

# Public Document Pack



<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 22 March 2016
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## AGENDA

### SITE VISITS:

1. Planning Application No: 2015/1163

**Please meet at the Town Hall at 11.00 a.m.**

Plan Number	Site	Approx Time of Arrival
2015/1163	Planning application for the erection of 7 no. bungalows at land adjacent to 30 Rotherham Road, Great Houghton, Barnsley, S72 0DE	11.30 a.m.

Local Members are invited to attend in respect of those visits within their ward.

**The remainder of the agenda will be considered at  
2.00 p.m. in the Council Chamber**

2. Declarations of Interest

To receive any declarations of pecuniary or non-pecuniary interest from Members in respect of the under mentioned planning application/s which is/are subject of a site visit.

### MEETING:

3. Minutes (*Pages 3 - 6*)

To receive the minutes of the meeting held on 23<sup>rd</sup> February, 2016

4. Town and Country Planning Act 1990 - Part III Applications - Speakers/Site Visits

To consider applications whereby speakers have indicated a desire to address the Regulatory Board (*if any*).

5. Town and Country Planning Act 1990 - Part III Applications (*Pages 7 - 44*)

The Head of Planning and Building Control will submit a report on applications received for consideration.

To: Chair and Members of Planning Regulatory Board:-

Councillors D. Birkinshaw (Chair), G. Carr, Cherryholme, Coates, M. Dyson, Franklin, Gollick, Griffin, Grundy, Hampson, Hand-Davis, Hayward, Higginbottom, Leech, Makinson, Markham, Mathers (Mayor), Mitchell, Morgan, Noble, Richardson, Riggs, Spence, Stowe, Unsworth and R. Wraith

Matt Gladstone, Executive Director Place  
David Shepherd, Service Director Economic Regeneration  
Paul Castle, Service Director Environment and Transport  
Joe Jenkinson, Head of Planning and Building Control  
Matthew Smith, Group Leader, Development Control  
Steve Kirkham, Planning Officer Group Leader (Inner Area)  
Jason Field, Interim Senior Lawyer (Planning)

Parish Councils

Please contact Elizabeth Barnard on (01226) 773420 or email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk)

Monday, 14 March 2016

<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 23 February 2016
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## MINUTES

### Present

Councillors D. Birkinshaw (Chair), G. Carr, Cherryholme, Coates, Franklin, Gollick, Grundy, Hampson, Hayward, Higginbottom, Leech, Mitchell, Morgan, Noble, Richardson, Riggs, Spence, Stowe, Unsworth and R. Wraith

### In attendance at site visit

Councillors D. Birkinshaw, G. Carr, Grundy, Hayward, Mitchell, Morgan and R. Wraith

### 44. Declarations of Interest

Councillor Stowe declared a non-pecuniary interest in **Planning Application 2015/1302** – Residential development of 43 dwellings with associated works at former Highfield Grange Care Home, Blythe Street, Wombwell, Barnsley, S73 8LH as he is a local resident.

Councillor Hayward declared a non-pecuniary interest in Item 5 – Trustees of Boulder Bridge Lane Trust application for a certificate of appropriate alternative development pursuant to the Land Compensation Act 1961 as he is a member of the Boulder Bridge Community Group.

### 45. Minutes

The minutes of the meeting held on 26<sup>th</sup> January 2016 were taken as read and signed by the Chair as a correct record.

### 46. Town and Country Planning Act 1990 - Part III Applications

**Planning Application 2015/0891** Residential development with associated public open space, landscaping and link road. (2013/0280 - Reserved Matters) at land to the south east of Dearne Hall Road & 1 and 3 Claycliffe Road, Barnsley

Mr Mark Jones addressed the Board and spoke in favour of the officer recommendation to approve the application.

Mr John Hutchinson addressed the Board and spoke against the officer recommendation to approve the application.

**RESOLVED** that the application be granted in accordance with the officer recommendation, subject to additional conditions relating to imposition of highways warning signs along spine road, boundary treatment around pond as well as an informative note about the need for a S106 Agreement relating to Affordable Housing provision.

**Planning Application 2015/1302** Residential development of 43 dwellings with associated works at former Highfield Grange Care Home, Blythe Street, Wombwell, Barnsley, S73 8LH.

Mr Steve Gamble addressed the Board and spoke in favour of the officer recommendation to approve the application.

**RESOLVED** that the application be granted in accordance with the officer recommendation and subject to signing of a S106 Agreement for Affordable Housing and Public Open Space provision. In addition, information is to be added to highlight to the developer that there have been concerns over the capacity of drainage systems in the area and for them to ensure, in connection with Condition 9, that drainage is satisfactorily provided for, and all necessary permissions are obtained to provide a suitable method of foul and surface water drainage.

**Planning Application 2015/1163** Erection of 7 bungalows at land adjacent to 30 Rotherham Road, Great Houghton, Barnsley, S72 0DE.

**RESOLVED** that the application be deferred for a site visit.

It was noted that 5 appeals were received in January 2016. None were withdrawn or decided. Since 1<sup>st</sup> April 2015, 15 appeals have been decided, 13 of which (87%) have been dismissed and 2 of which (13%) have been allowed.

#### **47. Boulder Bridge Report**

The Head of Planning and Building Control presented a report regarding the reassessment of the Certificate of Appropriate Alternative Development issued on 27<sup>th</sup> October 2015 relating to land at Carlton Marsh, Carlton, on the basis of the circumstances that prevailed on 10<sup>th</sup> December 1985 and if necessary issue an addendum to that Certificate.

**RESOLVED** that the Board considers that no use, other than the extraction of fuel deposits, would be considered to be appropriate alternative development as at 10 December 1985 and that authority be given to the Head of Planning and Building Control to issue an addendum to the S17 Certificate previously issued to that effect, subject to conditions which include limiting the period by when the land must be restored.

#### **48. Oughtibridge Mills**

The Head of Planning and Building Control presented a report seeking the approval of Planning & Regulatory Board pursuant to Section 101(1)(b) of the Local Government Act 1972 to delegate its decision-making functions as local planning authority to Sheffield City Council in respect of the determination of a forthcoming outline planning application and planning related activities, including negotiation of the terms of the S106 agreement (including any subsequent deeds of variation) and monitoring and enforcement thereof as well as any subsequent application for the approval of the reserved matters, S73 applications, non-material amendments and applications for the discharge of planning conditions for residential development at the Former Oughtibridge Paper Mill site in Sheffield (postal address).

**RESOLVED** that, subject to the Council retaining the ability to submit consultation responses, Planning Regulatory Board authorises the delegation to Sheffield City Council pursuant to Section 101(1)(b) of the Local Government Act 1972 of the Council's decision making functions as local planning authority for a forthcoming outline planning application and planning related activities relating to land edged red on the attached plan, including negotiation of the terms of the S106 agreement (including any subsequent deeds of variation) and subsequent monitoring and enforcement thereof as well as any subsequent application for the approval of the reserved matters, S73 applications, non-material amendments and applications for the discharge of planning conditions.

**49. Planning Enforcement Policy (Cab.13.1.2016/13)**

The Head of Planning and Building Control presented a report seeking the Board's approval to adopt a Planning Compliance Policy.

**RECOMMENDED TO COUNCIL** that the Planning Compliance Policy be approved.

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Chair

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# Item 5

## Report Précis

Report of the Head of Planning and Building Control to the Planning Regulatory Board

Date: 22/03/2016

### Subject

Applications under Town and Country Planning Legislation.

### Purpose of Report

This report presents for decision planning, listed building, advertisement, Council development applications and also proposals for works to or felling of trees covered by a Preservation Order and miscellaneous items.

### Access for the Disabled Implications

Where there are any such implications they will be referred to within the individual report.

### Financial Implications

None

### Crime and Disorder Implications

Where there are any such implications they will be referred to within the individual reports.

### Human Rights Act

The Council has considered the general implications of the Human Rights Act in this agenda report.

### Representations

Where representations are received in respect of an application, a summary of those representations is provided in the application report which reflects the key points that have been expressed regarding the proposal.

Members are reminded that they have access to all documentation relating to the application, including the full text of any representations and any correspondence which has occurred between the Council and the applicant or any agent of the applicant.

### Recommendation(s)

That the applications be determined in accordance with the recommendations set out in the main report which is attached. Full report attached for public and press copy (unless Confidential item).

