supported as it can be harmful to the amenity*
 - *Illumination of shop signs should be carefully designed and have regard to the overall design and the surrounding area*
 - *Canopies and blinds should be incorporated within the overall design.*
 - *Door recesses should not be deeper than 600mm and door should open inward so it would not encroach onto the public footpath*
 - *Doorways and entrances should be accessible to people with disabilities.*
6. None
7. Reword the paragraph for clarity:

'Lettering and graphics should be moderately sized and should be in proportion to the dimensions of the fascia. Clear well spaced letters are as easy to read as larger oversized letters. The sign should be kept simple with the name of the shop and a simple graphic logo and the street number. Too much information such as slogans and photographs creates visual clutter which will not be acceptable.'
8. Reword the paragraph to:

'Bulky surface mounted box-like fascia signs that are attached over the front of fascia boards would detract from the appearance of the shop. They will not be permitted and alternatives should be considered.'

9. Reword the paragraph to:

'Where there is a small fascia or none at all, individual letters may be applied to the face of the building or display signage internally. The font and materials of the lettering sign should be carefully considered.'

10. Reword section 'Hanging and Projecting Signs':

'As a general rule, only one sign will be allowed per shop with an area no larger than 0.75m².

Timber or cast metal signs are particularly appropriate on traditional shop fronts. The sign should be mounted on a console at fascia level; or on a pilaster below fascia level; or below first floor cill level. External illumination maybe acceptable, such as Tungsten lamps

For modern shopfronts, modest slimline projecting signs with limited LED or neon illumination may be acceptable subject to the overall design of the shopfront. Careful design will be given consideration and would be assessed on its own merit.

Bulky, old-fashioned box signs are not considered to be acceptable. Modern, well-crafted, elegant box signs, particularly those employing thin fluorescent tubes or LEDs, with modest illumination restricted to lettering and / or graphics, are likely to be acceptable on contemporary shopfronts within shopping areas.'

11. Amend paragraph to:

'Fascia illumination, where it is required, should be considered as part of the street scene. A variety of subtle lighting styles will add interest.'

12. Amend paragraph to:

'Lamp types include tungsten halogen floods, tungsten spotlights, low voltage tungsten spotlights, swan-necked metal arms, and concealed modest LED lighting. The use of traditional fluorescent tubes is not recommended as they are bulky and not as durable.'

13. Reword paragraph to:

'Translucent plastic letters or graphics are inset into an opaque panel which is illuminated from behind. The light box must be of slimline design; it should fully recessed behind the fascia, if this is not possible, it should have a minimal projection from the fascia panel.'

14. Reword paragraph to:

'Cold Cathode Tubes Decorative Signs

Graphically elegant neon signs may be acceptable if they are of moderate size, single colour and limited palette as they can be a distraction to highway users in low light conditions.'

15. Reword paragraph to:

'Shop window display lighting contributes towards a safe night-time environment. Discrete spotlighting to highlight architectural features of a shop front or building is welcomed. Permission is not required unless the building is listed.'

