

Public Document Pack



MEETING:	Planning Regulatory Board
DATE:	Tuesday, 26 September 2017
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

AGENDA

SITE VISITS

1. Site Visit Details

Please meet at the Town Hall for immediate departure at 10.45 a.m.

The Planning Regulatory Board will make visits of inspection to the following sites which are the subject of planning applications. Transport will be provided.

Plan Number	Site	Approximate Time of Arrival
2016/1490	Planning application for the residential development of 164 no. dwellings and associated works at Lee Lane, Royston	11.00 a.m.
2017/0599	Planning application for the erection of Class B8 storage and distribution warehousing and ancillary Class B1 office space and associated access (Outline with all matters reserved apart from means of access) at Land off Maple Grove/Maple Court, Tankersley	11.45 a.m.

Return to Barnsley Town Hall at approximately 12.15 p.m.

Please note: Members of Planning Regulatory Board should not become involved in discussions with either the applicant nor local residents when on site visits.

**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 - 8)

To receive the minutes of the meeting held on 5th September 2017

Planning Applications

Any planning applications which are to be the subject of individual representation(s) at the meeting will be dealt with prior to any other applications.

If you have any queries in respect of the planning applications included within this pack, or if you would like to register to speak at the meeting, please contact the Planning Department directly at developmentmanagement@barnsley.gov.uk or by telephoning (01226) 772593.

4. Lee Lane, Royston, Barnsley - 2016/1490 - For Approval (*Pages 9 - 28*)
5. Land off Maple Grove/Maple Court, Tankersley - 2017/0599 - For Approval (*Pages 29 - 42*)
6. Bondfield Close, Bondfield Crescent, Wombwell - 2017/0155 - For Approval (*Pages 43 - 54*)
7. Land to rear of 26 Cross Lane, Royston - 2016/1329 - For Approval (*Pages 55 - 66*)
8. 28 Church Street, Darton - 2017/0788 and 2017/0789 - For Approval (*Pages 67 - 74*)
9. Land adjoining Barnsley Markets - 2017/0586 - For Approval (*Pages 75 - 96*)
10. Outbuilding at Cannon Hall - 2017/0766 and 2017/0771 - For Approval (*Pages 97 - 106*)
11. 8A and 8B Park Road, Thurnscoe - 2017/0770 - For Approval (*Pages 107 - 112*)
12. 108, 110, 116, 118, 128, 132, 134, 138, 142, 144, 146, 148, 150, 152, 154, 156 and 160 Wath Road, Elsecar - 2017/1013 - For Approval (*Pages 113 - 116*)

To: Chair and Members of Planning Regulatory Board:-

Councillors D. Birkinshaw (Chair), G. Carr, Cherryholme, Coates, M. Dyson, Franklin, Gollick, Grundy, Hampson, Hand-Davis, Hayward, Higginbottom, Leech, Makinson, Markham, Mathers, Mitchell, Noble, Richardson, Riggs, Spence, Stowe, Tattersall, Unsworth, Wilson 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
Andrew Burton, Group Leader (Inner Area), Development Management
Jason Field, Team Leader (Planning)

Parish Councils

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

Monday, 18 September 2017

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 5 September 2017
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

Councillors D. Birkinshaw (Chair), M. Dyson, Franklin, Gollick, Hampson, Hayward, Higginbottom, Leech, Makinson, Mathers, Richardson, Riggs, Spence, Stowe, Tattersall, Unsworth, Wilson and R. Wraith

39. Declarations of Interest

Councillors Unsworth and Makinson declared a Non-Pecuniary interest in **Planning Application No 2017/0811** [Erection of two pairs of semi-detached, two bed dwellings at land off Bellbrooke Avenue, Darfield, Barnsley] as they are Members of Berneslai Homes' Board.

Councillor Stowe declared a Non-Pecuniary interest in **Planning Application No 2017/0155** [Residential development of 49 no. dwellings at Bondfield Close, Bondfield Crescent, Wombwell] as his wife is employed at Kings Oak School which is very close to the site in question.

40. Minutes

The minutes of the meeting held on xxx were taken as read and signed by the Chair as a correct record subject to a minor amendment to minute no. 28 to reflect that Cllr Birkinshaw's brother-in-law is a member of Tankersley Park Golf Club, not his brother as originally stated.

41. Lidgett Lane, Pilley, Barnsley - 2016/1308 - for Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1308** [Proposed development of 49 dwellings and associated roads and infrastructure (amended plans) at Lidgett Lane, Pilley, Barnsley S75 3AG].

RESOLVED that the application be granted in accordance with the Officer recommendation subject to signing of a S106 Agreement in respect of provision of education, public open space and affordable housing.

42. Site accessed off Bondfield Close, Bondfield Crescent, Wombwell - 2017/0155 - for Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0155** [Residential development of 49 dwellings at Bondfield Close, Bondfield Crescent, Wombwell]

Mr Jeffrey Wood addressed the Board and spoke against the officer recommendation to grant the application.

Mr Craig Hawley addressed the Board and spoke in favour of the officer recommendation to grant the application.

RESOLVED that the application be deferred to enable officers to discuss with the applicant the possibility of the plans being amended to incorporate a parking layby within the development. In addition Members resolved that opportunities for the provision of double yellow lines should be investigated.

43. Tofts Lane, Snowden Hill, Barnsley - 2017/0624 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0624** [Formation of a battery energy storage facility with associated transformer cabling security fencing and CCTV Poles at Tofts Lane, Snowden Hill, Barnsley S36 8YR].

RESOLVED that the application be granted in accordance with the Officer recommendation.