### Background Papers

These are contained within the application files listed in the following schedule of planning applications. They are available for inspection at the Civic Hall, Eldon Street, Barnsley, S70 2JL.

## INDEX

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**2015/1163 Approval**

**Page 9**

Erection of 7 bungalows

Land adjacent 30 Rotherham Road, Great Houghton, Barnsley, S72 0DE

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**2015/1407 Approval**

**Page 18**

Application for approval of reserved matters of outline planning permission 2014/0452 for 2<sup>nd</sup> phase of development of 141 dwellings (appearance, landscaping, layout and scale)

Former North Gawber Colliery, Carr Green Lane, Mapplewell, Barnsley. S75 6DY

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**2015/1490 Approval**

**Page 29**

Erection of 40 affordable residential dwellings and associated infrastructure

Former Foulstone School, Nanny Marr Road, Darfield, Barnsley. S73 9AB



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**2015/1163**

Applicant: Mr. M. Platts

Description: Erection of 7 bungalows

Site Address: Land adjacent 30 Rotherham Road, Great Houghton, Barnsley. S72 0DE

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**This application was deferred from the February Planning Board for a site visit. Councillor Higginbottom requested the application go to the Planning Board. No letters of objection received**

### **Description**

The site is the former Sandhill Primary School set off Rotherham Road, Great Houghton. The site is currently vacant and measures approximately 0.26ha and gently slopes up towards to the south. The school building was demolished and relocated to the new Sandhill Primary School building located off Dearne Street in 2007.

The site is set within a predominately residential area, characterised by traditional, terraced dwellings and semi-detached properties. Adjacent to the site to the north, is Great Houghton Library/Hall. To the eastern boundary is a bungalow and to the south is a recreation area.

### **Proposed Development**

The applicant seeks permission for the erection of 7 bungalows. The bungalows are arranged around a private drive access from Rotherham Road. There are 3 different house types proposed with 3, 2 bed bungalows (House Type A) and 4, 3 bed bungalows (house types B and C). All of the dwellings have 2 parking spaces per unit, with plots 4, 5, 6 and 7 having detached garages. The properties have ample front and rear gardens.

The dwellings have been designed with hipped roofs and small feature canopies/porches to the front and constructed from artificial stone with a grey concrete tiled roof. Three of the properties face onto Rotherham Road.

In support of the application, the applicant has submitted a transport statement prepared by Cannon Highways Ltd, dated September 2015.

### **Policy Context**

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

#### The Core Strategy

CSP26 New Development and Highway Improvement  
CSP29 Design  
CSP43 Educational Facilities and Community Uses

### Saved UDP Policies

H8A – The scale, layout, height and design of all new dwellings proposed within the existing residential areas must ensure that the living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy, landscaping and access arrangements.

H8D – Planning permission for infill, backland or tandem development involving single or a small number of dwellings within existing residential areas will only be granted where development would not result in harm to the local environment or the amenities of existing residents, create traffic problems or prejudice the possible future development of a larger area of land.

### Consultation Draft Local Plan

The Council has produced a Consultation Draft Local Plan which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation. In the Policies Maps the site is allocated as Urban Fabric.

### Unitary Development Plan

The UDP designation is Community Facility

### Relevant Supplementary Planning Documents and Advice Notes

SPD Designing New Housing  
SPD Parking

### NPPF

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of particular relevance to this application include:

Para 32: 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'

Para's 58 & 60: Design considerations

### **Consultations**

Drainage – No objections subject to conditions

Yorkshire Water – No objections subject to conditions

Regulatory Services – No objections subject to conditions

Highways DC – No objections subject to conditions

## **Representations**

The application was advertised by way of neighbour notification letters and a site notice. No letters of representation have been received

## **Assessment**

### Principle of Development

The site is currently vacant following the demolition of the former Sandhill Primary School. Due to its former use, the site is allocated as a Community Facility within the UDP Proposals Maps. Policy CSP 43 – ‘Educational Facilities and Community Uses’ of the Core Strategy applies to such uses. CSP 43 states that such uses will be protected from development unless it can be demonstrated that the sites and premises are no longer required by the existing use or an alternative community use.

The school was demolished and relocated to the new Sandhill Primary School building located off Dearne Street in 2007. The application site has stood vacant since this time with no other community uses coming forward to utilise the site. . The site is close to the centre of Great Houghton where there are other community facilities in close proximity including a Church and Working Mens Club. As such it not considered that the site is necessary or required for a community use, and its loss would not be of detriment to the locality. As such other uses can be considered and, given the adjacent areas are allocated as Housing Policy Areas, it is felt that a residential use would be compatible with the surrounding uses. The proposals are also for the redevelopment of a brownfield site and are within a sustainable location. The principle of a residential development of the site is therefore acceptable in principle subject to other material considerations as outlined below.

### Residential Amenity

No objections have been raised by neighbouring residents. The properties have been designed to meet the required separation distances set out in SPD ‘Designing New Housing Development’. It is not felt that there would be any significant impact by way of overlooking, overshadowing or disturbance created by the proposal once constructed.

In terms of external spacing, the plots meet or exceed the garden areas set out in the SPD and South Yorkshire Residential Design Guide. All the properties are single storey dwellings and they provide an acceptable layout to ensure amenities of future occupiers are adequately protected. The proposal is considered acceptable in terms of residential amenity in accordance with the SPD ‘Designing New Housing Development’.

### Visual Amenity

From a visual/design perspective, the proposed dwellings on this site would be appropriate in their context and not result in a visually intrusive or overly prominent feature within the street scene. The properties in the immediate area mainly consist of terraced dwellings and semi-detached properties. Immediately to the eastern boundary is a stone built hipped roofed bungalow. The proposed bungalows have been designed with stone heads and cills, hipped roofs and small feature canopies/porches to the front and constructed from artificial stone with a grey concrete tiled roof. Three of the properties face/side onto Rotherham Road to create an active frontage, with the properties to the rear facing onto the private cul-de-sac.

The proposal is well designed, appropriate for the area and considered to accord with policies CSP 29, and the SPD 'Designing New Residential Development'.

### Drainage

The Council's Drainage Officer and Yorkshire Water have been consulted and have no objections to the proposal subject to conditions.

### Highway Safety

The site is accessed from Rotherham Road which is a classified road which links Great Houghton with the A6195, a primary route between Barnsley and Doncaster to the south and the A628/A6201 in the north. The transport assessment submitted with the application indicates that due to the nature of the development that there would be a negligible impact in terms of additional traffic and that recent accident records indicate that there are no road safety problems within the vicinity of the site.

There are a number of road calming measures along Rotherham Road with speed humps being present on the approach to the site from Middlecliffe. The access to the site is in close proximity to a road junction, with a bus stop and layby opposite adjacent to the village hall, and a school crossing patrol point immediately adjacent. Visibility is restricted by the horizontal alignment of the highway, and the appropriate visibility for a 30mph speed limit cannot be achieved. However, there is extensive speed calming throughout Great Houghton which controls speeds.

Highways have stated that the current speed humps on the approach to the site from Middlecliffe are outdated and are in need upgrading to match those within the centre to further reduce speeds. The applicant has proposed to replace the two rows of speed bumps to the south of the site which will allow for a reduction in overall speed. This reduction in speed would allow a corresponding reduction in the visibility requirement which is currently restricted by the horizontal alignment of the highway. Consequently, highways have no objections to the proposed development, subject to conditions including the following highway improvement works to be submitted and approved:-

- Replacement of two rows of speed humps immediately to the south of the site;
- Measures to prevent parking on the site frontage and in the bus layby;
- Any necessary signing/lining.

It is acknowledged that the upgrading of the speed humps may not be considered a popular approach with local residents as the upgrade will result in the tarmac speed humps being replaced by the larger plastic style speed humps seen further up Rotherham Road. Whilst these are more effective at controlling speeds they can be seen as unpopular with local residents who can see them as being too 'harsh' especially if they use the road on a daily basis. However, it is likely that these speed humps would be upgraded in time anyhow, under highways works that go on throughout the borough. The visual impact of these changes is also minimal to the locality. The upgrade would also allow a slowing down of the speeds to ensure the development meets the visibility requirements required by highways. As such, it is not considered that this proposal would be of any significant detriment to the highway or to the locality to warrant refusal of the application.