Summary of representation

Environment Agency	The Environment Agency has no comments to make
	Council response
	Noted
	Changes to SPD
Coal Authority	None
	Summary of representation
	No specific comments to make
	Council response
	Noted
Other changes to the SPD by the Council	Changes to SPD
	None
Other changes to the SPD by the Council	
The format and sections of the document have been revised for it to be easier to read.	
Amend Local Planning Policy section to include Policy SP40 and SP41: <i>'Policy SP40 Listed Buildings which sets out detailed principle for alterations to a Listed Building. Policy SP41 Conservation Area which sets out development are required to preserve or enhance the character or appearance of Conservation Areas and their setting.'</i>	
Amend Listed Building Consent section to clarify the legislation requirement: <i>'Listed building consent is required for any works to demolish any part of a listed building or to alter or extend it in a way that affects its character as a building of special architectural or historic interest, irrespective of whether planning permission is also required. For all grades of listed building, unless the list entry indicates otherwise, the listing status covers the entire building, internal and external, and may cover objects fixed to it, and also curtilage buildings or other structures. Undertaking works, or causing works to be undertaken, to a listed building which would affect its character as a building of special historic or architectural interest, without first obtaining listed building consent is a criminal offence under section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990. There is no fee for submitting an application for listed building consent.'</i>	
Amend Conservation Area section to reflect the omission of Conservation Area Consent: <i>'Conservation Areas are areas of special architectural or historic interest and stringent controls are in place to protect buildings within those areas. Conservation Area Consent was abolished under Enterprise and Regulatory Reform Act 2013 and replaced with a requirement for planning permission for demolition of a building / shop front in a conservation area.'</i>	
Amend planning application checklist: <i>'Are the graphics, advertisements and illumination appropriate to the scheme?'</i>	
Added new section on Shopfront Unity and Cohesion before 'Shop front design elements': <i>'Over time, alterations to shopfronts can lead to a disjointed appearance of a building and/or a loss of cohesion across a group of buildings in the street scene. When altering shopfronts, businesses and owners should aim to restore cohesion across architectural</i>	

lines and design features of both the building itself and the adjacent buildings. Efforts should be made to establish visual order across all stories of a building or façade, as opposed to focusing on the ground floor shopfront in isolation.

Where opportunities exist to improve unity across a façade or group of buildings, the Council would encourage consistency in design as part of the planning process. Where site wide improvements are required, for instance in a conservation area, the council may impose planning conditions to secure improvements to the development.'

Amended Shutters section with clearer guidance:

'Internal perforated lattice grille shutters (powder or plastic coated) is the preferred shutter option. When used in conjunction with toughened and laminated glass of suitable specification it would meet the requirement of Secure by Design. These would act as a visible form of security without affecting the character of the original shopfront.

External roller shutters will only be considered suitable if it can be demonstrated that there is no other alternative and each application will be assessed on its own merits.

- *Solid steel shutters are not acceptable as they can attract graffiti and create an undesirable hostile environment*
- *Aluminium shutters with compact shutter boxes are recommended as they are available in a wider range of design and powder coated colour options*
- *The shutter boxes should form an integral part of the shopfront surround, situated behind the fascia line*
- *The shutter should be perforated or punched to allow a minimum of 25% vision level (when back lit)*
- *Partial solid shutter will only be acceptable if it is no more than 30% coverage of the overall shutter (for example, at the base of the shutter closer to the ground)*
- *Tube and link shutters may be acceptable subject to appropriate design and specification'*

Reworded Reinforced Stallrisers and Steel Framed Shop Front:

'The reinforcement is an unobtrusive way to strengthen the shop front which would help to reduce the risk of ram raiding.

This is a commonly used on public buildings and banks, however it is also helpful to shops with high value goods such as jewellery and electronics.'

Insert photographs to demonstrate examples of contemporary shop front in Rotherham.

Include Council's contact details at the last page of the document:

Contact details

If you have any questions regarding this Supplementary Planning Document please contact Planning Policy:

Submit an enquiry to Planning Policy online:

<https://www.rotherham.gov.uk/xfp/form/535>

Email: planning.policy@rotherham.gov.uk

Telephone: 01709 823869

Website: <https://www.rotherham.gov.uk/localplan>

Post: Planning Policy Team, Planning, Regeneration and Transport,
Regeneration & Environment Services, Rotherham Metropolitan Borough

Council, Riverside House, Main Street, Rotherham, S60 1AE

For planning application and pre-application advice, please contact Development Management:

Submit an enquiry to Development Management online:

<https://www.rotherham.gov.uk/xfp/form/216>

Email: development.management@rotherham.gov.uk

Telephone: 01709 823835

Website: <https://www.rotherham.gov.uk/planning>

Post: Development Management, Planning, Regeneration and Transport,

Regeneration & Environment Services, Rotherham Metropolitan Borough

Council, Riverside House, Main Street, Rotherham, S60 1AE