44. The Bungalow, High Croft, Hoyland, Barnsley - 2017/0869 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0869** [Erection of 1 no. detached dwelling-house at The Bungalow, High Croft, Hoyland, Barnsley S74 9AF]

Mr David Hirst addressed the Board and spoke against the officer recommendation to grant the application.

Mrs Michelle Tuxford addressed the Board and spoke in favour of the officer recommendation to grant the application.

RESOLVED that the application be granted in accordance with the Officer recommendation subject to the imposition of an additional condition requiring the provision of a construction method statement.

45. Land off Bellbrooke Avenue, Darfield, Barnsley - 2017/0811 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0811** [erection of two pairs of semi detached dwelling houses at land off Bellbrooke Avenue, Darfield]

RESOLVED that the application be granted in accordance with the Officer recommendation.

46. 5 Wheatley Rise, Staincross, Barnsley - 2017/0775 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0775** [Erection of single storey side/rear extensions to both sides of bungalow at 5 Wheatley Rise, Staincross, Barnsley S75 6NW].

RESOLVED that the application be granted in accordance with the Officer recommendation.

47. Churchfields Peace Gardens, Churchfield, Barnsley - 2017/0942 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0942** [Installation of public art panels at Churchfields Peace Gardens, Churchfield, Barnsley].

RESOLVED that authority be delegated to Cllr Birkinshaw as Chair of the Planning Regulatory Board to authorise approval of the application, subject to the applicant accepting responsibility for and committing to carrying out future maintenance of the panels. If suitable reassurances are not obtained the application will be referred back to the Board for determination.

48. Planning Appeals - 1st July, 2017 to 31st August, 2017

The Head of Planning and Building Control submitted an update regarding planning appeals for the period 1st July 2017 to 31st August 2017 together with cumulative appeal totals for 2017/18.

The report indicated that 7 appeals were received in July and August 2017:-

Planning Application 2016/1367: Conversion of loft and erection of elevation to side dormer at Chrisholme, 4 Wath Road, Elsecar, Barnsley, S74 8HJ] – Written Representations, Delegated

Planning Application 2017/0171: Erection of detached dwelling house at Courtland, Halifax Road, Thurgoland, Sheffield, S35 7AL] – Written Representations – Delegated.

Planning Application 2017/0027: Demolition of existing house and erection of 3 new houses (Outline with all matters reserved) at The Laurels, 24 Viewlands, Silkstone Common, S75 4QP – Written Representations – Committee.

Planning Application 2017/0700: Erection of a detached double garage with first floor games room at 62 Church Street, Gawber, Barnsley, S75 2RJ – Written Representations – Delegated.

Planning Application 2016/1401: Erection of 1 no. detached dwelling at 52 Kensington Road, Old Town, Barnsley, S75 2SS – Written Representations – Delegated.

Planning Application 2017/0475: Erection of cattery and associated facilities including reception, office, toilet and staff and customer parking area at Hollow Farm, Woodhead Road, Wortley, Barnsley, S35 7DS - Written Representations – Delegated.

Planning Application 2017/0607: Removal of condition 1 of previously approved permission 2016/0322 - to allow the car wash to operate on a permanent basis at

Former Petrol Filling Station, Pontefract Road, Cudworth, Barnsley, S72 8AY -
Written Representations - Delegated.

No appeals were withdrawn in July and August 2017. Five appeals were decided in July and August 2017:

Planning Application 2016/1338: Erection of two storey side and single storey extension to rear of 179b King Street, Hoyland, Barnsley, S74 9LL. Members should note that this was a split decision. The appeal is dismissed insofar as it relates to the erection of a two storey side extension and allowed insofar as it relates to the single storey extension to the rear at 179A King Street, Hoyland, Barnsley, in accordance with terms of the application **2016/1338** dated 25 October 2016. Decided 13/07/2017 – Delegated.

Planning Application 2016/1035: Erection of 1 no. detached dwelling with detached garage at Knowles Street, Spring Vale, Barnsley – Dismissed - Delegated.

Planning Application 2016/1340: Erection of two storey side extension and a single storey front extension to dwelling at 101 Genn Lane, Ward Green, Barnsley – Dismissed – Delegated.

Planning Application 2016/1080: Conversion of existing garage to bungalow at 102 Sackville Street, Barnsley - Allowed - Delegated

Planning Application 2017/0403: Conversion of existing 2 storey annex from garage to games room to dwelling with associated amenity space parking and new access to existing dwelling at Ivy Cottage, 108 Upper Hoyland Road, Hoyland, Barnsley – Allowed – Delegated.

2017/2018 Cumulative Appeal Totals

- 8 appeals have been decided in since 01 April 2017
- 3.5 appeals (44%) have been dismissed since 01 April 2017
- 4.5 appeals (56%) have been allowed since 01 April 2017

Planning Application 2016/0744: Remove and replace Lime tree (T1) within TPO no. 3/2000 at 2 Ladyroyd, Silkstone Common, Barnsley, S75 4SF – Allowed – Delegated.

Planning Application 2016/1402: Felling of Oak Tree (T2 within TPO 3/1980) and replacement at 73 Martin Croft, Silkstone, Barnsley, S75 4JS – Allowed - **02/05/2017** – Delegated.

Planning Application 2016/1035: Erection of 1 no. detached dwelling with detached garage at Knowles Street, Spring Vale, Barnsley - Dismissed **24/07/2017** – Delegated.

Planning Application 2016/1478: Formation of vehicular access at 18 Roper Lane, Thurgoland, Barnsley, S35 7AA – Dismissed **31/07/2017**- Delegated.

Planning Application 2016/1338: Erection of two storey side and single storey extension to rear of 179b King Street, Hoyland, Barnsley, S74 9LL - Split Decision - 13/07/2017 - Delegated.