Overall the site layout allows for the safe parking and manoeuvring of properties within the site and each dwelling has been provided with 2 parking spaces in line with the SPD Parking. Highways DC have raised no objections in principle and subject to the imposition of appropriate conditions, the scheme is not considered to be of any significant detriment to highway safety in accordance with policy CSP 26.

## **Conclusion**

The site is no longer required for a community purpose and as the site is set in a primarily residential area and adjacent areas are allocated as Housing Policy Areas, it is felt that a residential use would be compatible with the surrounding uses. Consequently the proposal reflects the requirements of Core Strategy policy CSP 43.

The design and scale of the proposal is appropriate and would not have any significant impact upon visual amenity or residential amenity. The highways section have raised no objection to the proposal subject to conditions, and as such the scheme is considered to accord with policies and guidelines and is recommended for approval.

## **Recommendation**

### **Grant subject to conditions**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
**Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.**
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Nos 01/02, 01/03, A-01, B-01, C-01, SG-01) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 3 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.**
- 4 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - The parking of vehicles of site operatives and visitors
  - Means of access for construction traffic
  - Loading and unloading of plant and materials
  - Storage of plant and materials used in constructing the development

- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

**Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**

- 5 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

- 6 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

**Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

- 7 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**

- 8 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 9 The visibility splays, indicated on the approved plan, shall be safeguarded such that there is no obstruction to visibility and forming part of the adopted highway.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 10 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.  
**Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 11 Prior to the occupation of the dwellings, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:
- Replacement of two rows of speed humps immediately to the south of the site;
  - Measures to prevent parking on the site frontage and in the bus layby;
  - Any necessary signing/lining.
- The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.  
**Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**
- 12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:-
- The parking of vehicles of site operatives and visitors;
  - Means of access for construction traffic;
  - Loading and unloading of plant and materials;
  - Storage of plant and materials used in constructing the development;
  - Measures to prevent mud/debris being deposited on the public highway.

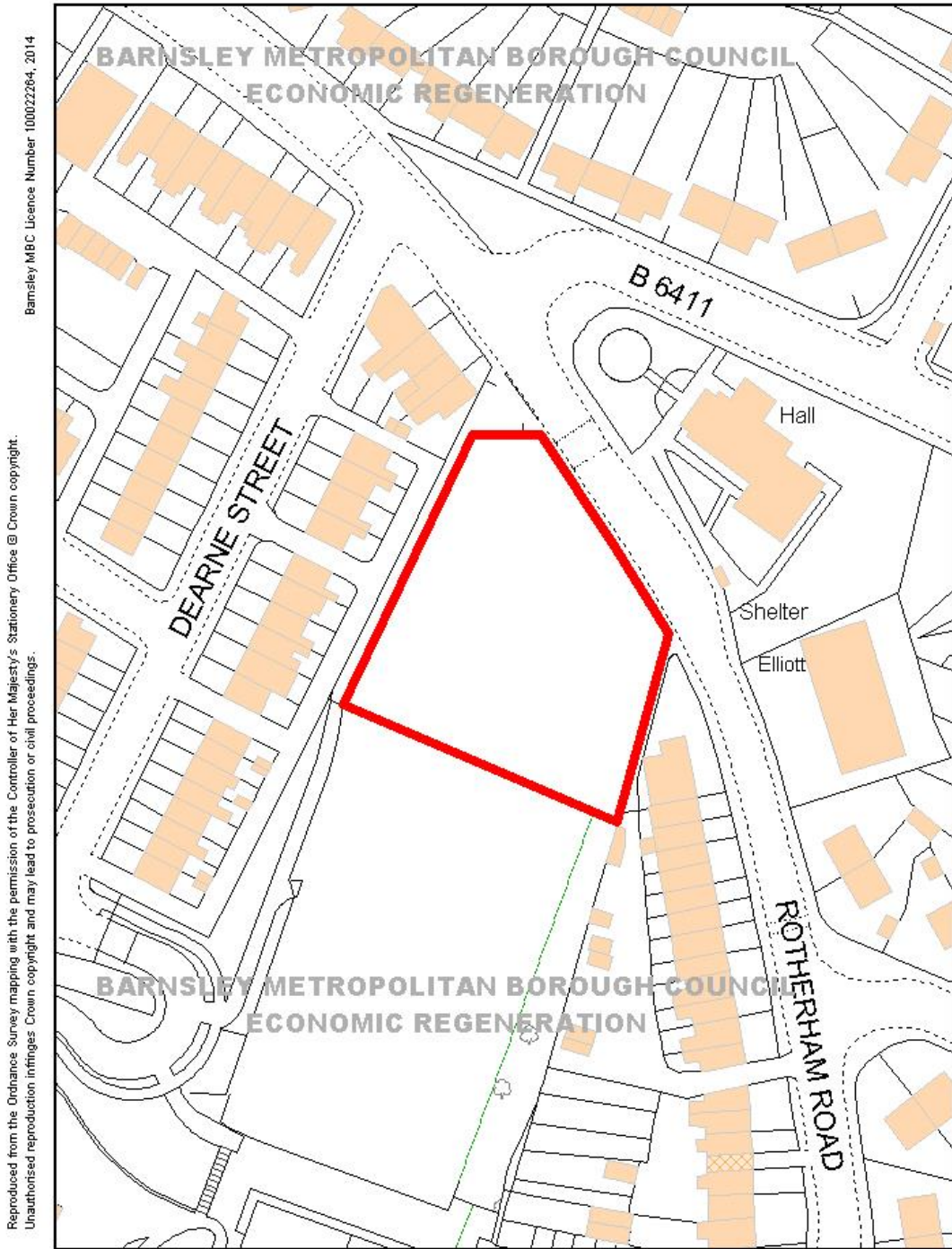
**Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**

- 13 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
- Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**



PA reference :-

2015/1163



**BARNESLEY MBC - Economic Regeneration**

Service Director: David Shepherd  
Westgate Plaza One, Westgate,  
Barnsley S70 9FD  
Tel: 01226 772621



Scale 1:1250

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**2015/1407**

Applicant: Harron Homes

Description: Application for approval of reserved matters of outline planning permission 2014/0452 for 2nd phase of development of 141 dwellings (appearance, landscaping, layout and scale)

Site Address: Former North Gawber Colliery, Carr Green Lane, Mapplewell

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1 letter of objection received.

### **Background**

The application follows on from applications 2014/0452, 2015/1015 and 2015/0926 which approved the following:-

- The remediation of the site to create a development platform and outline planning permission for a development of up to 325 dwellings with access from Carr Green Lane.
- Reserved matters approval for infrastructure works comprising entrance feature, provision of substation, drainage works, including an attenuation pond, footbridges and other landscaping.
- Reserved matters approval for the 1<sup>st</sup> phase housing development of 174 dwellings on the southern part of overall site.

### **Site Description**

The former North Gawber Colliery site is located off Carr Green Lane in Mapplewell. This application involves the northern section which is located immediately to the south of Mapplewell Business Park, Carr Green Lane to the east and a football field, a care home and Spark Lane to the west. The site comprises of the northern half of the of the wider development site that is subject to the extant planning permission, it is irregular in shape covering an area of approximately 6.46ha.

The site has few remaining features having been cleared of vegetation as part of the remediation phase. There are grassed embankments along the northern boundary, these fall outside of the developable area and would be retained as open space to complement biodiversity objectives.

### **Proposed Development**

The application seeks approval of the layout, scale, appearance and landscaping reserved matters details to cover the 2<sup>nd</sup> phase of the housing development approved under outline planning permission 2014/0452.

The proposals are for a development of 141 dwellings comprising of 6 x 2 bed, 20 x 3 bed and 115 x 4 bed houses. In the main the properties would all be detached with a limited number of semi-detached/small terraces (14no. in total).

The houses would essentially all be two storeys with the exception of one of the house types which would be 2 ½ storey to host a 3<sup>rd</sup> internal floor in the roof space (15 out of 141). A total of 6 of the two bed houses and 8 of the 3 bed properties would be dedicated as affordable housing.

Details from the outline planning permission relevant to the proposal include access from Carr Green Lane. In addition surface water from the development would be connected to an attenuation pond located in the southern area of the site which has been designed with sufficient capacity to accommodate flows from the overall housing development. This would accommodate surface water before discharging off the site at a restricted rate. No public rights of way would be affected by this phase of the development.