Planning Application 2016/1340: Erection of two storey side extension and a single storey front extension to dwelling at 101 Genn Lane, Ward Green, Barnsley – Dismissed **10/08/2017** –Delegated.

Planning Application 2016/1080: Conversion of existing garage to bungalow at 102 Sackville Street, Barnsley – Allowed **15/08/2017** - Delegated

Planning Application 2017/0403: Conversion of existing 2 storey annex from garage to games room to dwelling with associated amenity space parking and new access to existing dwelling at Ivy Cottage, 108 Upper Hoyland Road, Hoyland, Barnsley – Allowed – Delegated.

Chair

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Item 4

2016/1490

Applicant: Barratt Homes, C/o Johnson Mowat

Description: Residential development of 164 no. dwellings and associated works (Amended Plans).

Site Address: Land at Lee Lane, Royston, Barnsley, S71 4RT

27 letters of objection received.

Site Location and Description

The application site is located approximately 1.3 kilometres west of Royston town Centre. It lies to the North of Lee Lane and measures approximately 5.3 Hectares. It forms part of a larger 8 Hectare site which was granted outline planning permission under application reference 2013/0932. It is currently an undeveloped greenfield site comprising of open fields and is bounded to the south by B6428 Lee Lane which is one of the main approach roads into Royston. The eastern boundary abuts residential properties (Applehaigh View), Lee Lane farm is located to the west and across the northern boundary lies a former disused railway line. Extending beyond the northern, southern and western boundaries the land is primarily in agricultural use.

Levels across the site are relatively flat and the land sits marginally lower to that of the adjacent highway. There is some limited tree cover but this is mainly concentrated along the site's boundaries forming part of established hedge lines. There is a watercourse located to the north eastern corner.

Site History

2013/0932 – Residential Development of up to 200 dwellinghouses and additional retail facility with primary access off Lee Lane (Outline) – Approved 24th March 2017.

The application was submitted for outline planning permission for residential development and a small food retail unit (under 500m²). Details of access were included as part of the application but all matters relating to design, scale, siting and landscaping were reserved for a subsequent application.

The application therefore primarily sought to establish the principle of residential development with access only. However, the principle was fixed by parameters which would have to be adhered to within a subsequent reserved matters application.

Whilst exact details were reserved for subsequent approval the development would support a mixture of house types with 15 % being assigned as affordable. Further to this a minimum of 15% of the site was allocated as public open space which included an area of equipped play space. The area of POS equated to at least 1.2 hectares of the site.

The submitted parameter plan indicated a landscaping belt being incorporated along the site's frontage and eastern boundary to Applehaigh View.

It was proposed that vehicular access into the development site would be taken via the northern arm of a new four arm roundabout junction off the B6428 Lee Lane. The roundabout included a southern spur which could potentially serve development to the south

of Lee Lane. The roundabout would be designed to prescribed standards contained within the Design Manual for Roads and Bridges. In brief it would include an inscribed circle with a diameter of 40 metres, carriageway widths of at least 6.5 metres and 2 metre pedestrian footways on each arm of the proposed junction.

2014/1073 – Variation of condition 4 of application 2013/0932 'Residential development of up to 200 dwelling houses and additional retail facility with primary access off Lee Lane (Outline) to revise the parameters plan – approved.

The proposed amendments, in the main, related to alterations to the landscaping strategy which was indicated on the approved parameter plan. This comprises of a reduction to the width of the landscape buffer across the frontage and an increase to the floor space of the 2bed properties.

Proposed development

The applicant seeks permission for 164 houses comprising 8 x 2 bedrooms, 75 x 3 bedrooms and 81 x 4 bedrooms. The development would incorporate 12no. house types, in a mix of detached, semi-detached and townhouses, all of which would have accommodation over 2 stories.

A linear open space would be located centrally within the site with the houses and access roads arranged around it. Access would be taken from Lee Lane, to the South of the site, via a roundabout (to be provided by the developer). The main adopted access road within the site would be rectangular in layout and have a number of private drives off, accommodating upto 5no. dwellings. There would be 2no. future access points incorporated, to allow the development of neighbouring fields, one to the North East and one to the South West.

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 Council has submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

Local Development Framework Core Strategy

CSP1 'Climate Change'
CSP2 'Sustainable Construction'
CSP3 'Sustainable Drainage Systems'
CSP4 'Flood Risk'
CSP5 'Including Renewable Energy in Developments'
CSP8 'The Location of Growth'
CSP9 'The Number of New Homes to be Built'
CSP13 'The Release of Allocated Housing Land'
CSP10 'The Distribution of New Homes'
CSP14 'Housing Mix and Efficient Use of Land'
CSP15 'Affordable Housing'
CSP25 'New Development and Sustainable Travel'
CSP26 'New Development and Highway Improvement'
CSP29 'Design'
CSP32 'Small Shops'
CSP33 'Green Infrastructure'
CSP35 'Green Space'
CSP36 'Biodiversity and Geodiversity'
CSP37 'Landscape Character'
CSP39 'Contaminated and Unstable Land'
CSP40 'Pollution Control and Protection'
CSP42 'Infrastructure and Planning Obligations'

Saved UDP Policies

UDP notation: Safeguarded land

Policy GS10/RO6 'In areas shown as Safeguarded Land 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'.

SPD's

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

Planning Advice Note's

30 -Sustainable Location of Housing Sites
33 -Financial Contributions to School Places

Other

South Yorkshire Residential Design Guide

Emerging Development Sites and Places DPD

Local Plan Proposed allocation: Housing Allocation

Site H11 Land off Lee Lane, Royston indicative number of dwellings 770

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.