### **Relevant Planning History**

2008/1555 - Re-grading of former colliery site for Residential Development (Outline) and relocation of existing sports pitch. Withdrawn by applicant 16/12/2009.

2009/1277 - Residential development to include means of access, re-grading of the site, retirement homes, public open space and relocation of existing sports pitch - resubmission of planning application 2008/1555 (Outline) (Amended Scheme). Refused permission by the Council but allowed on appeal by the Secretary of State 18/01/2012 with conditions and a S106 Agreement covering provisions relating to education, public open space, affordable housing and public transport.

2014/0452 - Remediation and restoration of site (Full permission) and erection of up to 325 dwellings, associated infrastructure and open space (Outline with all Matters Reserved Except Access). Granted full and outline planning permission 17/02/2015 with conditions and S106 Agreement covering provisions relating to education, public open space, affordable housing and public transport.

2015/1015 - Reserved matters planning application for the construction of infrastructure works comprising entrance feature, provision of substation, drainage works, including an attenuation pond, footbridges and other landscaping associated with outline planning permission 2014/0452. Granted reserved matters approval with conditions 30/11/2015.

2015/0926 - Application for approval of reserved matters of outline planning permission 2014/0452 for 1st phase development of 174 dwellings (appearance, landscaping, layout and scale). Granted reserved matters approval with conditions 22/12/2015.

### **Policy Context**

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and the saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a Consultation Draft of the Local Plan which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

## Local Development Framework Core Strategy

CSP3 'Sustainable Drainage Systems'  
CSP4 'Flood Risk'  
CSP8 'The Location of Growth'  
CSP9 'The Number of New Homes to be Built'  
CSP10 'The Distribution of New Homes'  
CSP14 'Housing Mix and Efficient Use of Land'  
CSP15 'Affordable Housing'  
CSP26 'New Development and Highway Improvement'  
CSP29 'Design'  
CSP35 'Green Space'  
CSP36 'Biodiversity and Geodiversity'  
CSP39 'Contaminated and Unstable Land'  
CSP40 'Pollution Control and Protection'  
CSP42 'Infrastructure and Planning Obligations'

## Saved UDP Policies

UDP notation of the former colliery site: Urban Land to Remain Undeveloped

Policies DT7/2 & GS11 state that 'In areas shown as Urban Land to Remain Undeveloped on the proposals maps existing uses will normally remain during the plan period and development will be restricted to that necessary for the operation of existing uses. Otherwise planning permission for the permanent development will only be granted following a review of the UDP which proposes that development on the land in question'.

The temporary construction access which has been indicated between the south west corner of the site and Spark Lane would pass through Green Belt land. Relevant UDP policies are GS6/DT5 'Extent of the Green Belt'

## SPD's

- Designing New Residential Development
- Parking
- Open Space Provision on New Housing Developments

## Planning Advice Note's

33 -Financial Contributions to School Places

## Other

South Yorkshire Residential Design Guide

## Local Plan Consultation Draft

Housing Proposal (ref H21) indicated a development of up 400 dwellings.

## NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

### **Consultations**

Affordable Housing – No objections.

Biodiversity Officer – No objections.

Coal Authority – No objections taking into account conditions on the existing outline planning permission.

Contaminated Land – No objections taking into account conditions on the existing outline planning permission.

Drainage – No objections taking into account conditions on the existing outline planning permission.

Highways – No objections subject to conditions.

PROW – No objections have been received.

Tree Officer – No objections subject to conditions.

SYMAS – No objections taking into account conditions on the existing outline planning permission.

Yorkshire Water – No objections subject to conditions.

### **Representations**

The application was advertised by site and press notices and nearby residents have been consulted writing. 1 letter of representation has been received the reasons for which are summarised as follows:-

Public safety – It is stated that the site might be unsafe for housing development because of the previous use as a colliery. It is asserted that problems may occur such as a recent incident at the former Woolley Colliery site whereby a high wall located between two properties was cordoned due to danger of collapse.

In addition concerns are raised about large amounts of pit slurry and shale located within the site and that a fire has occurred as a result of this in the past as a result.

Flood risk – It is stated that the site currently resembles a swamp following the wet winter weather conditions and shall take a long time to dry out. Concerns are raised that this shall affect the houses once built which may be at increased risk from flooding.

Highways – It is stated that the development would add to the existing congestion problems faced in the area, including at the crossroads in the centre of Mapplewell at the junctions of Spark Lane

Tree felling – Concerns are raised that unnecessary tree felling has been carried out off the site.

## **Assessment**

### Principle of development

Members will recall the granting of outline permission under reference 2014/0452 for residential development of the site, this also included detail of access as part of a Masterplan approach. The application seeks to approve phase 2 of the (former) North Gawber Colliery site, it includes details of the remaining reserved matters (appearance, landscaping, layout and scale), it these matters that are the sole consideration for the application.

Accordingly there are no land uses planning policy considerations with this application.

### Design, Scale and Layout

This reserved matters application focusses on whether the design details of the proposed plans is sufficient to enable the development to be permitted. The relevant local planning policies for assessing the design credentials are; Designing New Residential Development SPD, CSP29 'Design' and CSP14 'Housing Mix and Efficient Use of Land'.

With regard to policy CSP14 the proposed mix would be made up of predominately 4 bedroom detached houses, with a smaller number of 2 and 3 bedroom houses. The overall development would deliver a good mixture of dwellings, especially when taking into account that those of the reserved matters approval on the southern part of the site.

The proposals have endorsed the concept of a Master-planned approach, in that the layout would forge successful links with that of the initial phase of housing development, located across the southern boundary. A central spine road sets the character for the development, from which dwellings adopt a perimeter block approach with principal elevations fronting streets. The layout has also been designed to reflect the standards of relevant separation distances and minimum garden sizes.

There would be a housing mix comprising of 10 different house types which would create a broad based community and visual interest. The elevations are both traditional and contemporary in appearance but overall are considered to represent good design. Scale is a matter under consideration as part of the application. The properties would be predominately 2 storey in height with a smaller proportion of 2 and half storey houses, this is considered appropriate to the local context.

With regard to parking arrangements the layout does not appear to be car dominated, whilst parking areas are provided to frontages their dominance/impact is offset by well-proportioned front gardens and communal planting areas. All of the properties are served with front to rear access which allow for the storage of bins outside of the public domain.

Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. The scale and density of the development is reflective to that of properties within the initial phase which allows the developments to integrate successfully within one another and promote the wider regeneration of the area. It is therefore considered that the proposal adheres to the objectives of CSP policies 14 and 29 which stress the importance of achieving high quality design.

### Residential amenity

The distance to existing houses from any of the new houses is such that there are no issues with satisfying the separation distances required by the SPD. Based upon this, the development should not give rise to any overshadowing or overlooking problem that would affect residents of existing properties.

With regard to the residential amenity of the future occupants of the site, the layout generally achieves the separation distances set out in Supplementary Planning Document 'Designing New Housing Development'. In addition, the properties themselves, in terms of internal spacing standards, comply with the technical requirements of the South Yorkshire Residential Design Guide. Furthermore, the garden areas for the 2 bed properties generally exceed 50m<sup>2</sup> and the 3 beds plus achieve at least 60m<sup>2</sup>, in accordance with the SPD.

A construction method statement has been conditioned on the outline planning permission, this will ensure that best practice guidelines are employed to working practices to control noise and dust across the site. The initial phase has utilised a temporary haul road from Spark Lane for heavy vehicles, these arrangements would be retained to sever the construction traffic for the development.

### Highway Safety

Details of the access location and junction design were approved as part of the detail submitted with the outline application. As such, it falls outside the scope of the Reserved Matters that are being considered under this application.

The main consideration from a highway safety perspective is therefore the plans for the internal road/footpath layout and parking. The design of the road layout has been assessed by Highways to be acceptable from a design guidance perspective, each property would have off road parking in accordance with SPD 'Parking' and adequate pedestrian intervisibility splays would be achieved at entrances.

As a reminder the outline planning permission does already include mitigation in the form of highway improvement works in the village centre, widening of Swallow Hill Lane and a travel plan.

### Other S106 considerations – education, public open space and affordable housing

Open space provision – The S106 Agreement signed at the outline application stage requires that a LEAP standard play area is provided as part of the overall development, separate to this informal play space and a network of green routes for biodiversity is also required. The majority of this provision would be provided within the initial phase of the wider sites development (2015/0926), the current proposals provide appropriate pedestrian and vehicle links to these areas. However, the proposals do include areas of grass bankings that would be planted as heathland as part of the biodiversity mitigation. In addition the development would involve the payment of a commuted sum of £120,000 towards off site formal recreation facilities off site, this is secured within the existing S106 Agreement.

Education – It was established at the outline stage that the overall development shall contribute £150,000 for a new classroom at Mapplewell Primary School. This has been addressed within the completed S106 Agreement.

Affordable housing – The development includes 14 affordable houses which is approximately 10% of the overall number of dwellings. This level of provision is the requirement for each phase in the S106 Agreement. The unit mix of 6 x 2 bed units and 8 x 3 beds would contribute towards the affordable housing needs being met and are acceptable to the Housing Service.

## **Other considerations**

### Trees/vegetation & biodiversity

To address remediation issues associated with the coal mining history of the site, all of the vegetation which had colonised the site has been removed. This application affords consideration to the landscaping proposals in terms of whether the plans include a proportionate amount of replacement tree planting, this detail will ultimately be dealt with by way of a condition.

### Dealing with unstable/contaminated land

The development is at risk from historical mine entries and shallow coal workings. In addition the western part of the site also lies within the boundaries of a wider site from which coal has been extracted by surface (opencast) methods. Previous reports submitted set out that construction techniques shall be deployed to prevent problems arising from unstable land in the future, this includes drilling and grouting of the ground below both roads and plots. This was covered by condition 22 of the outline planning permission, this prevents development from commencing until both the Coal Authority and SYMAS are satisfied that the appropriate safeguards are in place. For this application the Coal Authority have raised no objections to the proposed layout on the grounds that the two recorded mine shafts would be clear from built development, along with appropriate no build zones around the shafts.

### Drainage/Flood Risk

The flood risk assessment submitted with the outline application established that the site is not at risk of flooding. However, it is necessary to prevent the development from increasing flood risk downstream via the inclusion of sufficient attenuation measures to reduce surface water run off by 30% on brownfield sites. This would be achieved by surface water from the development discharging into a SUDS pond which is large enough to accommodate surface water flows from both phases of the housing development, the detail of which was approved under application 2015/1015. A condition on the outline permission prevents development until drainage design details have been approved for each phase of development.

## **Conclusion**

In summary, this application seeks approval for the details of the layout, scale, appearance and landscaping of the proposed 2<sup>nd</sup> phase housing development on the Gawber Colliery site. The principle of allowing the site to be development for residential purposes, and the location of the means of access having been established by the decision to grant outline planning permission on application 2014/0452.



Following an assessment against the Council's Designing Residential Development, Public Open Space and Parking SPD's and Core Strategy policies CSP29 'Design' and CSP14 'Housing Mix and Efficient Use of Land' the plans for the reserved matters are judged acceptable with regards to visual, residential amenity and highway considerations.

The development would be set within a high quality landscaped environment which also incorporate sufficient safeguards to protect levels of residential amenity. Overall sustainable objectives can also be achieved through the building's design, sustainable drainage and ecological enhancement.

It is considered that there are no other material considerations to indicate that a decision should be made at variance to the above policies, other than where new conditions are recommended. As such there are no significant or demonstrable adverse impacts associated with the development and the application has successfully demonstrated that the Reserved Matters have been successfully addressed.

Therefore it is recommended to the Board that the application is granted reserved matters approval subject to the conditions listed below.

### **Recommendation**

Grant reserved matters approval subject to conditions:

- 1 The development hereby permitted shall be begun before the expiration of 2 years from the date of this approval of reserved matters.  
**Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.**
- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission:-

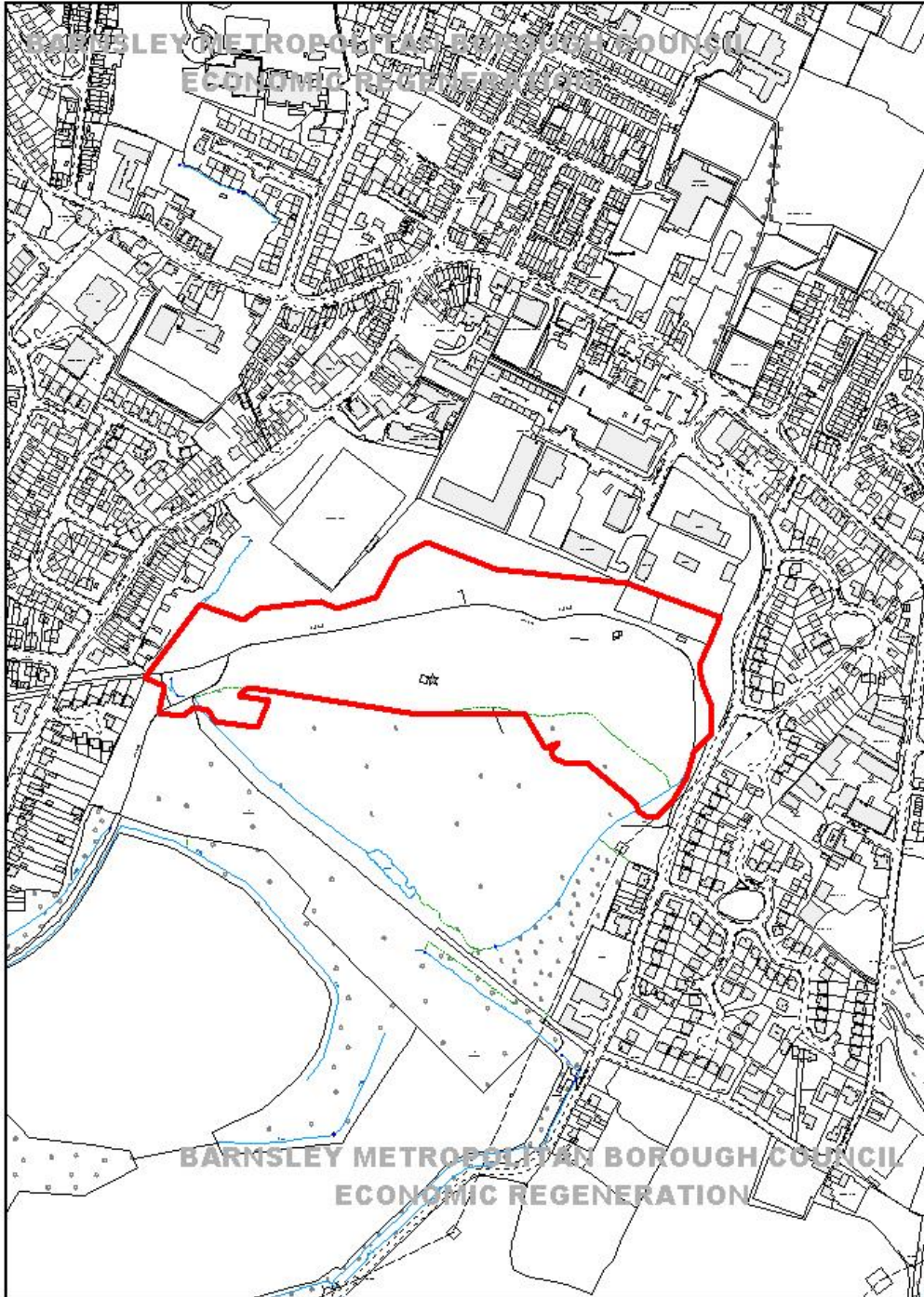
Drawing no 313-100 G 'planning layout'  
P70.00 THE ALDERTON BRICK PLANNING DWG  
P71.00 BAYBRIDGE PLANNING DWG  
P85.00 BUXTON HOUSE TYPE PLANS AND ELEVATIONS  
P.72.00.V0 'The Bamburgh V0 Semi Detached'  
P.51.00 rev A 'The Birkwith' Brick Planning Drawing  
P.44.00.V1 'The Bolton V1' Brick Planning Drawing  
P.01.00 'The Hadleigh' Brick Planning Drawing  
P.54.00 rev A 'The Nidderdale' Brick Planning Drawing  
81.00.18 SETTLE V2 HOUSE TYPE Planning Drawing  
P.56.00 'The Settle' Brick Planning Drawing  
P.28.00 'The Windsor' Brick Planning Drawing  
P.80.00.01 Single Garage 'Gable' Brick Planning Drawing  
P.80.00.06 Shared Double Garage 'Gable' Brick Planning Drawing

**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**

- 3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 4 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 5 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 6 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 7 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 8 Development shall not commence until details of the siting of the sales cabin, and parking for staff and customers visiting the site, have been submitted and approved in writing by the Local Planning Authority, and such facilities shall be retained for the entire construction period whilst required.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 9 Vehicular and pedestrian gradients within the site shall not exceed 1:12  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 10 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).  
**Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**
- 11 The boundary treatment indicated on plan ref 313-100 G 'planning layout' shall be completed prior to the occupation of the individual dwellings.  
**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29.**
- 12 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
**Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**
- 13 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 5 years, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.  
**Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**

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**BARNESLEY MBC - Economic Regeneration**



Scale 1: -----

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**2015/1490**

Applicant: Partner Constructions Ltd

Description: Erection of 40 no. affordable residential dwellings and associated infrastructure.