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 49 'Housing applications should be considered in the context of the presumption in favour of sustainable development.

Para's 58 & 60 – Design considerations

Consultations

SYAS – No objections subject to previous conditions being carried forward

South Yorkshire Police – No objections subject to security recommendations

Yorkshire Water – No objections subject to conditions

Highways – No objections subject to conditions

Design – No objection in principle. Initially highlighted some concerns but the majority of these have been addressed throughout the application process.

Education Services – No objection subject to contribution towards primary school places.

Wakefield Council – No objections

Contaminated Land Officer – No objections subject to conditions

Affordable Housing Officer – Development should comply with policy CSP 15

Forestry Officer – Raised concerns regarding the removal of the 2no mature trees to the North East of the site

Air Quality Officer – Requested charging points for dwellings with garages.

Drainage – No objections subject to previous conditions being carried forward.

Waste Management – No comments

Ward Councillors – No comments

Representations

The application has been advertised by way of a site and press notice and properties which share a boundary to the site have been consulted in writing.

As a result of the above, 27 letters of objection have been received. The main points of concern are;

- Increased vehicular movements
- Reduced highway safety
- Loss of greenery/urban sprawl
- Health and education provision over capacity
- Loss of wildlife habitat
- Lack of bungalows within the scheme
- Increase flooding potential
- Inadequate mix of housing across the site
- Level of disruption during the construction
- Limited access to public transport
- Increased overlooking/loss of privacy
- The school proposed for the South of Lee Lane should be relocated to the North
- Bungalows should back on to Applehaigh View to reduce impact
- In accuracies within the application

Following the initial consultation, revised plans showing the roundabout have been received, alongside a Construction Management Plan showing the phasing of the development. The layout of the site remains unchanged but residents were given the opportunity to comment on the amended plans following a re-consultation exercise. At the time of writing no additional comments have been received.

Assessment

Principle of Development

As outlined above, the site is currently allocated as Safeguarded land in the UDP. However, the principle of residential development has previously been set with the approval of the outline permission on the larger site, which incorporated the site currently in question. The principle behind the previous permission is set out below;

UDP policy GS10 is clear that on Safeguarded Land existing uses will normally remain during the plan period and that planning permission for alternative development will only be granted following a review of the UDP. Taken as read the proposal would be contrary to UDP policy.

However, the applicant asserts under NPPF policy that the site is in a sustainable location and that there are material considerations of such significant weight that they indicate that the proposal should be allowed. In particular they refer to Core Strategy Policy CSP8 which prioritises housing development within the Boroughs nominated Principal towns, of which Royston is one. Housing plays a fundamental role in the delivery of the Councils economic strategy. The Council strives to deliver 21,500 new homes by 2026, Royston is expected to accommodate at least 5% of this anticipated growth, this would equate to 1000 new homes being secured over the 12 year period. It is clear that new site allocations will have to be identified to achieve these growth targets, to prevent pressure on the Green Belt and that Safeguarded land will be a primary consideration to accommodate future housing allocations.

Based on an assessment of housing supply limited to the Royston area, the applicant also notes that the Council cannot at present demonstrate a deliverable five year supply. It has been acknowledged in previous Planning Board reports that at the present time, the Council cannot demonstrate a five year supply of specific, deliverable housing sites. The Council therefore must concede that, in this situation the NPPF is a material consideration that carries substantial weight in the decision making process of residential proposals.

With regard to five year supply paragraph 49 of the NPPF is clear that where no five year supply can be demonstrated the Presumption in Favour of Sustainable Development at paragraph 14 of the NPPF should be used to determine planning applications and those relevant policies for the supply of housing should not be considered up-to-date. Other relevant development plan policies and material considerations should, however, still be considered.

The NPPF emphasises that Local Planning Authorities exercise a presumption in favour of sustainable development in determining all planning applications. For the purposes of the decision making process this means:-

- approving development proposals that accord with the development plan without delay*
- where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-*
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- specific policies in the Framework indicate development should be restricted.*

The intention of Safeguarded Sites is to release land that is required beyond the development plan period to serve long term development needs. The purpose of the Safeguarded Land designation in the UDP was therefore not to protect the land from development in perpetuity, but rather to designate land on the edge of existing settlements that may be required to meet longer term development needs without the need to alter existing Green Belt boundaries at the end of the UDP plan period.

The Unitary Development Plan was adopted in 2000 therefore the extent it can be relied upon in terms of current development needs is becoming dated. The NPPF also states that decision makers should only afford full weight to policies adopted from 2004 onwards.

UDP policies are not protected by the NPPF and those associated with safeguarded land within identified sustainable locations can now be considered 'out of date' meaning that the application needs to be considered within the context of the presumption in favour of sustainable development. If it is accepted that the UDP safeguarded land designations in sustainable locations are out of date it is then necessary to consider, as required by the presumption, if there are any adverse impacts from granting permission for this particular site that 'would significantly and demonstrably outweigh the benefits'.

It is considered that the above appraisal can also be applied to this current application. In addition the land has been allocated as Housing Lane within the Publication Draft of the Local Plan. Whilst this has not been adopted yet, and therefore carries limited weight because of this, it indicates the direction of travel for this site is towards residential development.

Design / Visual Amenity

Residential development would represent a significant departure from its Greenfield Status where it is utilised as grazing land. A number of the objections have raised this as a concern, with the consensus being that this would represent a sprawl into open countryside. It needs to be stressed that the site is not subject to any special designations, including Green Belt, SSSI's, Landscape Value or Conservation Area, and therefore its visual amenity attributes would not be sufficient to outweigh the NPPF's presumption in favour of sustainable housing development. Furthermore, the principle of residential development has been set with the approval of the outline permission, and, the land is designated for Housing in the Local Plan.

As previously noted it is a relatively level site which is defined by strong boundaries, these being Lee Lane, Applehaigh View, Lee Lane Farm and a former railway line to the north. These features contribute as mitigating factors which would help to reduce the visual impact of the development, as it would present itself as a natural extension to the town much like the Applehaigh View development did when that was constructed. As a separate commentary to this, residential would also be evidently compatible with the adjoining uses.

The proposals have endorsed the concept of a Master-planned approach as advocated within the Local Plan 'Site H11' for the land to the North and South of Lee Lane, Royston which estimates an indicative number of dwellings circa 770. Pivotal to this is the delivery of the roundabout which is included within the detail of the application. This would ensure that comprehensive development could be achieved to a wider allocation which includes land both to the north, and south of the highway.

The site plan indicates that soft landscaped edge can be provided to the frontage, taken with the roundabout this would enforce a 'gateway' identity to the site, and a much desired feature given its location on the main approach road into Royston. The design of this landscaping would assist with the transition from a more rural to urban environment, in keeping with the character that existing residents value within their representations. Further to the roundabout, pedestrian linkages and a network of green corridors would also be created through the site including a central, linear green space/open space. Collectively the features would meet with the policy expectations of CSP3, 33 and 35.

At 164 dwellings, the development would equate to a gross density of circa 31 units per hectare. This is below densities advocated by CSP14 'Housing Mix and Efficient Use of Land'. However, for this site a lower density is considered appropriate given the design aspirations for the site, and to also ensure that subsequent development would be in-keeping with the edge of settlement location on the urban fringe.

Locally architectural styles vary significantly, the development would provide a broad mix of accommodation covering 2-4 bedroom properties. Properties would be in the form of detached, semi-detached and rows of 3 townhouses. All of the properties would have accommodation over 2 floors. It is acknowledged that the majority of the properties which share a boundary to the East of the site are bungalows, however, the previously approved parameters plan specified these to be a maximum of 2 stories in height and did not specifically request bungalows. The issue of the lack of bungalows on the site was put to the developer but they have declined to add any on to the scheme. Whilst this is disappointing, the scheme still provides a sufficient mix of housing to ensure it meets the relevant policies

The proposed house types are considered acceptable for the development and on the corner plots the dwellings would generally have dual frontages so that fenestration and interest would be visible from both roads. These plots would also be afforded soft landscaping to both sides and predominantly accommodate trees/larger plants to aid soften the elevations and avoid over dominance within relatively prominent positions.

With regards to the proposed layout, there would be a several houses fronting onto Lee Lane and the proposed roundabout, however, these would no have direct vehicular access and would instead be accessed via private drives, set back and partially screened via a landscaped buffer. On entering the site there would be a central, linear open space with pedestrian footpaths linking the central and northern parts of the site. A number of dwellings would front the open space, accessed via private drives. The open space would provide an attractive central focal point which would also aid legislation and navigation around site. It is acknowledged that it would accommodate a pumping station and substation but these would be relatively small and screened.

The main adopted road around the site would be in a rectangular arrangement with dwellings fronting it to both sides. The aforementioned private drives would branch of from the main vehicular route and would be subject to differing surfaces to improve legibility and provide a hierarchy. To the South West and North East of the site the roadway would lead to the adjacent fields to enable the future development of neighbouring land, accessed through this site.

The majority of the dwellings would have parking to the front. However, there are not large runs of parking, 5 spaces side by side at the most to the front of plots, and these are in a non-prominent position with landscaping surrounding. Generally the parking spaces are separated by soft landscaping which helps to avoid large areas of hard landscaping and car dominance. The dwellings which front Lee Lane incorporate parking to the side, given their prominent location, with the spaces also partially hidden by the adjacent buffer. There are parking courts to the North West of the site but these are relatively small and non-prominent. They also incorporate areas of landscaping.

All the properties, including the townhouses, have pedestrian access to the rear amenity spaces which means bins and recycling containers can be stored in non-prominent positions, away from front elevations and driveways.

In summary of the considerations on design/visual amenity grounds, the application is not considered to raise any significant issues. It is considered that a high-quality development can be achieved at the site which incorporates sustainable techniques and complies with CSP29 'Design' and relevant criteria of SPD.

Residential Amenity

The site sits between an established residential area and land in agricultural use. The proposals are considered to be wholly compatible with these surrounding land uses, and there are no processes or operations taking place which would be prejudicial to residential amenity. This has also been confirmed by Regulatory Services who raise no objections on pollution grounds to the principle of residential development.

There have been concerns raised within the representations relating to privacy and outlook matters from the residents along Applehaigh View whom back onto the site. With regards to outlook, the principle of residential development on the site has previously been established and the approved parameters plan and associated conditions stated 2 storey properties along the Eastern boundary would be acceptable. It is acknowledged that the parameters plan identified a landscape buffer along that boundary, which is not included in this scheme. However, in order to compensate, the separation distances between the existing rear elevations and proposed side and rear elevations have been increased above the requirements of SPD 'Designing New Housing Development'.

With regards to privacy levels, the separation distances between the existing and proposed properties, outlined above, would ensure adequate privacy levels between habitable room windows. The proposed rear elevation windows would be in excess of 10m of the shared boundaries, in accordance with the SPD, but it is acknowledged that some of the existing rear elevations, containing habitable room windows, would fall short of 10m from the proposed rear amenity spaces. The short fall is limited to a small number of properties and would not be significant, in addition, the majority of the neighbouring properties have accommodation over 1 floor with views limited by boundary treatments. In anycase, the prospective purchasers of the properties would be aware of the situation and it would not be enforced upon them.