Site Address: Former Foulstone School, Nanny Marr Road, Darfield

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1 representation received.

### **Site Description**

The site is part of the vacant former Foulstone School site on Nanny Marr Road in Darfield. Members may recall affording consideration to outline planning application 2014/1232 whereby the Planning Board resolved to approve a mixed use development of 35 dwellings, foodstore and 5 small retail units. This was subject to the completion of a S106 Agreement securing compensation for loss of greenspace, and conditions relating to the provision of affordable housing and public open space.

This application is solely made in respect of the part of the site originally envisaged to be developed for housing under the previous application. This is the northern part of the site which has existing housing located on three sides, Nanny Marr Road to the west, Coronation Street to the north and Queen Street and Victoria Street to the east.

The site is just short of 1ha in size and is rectangular in shape. The site is predominately open having been cleared of buildings following the demolition of the school although perimeter walls and fences do still remain.

Whilst levels across the site are somewhat uneven, overall they do not change significantly across the site. The difference across the site from the western (Nanny Marr Road) boundary to the eastern adjacent Queen Street and Victoria Street is approximately 3m.

### **Proposed Development**

The application is for full planning permission to build a development of 40 affordable houses. The development is proposed to consist of 32 x 2 bedroom and 8 x 3 bedroom properties. Half (20) of the new properties would be bungalows with the remainder traditional two storey houses. The properties would be transferred to a housing association and be available for social rented and intermediate rented affordable housing. The bungalows are intended to be allocated to persons over 55 years old.

It is proposed to construct a new access road to serve the development which would have a new 'T' junction with Nanny Marr Road. The proposals would not encroach onto the area of the site subject of the proposed retail development.

### **History**

Previous planning applications at the site include:-

B/75/3580/DA – Construction of chimney. Decision: Granted permission 15/01/1976.

B/75/1391/DA - Extensions to school. Decision: Granted permission 27/06/1975.

B/76/1847/DA – Construction of bus lay by. Granted permission 28/10/1976.

B/91/1052/DA – Siting of mobile classroom. Granted permission 12/09/1991.

B/95/1393/DA – Erection of extension and alterations to school. Granted permission 18/01/1996.

B/96/0022/DA – Erection of perimeter fence. Decision: Granted permission 29/02/1996.

B/97/0123/DA – Erection of a telecommunications cellular site. Decision: Granted permission 05/06/1997.

B/97/1391/DA – Erection of retail unit. Decision: Refused permission 20/02/1998.

B/02/1816/DA – Erection of two storey extension to form city learning centre with associated parking. Decision: Granted permission 21/03/2003.

2012/1006 – Demolition of school (prior notification). Decision: Prior approval granted.

2014/1232 - Demolition of existing built development and construction of retail units and erection of residential development of 35no dwellings (outline – all matters reserved apart from means of access). Decision: Resolved to be granted by the Planning Board at the meeting held 17/02/2015. This was subject to the completion of a S106 Agreement for compensation for loss of greenspace and conditions including a need to provide affordable housing and public open space provision.

### **Policy Context**

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and the saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a Local Plan Consultation Draft 2014, which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

### Local Development Framework Core Strategy

CSP3 'Sustainable Drainage Systems'  
CSP4 'Flood Risk'  
CSP8 'The Location of Growth'  
CSP9 'The Number of New Homes to be Built'  
CSP10 'The Distribution of New Homes'  
CSP14 'Housing Mix and Efficient Use of Land'  
CSP15 'Affordable Housing'  
CSP26 'New Development and Highway Improvement'  
CSP29 'Design'  
CSP34 'Protection of the Green Belt'  
CSP35 'Green Space'  
CSP36 'Biodiversity and Geodiversity'  
CSP37 'Landscape Character Assessment'  
CSP39 'Contaminated and Unstable Land'  
CSP40 'Pollution Control and Protection'  
CSP42 'Infrastructure and Planning Obligations'

## CSP43 'Educational Facilities and Community Facilities'

### Saved UDP Policies

UDP notation: Existing Community Facility/Village Centre. However neither of the site specific policies have been saved. The community facilities policy has been replaced by CSP43 in the Core Strategy.

### SPD's

- Designing New Residential Development
- Parking
- Open Space Provision on New Housing Developments

### Planning Advice Note's

33 -Financial Contributions to School Places

### Other

South Yorkshire Residential Design Guide

### Draft Local Plan

Proposed allocation: H41 Housing Proposal

### NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

### **Consultations**

Affordable Housing - Housing Growth – Support the application as it would deliver affordable housing to meet an identified need and deficiency.

Biodiversity Officer – No objections have been received.

Contaminated Land – No objections subject to recommended conditions.

Drainage – No objections subject to conditions.

Education – No objections.

Highways – No objections subject to conditions.

Regulatory Services – No objections subject to conditions.

Tree Officer – No objections subject to conditions.

Yorkshire Water – No objections subject to conditions.

## **Representations**

The application was advertised by neighbour notification, site and press notice. 1 representation has been received. The representation asks for the Council to ensure that the water pressure for the existing houses on Nanny Marr Road shall not be reduced by the development.

## **Assessment**

### Principle of development

The application raises similar issues to those which were previously considered by the Planning Board, who resolved to approve application 2014/1232. This planning application was for a mixed residential/retail development, it was subject to a S106 Agreement being completed requiring compensatory provision for loss of greenspace.

This application is for a residential development on the same part of the site that was approved for residential use on the previous application. Essentially therefore, the principle of housing development on this part of the site has already been established, although to date outline permission 2014/1490 has not been issued pending the completion of the S106 Agreement. It is therefore necessary to still consider whether the proposal is still considered to be in accordance with land use planning policies.

The site is designated in the UDP as an Existing Community Facility and a Village Centre whereby Core Strategy CSP43 Educational Facilities and Community Uses is a consideration. As part of the previous application Property and Procurement have confirmed that there were no bids with the intention of developing a community use and therefore this policy is considered to have been satisfactorily addressed.

In terms of housing policy the proposal lies within a central location within Darfield, which is part of the larger Wombwell Principal Town which is a priority to accommodate housing growth (Core Strategy policies CSP8, 9 and 10). The site is also located in a central position in Darfield and is regarded as being in a sustainable location. Housing is therefore considered acceptable in land use planning policy terms.

### Visual amenity

The relevant local planning policies for assessing the plans are the Designing New Residential Development SPD, CSP29 'Design', CSP14 'Housing Mix and Efficient Use of Land'.

The first aim of CSP14 'Housing Mix and Efficient Use of Land' is to ensure that housing developments achieve a mixture of house size, type and tenure. In this case the proposed mix would be made up of predominately 2 bedroom dwellings with a smaller number of 3 bedroom properties. The housing mix has been informed by the affordable housing needs for the area and comprises of a mix of traditional houses and bungalows. As these would fulfil a specific need which has been identified through the most recent Strategic Housing Market Needs Assessment (SHMA), as such the proposals are fulfilling a strategic need.



The proposals would achieve the minimum density requirement of policy CSP14, and by virtue of the site being previously developed it would achieve sustainable credentials of securing the reuse of brownfield land.

The layout has been designed to reflect the standards in the SPD regarding separation distances and minimum garden sizes. There are one or two exceptions within the layout but there are no significant effects because of the number of bungalows. The proposed house types would be of conventional design and appearance. The street scenes indicate that an interest and variety would be created by utilising a varied material palette throughout the development.