With regards to the residential amenity within the proposed development itself, the back to back dwellings would generally both have garden lengths of 10m. However, this results in the elevations being 20m apart rather than the recommended 21m. Given the relatively modest shortfall, and the fact that potential buyers would be aware of the layout, this is considered acceptable and would provide adequate levels of amenity.

The majority of the proposed dwellings exceed the internal and external spacing standards set out in the South Yorkshire Residential Design Guide and the SPD. However, there are a small number of 3 bedroom house types which fall short, generally because they have a small box room/study, For example, the 'Barton' meets or exceeds the requirement in the living room, master bedroom, 2nd bedroom and bathroom but falls short in the kitchen and 3rd bedroom. However, these are popular house types in the Barratt's portfolio and given that they only fall short in a couple of areas would not warrant a refusal in this case.

As a result of the comments above, residential amenity for existing and future residents would be to a reasonable degree.

Highways Safety

The site fronts onto the B6428 Lee Lane approximately 1.3 km west of Royston town centre. Lee Lane is subject to the National Speed limit, although a 30mph speed limit applies towards the eastern boundary approximately 60m from the junction with Applehaigh View. There is only one footway along the section of highway to the front of the development and this is located on the opposite side of the carriageway. In addition there is no street lighting provided across the site.

To the west of the site Lee Lane provides a minor arm to the A61 Wakefield Road/B6428 Lee Lane priority controlled junction. The A61 provides access to Barnsley centre to the south and Wakefield to the north. To the east of the site the B6428 provides an arm to the signal controlled cross road at 'The Wells' in Royston town centre.

Highway safety issues have been a prevalent concern expressed within the many representations received. In accordance with policy CSP26 new development must be designed to ensure that safe, secure and convenient access for all road users can be achieved. Mitigation must be secured where there is either a known or potential safety issue on hand.

The proposal would see the introduction of a new four arm roundabout junction off the B6428 Lee Lane, provided by the developer and secured by condition. Access to the site would be taken from the northern arm of the roundabout but a southern spur would serve future development to the south of Lee Lane. The roundabout would be designed to prescribed standards contained within the Design Manual for Roads and Bridges. In brief it would include an inscribed circle with a diameter of 40 metres, carriageway widths of at least 6.5 metres and 2 metre pedestrian footways on each arm of the proposed junction.

The roundabout is required as part of this application as the Police and Highway Authority are not prepared to tolerate a situation where development is allowed to proceed without a roundabout with no certainty on when, where and how a roundabout will be delivered to address the identified road safety concerns. It is also important to note that policy H11 in the Local Plan requires a masterplan covering the entire allocation. This proposal has come forward on its own without seeking to address any of the cumulative impacts that are likely to arise from the complete development of H11. It is known from the results of transport modelling that significant off-site improvements will be required to the existing highway network, which could involve compulsory purchase of 3rd party land. It is therefore inevitable that there will be other costs over and above the provision of a roundabout.

The Council are currently in the process of examining the cumulative impacts and devising costed solutions with a view to ensuring that each developer/landowner contributes their fair share. This will avoid a scenario where only part of the site comes forward and the rest is rendered unviable due to infrastructure costs only being capable of being sought from those seeking to bring forward sites later in the plan period. As the roundabout is required at the outset it has been decided that the developer of the first site should provide the roundabout but that they don't need to contribute towards anything else given that other developers will benefit from the roundabout being provided at the outset. This is considered a pragmatic approach to allow development to come forward rather than delaying matters until the Council have clearly established the cumulative infrastructure requirements.

The developer has proposed to build up to 33 plots prior to the roundabout being constructed in order to get on site as soon as possible. They propose a temporary access off Lee Lane in the South West corner of the site for workers and tradesman's vans, which leads to the site compound. They also propose a temporary access off Applehaigh View to the South East of the site for all HGV traffic and sales. The phasing details have been shown on an accompanying Construction Management Plan. Given the small number of properties proposed prior to the construction of the roundabout, this is seen as reasonable request and would not significantly affect the highway network. Highways have agreed with the proposals subject to specific conditions surrounding the phasing and the roundabout.

Pedestrian and cycle linkages are provided throughout the site and link to existing infrastructure within the vicinity. Existing amenities including those within Royston Centre and bus stops along Lee Lane/High Street would be served from existing pedestrian footways.

Cumulatively the impact of the roundabout, footways, street lighting and speed restriction would be a significant improvement upon the existing situation. These features address many of the concerns raised within the representations. In terms of addressing the overriding concern then the crux of residents' objections remains one of capacity and the ability to Royston to accommodate this scale growth. A full traffic assessment has been undertaken and this has been revisited to cross reference all committed developments within the town.

The TA has established that the highway has adequate capacity to accommodate this proposal as well as other committed developments within Royston. Subsequent applications for residential development would require further assessments in their own right, whereby additional mitigation and safety measure may have to be considered. A development of this scale would usually take a minimum of 4-5 years to complete therefore The traffic impact (which is acceptable) would therefore not be immediately apparent with levels increasingly incrementally over forthcoming years.

Within the site itself, Highways have raised no objections to the internal road layout. The proposed private drives serve a maximum of 5 dwellings, in accordance with the South Yorkshire Residential Design Guide, and each property would have access to 1no. parking

space for 2 bedroom properties and 2no. parking spaces for 3 bedroom plus properties, in accordance with SPD 'Parking'.

Drainage & Flood Risk

The Environment Agency Flood Map has identified that the site lies in an area of Zone 1 Flood Risk. Development located within Flood Zone 1 is identified as being suitable for all types of development and the risk of flooding from rivers etc. is low.

The nearest watercourse is an unnamed stream located in the northwest area of the site and runs in a north easterly direction before changing direction and heading in a southern direction away from the site, it is in parts culverted. In addition to this there is also a drainage ditch that runs along the north east corner before connecting with the unnamed stream.

Clearly development that increases the amount of impermeable surfaces can result in an increase in surface water run-off, which in turn can result in increased flood risk both on site and elsewhere within the catchment. There is evidence that the site has been affected by excess surface water collecting in the past and this has been addressed within the FRA.

Development can be achieved that embraces the use of SUDS in accordance with policy CSP3.

The proposals would see the introduction of an attenuation pond to accommodate excessive levels of rainfall, this would then release water into the nearby watercourse at a controlled greenfield rate. This approach is considered to be an acceptable drainage solution and no objections have been raised by either the Drainage Authority or Yorkshire Water. However, in recognition of runoff discharging into the watercourse it is considered necessary to impose a Grampian condition requiring a CCTV inspection to be carried out on the culverted section, the purpose of which would be to ascertain whether any repairs need to be carried out. Further downstream there may also have to be some 're-ditching' works to improve the efficiency of flows.

Subject to the above works being secured by a condition, the proposed development can satisfy the requirements of National Planning Policy Framework as well as Core Strategy polices CSP1, CSP3 and CSP4.

Education

Concerns relating to Royston primary schools being at capacity have been raised within many of the representations submitted. Royston is served by 4 primary schools and Carlton ALC. The Education Officer has calculated the projections for school places within the area and concluded that there would be a shortage of primary school places, as such, given that each school place requires a contribution of £13,755 and there would be 31 school places generated by the development, a contribution of £426,405 is required. This would be secured by a S106 agreement.

With regards to secondary school places, the projections indicate that there will be sufficient places, as such, no contribution would be required.

Affordable Housing

Core Strategy policy CSP15 identifies that in Royston, 15% of the proposed dwellings should be secured as in perpetuity as affordable. However, the applicants have cited policy H8 'Affordable Housing' in the Local Plan given its increasing weight following submission and first stage of hearings. They have also indicated that they are contributing the full education contribution, which is the most up to date calculation and a higher figure than would be

required when based against the PAN 33 'Financial Contributions to School Places', the Greenspace contribution, and the roundabout costs. In order to maintain the viability of the scheme, it has therefore been agreed that the affordable housing contribution can be reduced to take into account the contributions already agreed upon, in particular the higher education contribution. This can be agreed upon via a S106 and is likely to result in 10-12 units being provided on-site or an equivalent off-site contribution being provided.

Green Space

In accordance with CSP35, CSP42 and the SPD: Open Space Provision on New Housing Developments, all residential development over 20 units are expected to provide green space, whether that be on site or a financial contribution to upgrade existing. As the proposal also represents loss of existing green space there will also be a requirement for compensatory provision for this.

The preliminary green space assessment indicates a deficiency in children's play and youth provision in the area; it is therefore considered appropriate in this instance to provide those on site and the formal recreation provision will be satisfied via an off-site contribution to enhance formal recreation facilities in the locality. Through discussions between the applicant and the Council it has been agreed to reduce the informal open space requirement down to 10% as proposed, in exchange for providing that a LEAP and youth provision is located on site. It is considered appropriate to meet the formal recreation requirement via means of an off-site contribution in this instance; the contribution has been calculated using Appendix 2 of the SPD Open Space Provision on New Housing Developments and equates to £164k.

The design of the LEAP and Youth provision will be conditioned and the off-site contribution will be secured via a s106 agreement.

Ecology and Biodiversity

The application is supported by a detailed ecological assessment. The fields comprise in the main of improved grassland, and field boundaries are composed of some tree line/hedgerows.

Objections have been raised in respect of the loss of important wildlife habitat, the survey identifies that it is void of any ancient habitats and those which are on site are of a low ecological value and are common within the wider landscape environment. The provision of onsite open space, green buffer zones and SUDS would all provide potential areas of habitat providing a degree of biodiversity enhancement.

A bat survey has been submitted with the application which concludes that 'bat activity is found to be relatively low' and that 'the proposals are unlikely to result in significant impacts on local bat populations, provided standard protection measures are implemented. These measures can be conditioned.

Trees

The most significant trees are a group of Oaks along the North Eastern boundary. The proposed development, and specifically the future access road to the site to the North, would result in two of these trees, arguably the best two, being removed. This would have an impact on visual amenity and the Tree Officer raised concerns. The developers were asked to look at alternative locations for the access road but had difficulty given the irregular shape of the land to the North.

Given the location of the trees, away from the highway and in relatively non-prominent positions, it has reluctantly been agreed for the trees to be removed in order to not prejudice the future development of the adjacent land. However, the site does give good opportunity for a tree planting and landscaping scheme to mitigate against the loss. This will be conditioned.

Land Contamination and stability

The preliminary site investigation report identifies that there is potential for some onsite contamination risks. This should not be to an extent that should comprise residential development. As is common with most developments it is recommended that a condition is applied requiring an intrusive site investigation to be undertaken. Accordingly, the contaminated land officer has raised no objections.

In terms of coal mining legacy the site is located within a low risk area so there is no requirement for further analysis to be undertaken.

Archaeology

Geomagnetic surveys have been conducted across the site on the recommendation of South Yorkshire Archaeology Service. Agricultural features were detected over the majority of the survey areas, comprising a series of possible early field boundaries, evidence for ridge and furrow cultivation, and a series of land drains. In addition there was possible evidence for prehistoric activity detected in the form of two possible oval enclosures at the centre of the site. SYAS are satisfied with the level of investigation which has so far been undertaken but recommend that further surveys are conditioned to take place prior to any development commencing. This approach satisfies the requirements of policy CSP30.