The existing trees adjacent the Nanny Marr Road boundary have been an issue for the application. As part of the previous application it was agreed that the trees could be removed, with the exception of 2 trees, a Norway Maple and Lime. Initially the plans proposed the removal of both these trees. However, amendments have been secured which have resulted in the Norway Maple tree being retained as the higher value specimen. The Tree Officer supports application subject to conditions securing compensatory tree planting throughout the development.

In summary the plans are assessed to be acceptable in relation to housing planning policy and design/visual amenity considerations taking into account policies CSP14 'Housing Mix and Efficient Use of Land', the Designing Residential Development SPD and CSP29 'Design'.

#### Residential Amenity

The proposals should not give rise to any significant concerns regarding the impact of the development on the living conditions of existing properties, overall the separation distances between existing and new properties generally comply with the standards aimed for by the SPD. There some minor exemptions (plots 21, 26, 27 and 29). However, the implications would not be significant for the reason that the properties in question are bungalows and so would not result in overshadowing or overlooking. There is also a question about levels of outlook for these same plots given that they would face blank gable walls of the terraced houses that are located side on to the properties on Coronation Street, Queen Street and Victoria Street. However, due to the easterly orientation the rear of the plots and the gardens would benefit from good amounts of sunlight hours during the daytime, which would limit the amount of harm.

Within the site the minimum separation distances and garden sizes aimed for by the SPD are satisfied in the majority of cases. Two of the bungalows are located side on to the rear of other plots at distances narrowly below the desired 12m distance. By virtue of the single storey nature of the facing elevation and hipped roof design, this would not result in harmful levels of overshadowing of the affected plots

Minimum garden sizes are achieved in the majority of cases throughout the development with the exception of 5 plots whereby the greatest deficiency is only by is 8m<sup>2</sup>, it is recommended that a condition to remove permitted development rights is applied to these plots.

Levels for the plots have not been fully detailed. Therefore it would be necessary to agree plot levels prior to the commencement of development by way of a condition. The usual construction method statement condition would be required to limit the effects of noise and dust during the construction phase.

## Highway Safety

The main criteria for assessing this issue are CSP26 'New Development and Highway Improvement' and CSP25 'New Development and Sustainable Travel'.

The effects of the development on the local highway network have been analysed within a Transport Assessment (TA). The TA concludes that the development could be accommodated on roads which are of a standard to absorb the development without giving rise to any significant issues.

In terms of the proposed accesses, highways are satisfied that the approach of using two separate accesses to serve the retail and residential development is correct. As such the proposals would not prejudice the retail development from coming forward at a later date.

Internally the design of the road layout has been assessed by Highways to be acceptable from a design guidance perspective, whilst the amount of parking has been designed to meet the standards in the SPD. Overall the development is assessed to comply with CSP26 'New Development and Highway Improvement'.

## Other S106 considerations – education, public open space and affordable housing

Existing Green Space – Land on this part of the site is recorded on the green space register as GS998 Former Foulstone School which is a Local Neighbourhood Sports Facility. This area comprised 2 hard surfaced games areas, informal open space and playground which totalled around 9.5 hectares. It has therefore been assessed that compensation for loss of green space will be required to offset the loss in accordance with CSP35 at a cost of £90,000 to spend on enhancements such as the provision of a Multi-Use Games Area, or an upgrade of the children's play area in Darfield Park. This would require a S106 Agreement to secure the arrangements.

Open space provision – The provision of new green space is normally required on all developments of 20 more in accordance with the Open Space Provision on New Housing Developments SPD. However the Council does not seek contributions from affordable housing developments due to the viability implications. This would not affect the contribution being sought as compensation for loss of greenspace from the greenspace register.

Affordable housing – The proposal is for all of the development to be transferred to a Registered Social Landlord and for the dwellings to be used for social rented and immediate affordable housing purposes. Policy CSP15 is therefore readily satisfied subject to arrangements being in place to ensure that the dwellings would remain used for affordable housing purposes in perpetuity. Again this should form part of a S106 Agreement.

Education – No objections have been received on local school place capacity grounds from the Head of School Governance.

## **Other considerations**

### Biodiversity

The main criteria for assessing the application is CSP36 'Geodiversity and Biodiversity'. The application is accompanied by an ecological report which has concluded that the site is of low ecological value. The proposed felling of some of the mature trees from the Nanny Marr Road are contrary to one of the recommendations of the tree survey. It is however, considered that these can be adequately compensated for by replacement tree planting seeing as the specimens intended to be felling have been identified to be of low value by the tree survey and by the Tree Officer. Additional recommendations are to plant hedgerow species, and 4 bat nesting boxes as part of the development. In addition the felling of the identified trees would need to take place outside of bird nesting season or be preceded by a nesting bird survey.

The Biodiversity Officer accepts that the ecological value of the site is low and that the development does not raise any significant implications. However he points out that the site is located in the Nature Improvement Area and considers that the landscape masterplan should be further enhanced as mitigation within the conditions for the development.

### Drainage/Flood Risk

The Flood Risk Assessment has concluded that the site is not located in an area which is at risk of flooding. The other main issues are the management of surface water flows from the development. As the site is previously developed the requirement is for a reduction rate of 30% to be achieved above existing rates. Testing of the ground conditions has indicated that they would be suitable to accommodate soakaways. The Drainage section are content for the application to proceed, subject to conditions requiring the technical details to be approved prior to the commencement of development as is proposed.

No concerns have been raised regarding the ability of the network to accommodate foul water drainage flows from the development. However, they have identified that a public combined sewer and water main crosses the site. Consequently conditions would be required to afford the necessary protection, or to prevent development until arrangements are in place regarding diversions.

Yorkshire Water have confirmed that the development could be served off by a water supply. No mention is made regarding the likely effect of the development on the water supply affecting existing houses. It should be clear that this is not a matter within the powers of the planning system to resolve.

### Ground conditions

The ground investigation report has identified that there would be a need for a remediation strategy to deal with elevated levels of contamination in some areas of the site, this would be addressed through a condition. No other issues have been raised with regards to policy CSP39 'Contaminated and Unstable Land'.

## **Conclusion**

In summary, the proposed housing development is considered acceptable in land use planning policy terms taking into account the principles established by the previous application, the fact that retaining the site for community uses (CSP43) is not a viable proposition and as the site is in a suitable and sustainable location for housing development having regard to Core Strategy policies CSP8, 9 and 10.

An assessment of other material planning considerations has been carried out. That assessment concludes that the impacts of the proposed development would not outweigh the associated benefits, which are summarised as follows:-

- The proposal would deliver a number of positive economic, social and environmental having regard to the definition of sustainable development in the NPPF.
- The plans are assessed to be acceptable in relation to housing planning policy and design/visual and residential amenity considerations having regards to the Residential amenity and siting of buildings SPD, the Designing New Residential Development SPD, CSP29 'Design', CSP14 'Housing Mix and Efficient Use of Land' and CSP40.
- No objections have been received from Highways on highway safety grounds taking into account policy CSP26.
- The proposals are considered to satisfy the relevant Core Strategy policies covering other material considerations including flood risk, biodiversity, land stability, trees and pollution control issues.

Therefore it is recommended to the Board that the application is granted planning permission, subject to the S106 Agreement and conditions listed below, which include a requirement to provide compensation for loss of green space and to maintain the affordable housing arrangements in perpetuity.

### **Recommendation**

Grant planning permission subject to completion of S106 Agreement (Compensation for loss of Green Space and maintaining the affordable housing arrangements in perpetuity)

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
**Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.**
- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission:-
  - Location Plan (plan reference: M3984 (PL) 00);
  - Site Layout (plan reference: M3864 (PL) 01 Rev G);
  - House Type A - 2 bedroom bungalow (plan reference: M3864 (PL) 02 Rev A);
  - House Type B - 2 bedroom house (plan reference: M3864 (PL) 03 Rev A);
  - House Type C - 3 bedroom (plan reference: M3864 (PL) 04 Rev A);
  - Existing and Proposed Site Sections (plan reference: M3864 (PL) 07);
  - Transport Statement (produced by IPRT Group);
  - Drainage Strategy prepared by Shaun Tonge Engineering;
  - Construction Method Statement;
  - Dust Action Plan (Ref: GFM SHE 05);
  - Construction, Noise and Vibration Management Plan (GFM SHE 24);
  - Traffic Management Plan (plan reference: TECH/TMP-01);

- Ecological Appraisal (produced by Brooks Ecological);
- Bat Roost Potential Survey (produced by Brooks Ecological);
- Phase II Environmental Appraisal prepared by Dunelm (ref: D6643);
- Additional Ground Investigation letter prepared by Dunelm dated 6th October 2015
- Arboricultural Report (produced by AWA Tree Consultant),
- FRA and Surface Drainage Assessment by Integra Consulting Environmental
- Noise Assessment produced by Sharps Redmore Partnership

**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**

- 3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.**
  
- 4 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
  
- 5 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
  
- 6 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 7 The approved construction method statement shall be adhered to throughout the construction period in respect of the following matters:-
- The parking of vehicles of site operatives and visitors
  - Means of access for construction traffic
  - Loading and unloading of plant and materials
  - Storage of plant and materials used in constructing the development
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - Wheel washing facilities
  - Measures to control the emission of dust and dirt during construction
  - Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.**
- 8 Vehicular and pedestrian gradients within the site shall not exceed 1:12.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 9 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 10 No development shall take place until:
- (a) Full foul and surface water drainage details, including a scheme to reduce surface surface water run-off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority;
  - (b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;
  - (c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and the scheme shall be retained throughout the life of the development.

**Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.**

- 11 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details  
Tree protection plan  
Arboricultural method statement

Prior to commencement of development details of tree protection fencing shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed before machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

**Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**

- 12 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

**Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**

- 13 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**

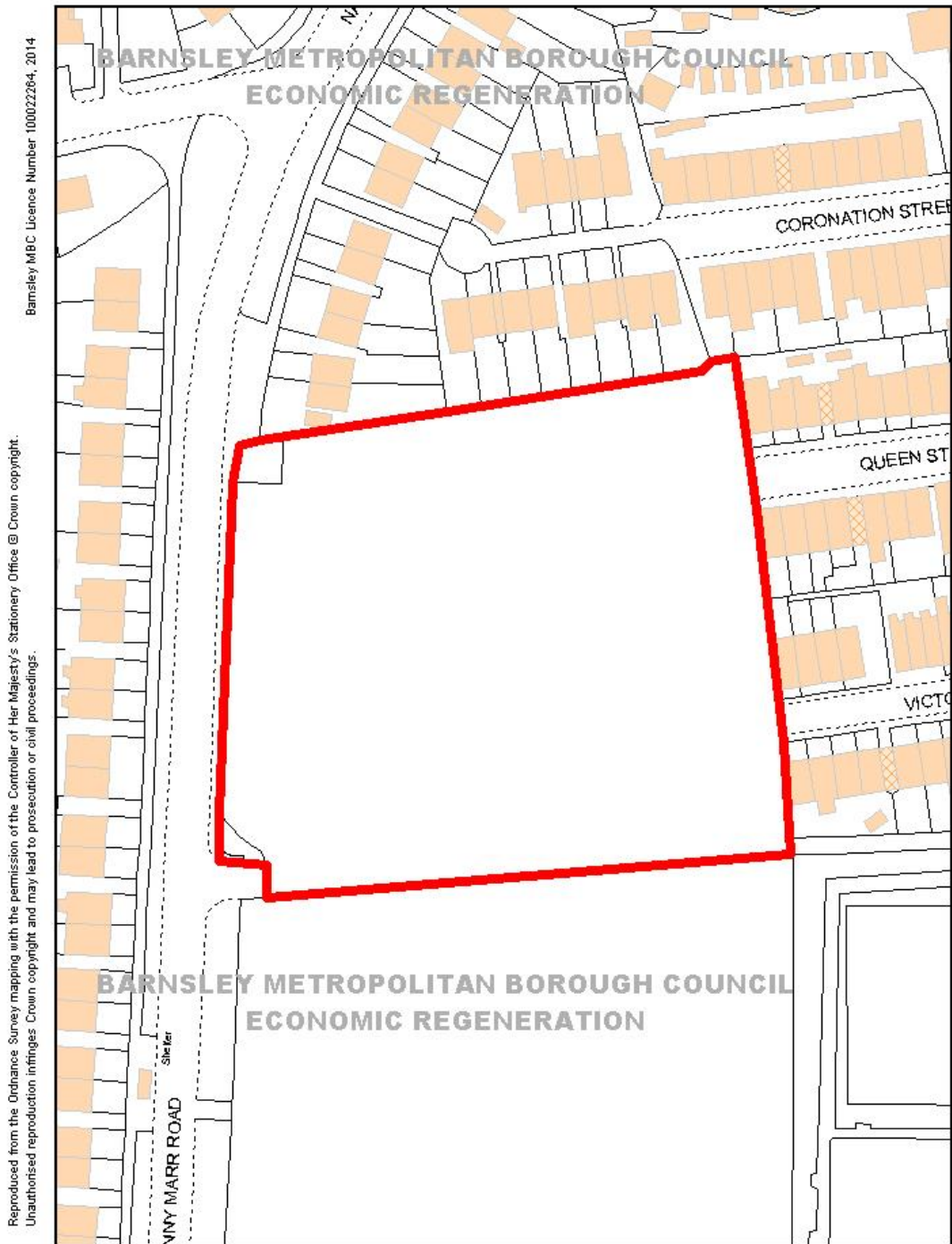
- 14 The boundary treatments indicated on site layout plan ref M3864 (PL) 01 Rev G shall be completed before the dwellings are occupied.  
**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29.**
- 15 Prior to the commencement of any development works, a remediation scheme, endorsed by a competent engineer experienced in ground contamination, shall be submitted to the local Planning Authority for approval. This report shall, amongst other matters, include the following:-
1. Methodology to address the contamination risks previously identified.
  2. Measures to test and evaluate any imported soils onto the site to ensure they are suitable for the intended use.
  3. Chemical testing suite, frequencies and threshold levels.
  4. Procedures to confirm capping levels have been achieved on plots.
  5. The subsequent validation that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied.
- Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.**
- 16 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey, (produced by Brooks Ecological); including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.  
**Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**
- 17 The development shall be constructed in accordance with the recommendations detailed in the approved Noise Assessment produced by Sharps Redmore Partnership.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**
- 18 No development shall be carried out over or within 3m either side of the centre line of the sewer and water mains which cross the site without prior details being submitted to and approved in writing by the Local Planning Authority of diversion measures. The development shall be carried out in accordance with details which are subsequently approved.  
**Reason: In order to allow sufficient access for maintenance and repair work at all times.**



- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the plots 4, 13, 14, 22-29, 35-40 which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority
- Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property in accordance with Core Strategy Policy CSP 29.**

PA reference :-

2015/1490



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**BARNESLEY MBC - Economic Regeneration**

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**NORTH**  
Scale 1:1250

**BARNSELY METROPOLITAN BOROUGH COUNCIL**

**PLANNING APPEALS**

**02 February 2016 to 29 February 2016**

**APPEALS RECEIVED**

2 appeals were received during February 2016.:

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Committee/ Delegated</u></b>
2015/0422	Use of part of existing Working Men's Club as Hot Food Takeaway (A5) at Highgate Working Mens Club, 140 Barnsley Road, Goldthorpe, Barnsley, S63 9AP	Written representation	Delegated
2015/0678	Erection of 2 no. detached bungalows with garages (Outline) at Land to the rear/adjacent of 63 Weetshaw Close, Shafton, Barnsley, S72 8PZ	Written representation	Delegated

**APPEALS WITHDRAWN**

No appeals were withdrawn in February 2016.

**APPEALS DECIDED**

1 appeal was decided in February 2016:

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Committee/ Delegated</u></b>	<b><u>Decision</u></b>
2014/1442	Erection of 3 no. wind turbines with associated infrastructure including access tracks, control building, underground cabling and temporary construction compound at Land at Spicer Hill, Whitley Road, Whitley Common, Ingbirchworth, Sheffield, S36 9PA	Written representation	Committee	Dismissed

**2015/2016 Cumulative Appeal Totals**

- 16 appeals decided since 01 April 2015
- 14 appeals (87.5%) dismissed since 01 April 2015
- 2 appeals (12.5%) allowed since 01 April 2015

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