Conclusion

The proposal is contrary to saved UDP policy with regard to the Safeguarded Land designation of the site. However, the principle was previously established with the outline approval, and, at present the authority is unable to demonstrate a five year supply of specific, deliverable sites for residential development, as a result the NPPF Presumption in Favour of Sustainable Development applies. Contrary to the representations made against the development all the indications from the analysis of the submitted reports and subsequent consultation responses are that residential development is a sustainable and compatible land use within the locality. The presumption must therefore apply.

The application has adequately demonstrated that the site is of an appropriate size to accommodate 164 dwellings. Its location on the existing settlement boundary means that it benefits from access to plethora of amenities and services which are immediately on hand within Royston district. Royston is a principle town which has been prioritised for future growth; the development would therefore contribute to these objectives. There are no significant or demonstrable adverse impacts associated with the development and the application has successfully demonstrated that an adequate access can be achieved without compromising highway safety.

Recommendation

Grant subject to conditions and subject to signing of S106 agreement for Education, Greenspace, and Affordable Housing.

- 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, documents and specifications as approved (see below) unless required by any other conditions in this permission.

Plans;

Planning Layout Drawing – LL-PL/01

Materials Layout - LL-ML/01

Alderney Plans and Elevations - BALD 00CD

Barton Plans and Elevations - BBAT 00CE, C1

Collaton Plans and Elevations - BCLA 00CD

Ennerdal Plans and Elevations - BENN 00CE

Eskdale Plans and Elevations - BESK 00CD, CS

Kenley Plans and Elevations - BKNL 00CE, C1

Kingsley Plans and Elevations - BKEY 00CD

Maidstone Plans and Elevations - BMAI 00CE, C1

Palmerstone Plans and Elevations - BPMS 00CE, C1

Ripon Plans and Elevations - BRIP 00CD

Windermere Plans and Elevations - BWIE 00CD

Woodcote Plans and Elevations - BWOO 00CE, C1

Documents;

Bat Survey - R-2722-02

Geoenvironmental Appraisal - 2366/1

Flood Risk Assessment Report - November 2016

Arboricultural Report & Impact Assessment - AWA1741

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

- 3 The external materials shall be in accordance with the approved materials layout Ref: LL-ML/01. 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 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP 29, Design.
- 5 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 Core Strategy Policy CSP 29, Design.

- 6 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.
- 7 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.**
- 8 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.
- 9 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.
- 10 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.
- 11 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.

- 12 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
Reason: To ensure a safe and adequate highway network, in accordance with Core Strategy Policy CSP 26.
- 13 Prior to commencement of development full highway engineering construction details, (including highway retaining structure, and phasing of the highway works) shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 14 No development shall take place until full foul and surface water drainage details, including a scheme to reduce surface water run-off by at least 30%/maintain or reduce existing Greenfield run-off rates and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:
- 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.
- 15 No development shall take place until a scheme for disposing of surface water by means of a sustainable drainage system is approved by the Local Planning Authority. The scheme shall include the following details:
- Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - A timetable for its implementation; and
 - A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.
- The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.
Reason: To ensure proper, sustainable drainage of the area in accordance with Core Strategy Policy CSP 3.
- 16 Upon commencement of development full details of the LEAP standard play area (include a minimum 5 items of play equipment) and Youth Provision, alongside management responsibilities and maintenance schedules and a programme for installation, shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the agreed timetable for installation.
Reason: In the interests of residential amenity to ensure adequate provision of public open space to meet local needs in accordance with Policy CSP 35 of the Core Strategy.

- 17 Upon commencement of the development the following landscaping details shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be retained thereafter:
- i) proposed finished levels or contours;
 - ii) public open areas;
 - iii) soft landscaping;
 - iv) means of enclosure;
 - v) other vehicle and pedestrian access and circulation areas;
 - vi) hard surfacing materials;
 - vii) minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); and
 - viii) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, indicating lines, manholes, supports etc.)
- Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**
- 18 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.**
- 19 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of () 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.
- In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**
- 20 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.
- Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.**

- 21 No building or other obstruction including landscape features shall be located over or within 3.0 (three) metres either side of the centre line of the sewer i.e. a protected strip width of (6) metres, that traverses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.
Reason: In order to allow sufficient access for maintenance and repair work at all times.
- 22 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.
- 23 No development within any phase, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation within that phase and this has been approved in writing by the Local Planning Authority. The WSI shall include:
The programme and method of site investigation and recording.
The requirement to seek preservation in situ of identified features of importance.
The programme for post-investigation assessment.
The provision to be made for analysis and reporting.
The provision to be made for publication and dissemination of the results.
The provision to be made for deposition of the archive created.
Nomination of a competent person/persons or organisation to undertake the works.
The timetable for completion of all site investigation and post-investigation works.
Thereafter each phase of the development shall only take place in accordance with the approved WSI and each phase shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled for that phase or alternative timescales agreed.
Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.
- 24 No development shall commence until full details of the structural condition (including CCTV survey of any culverted section) and the exact route of the watercourse have been submitted to the Local planning Authority. In the event that any culverted section is in need of repair, or that the watercourse channel is in need of clearance/dredging works, then a repair scheme / works schedule shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.
Reason: To demonstrate its fitness for purpose and proper functioning of the existing watercourse.

25 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.

26 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the dwellings hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure compliance Core Strategy policy CSP 42, policy I1 in the emerging Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.

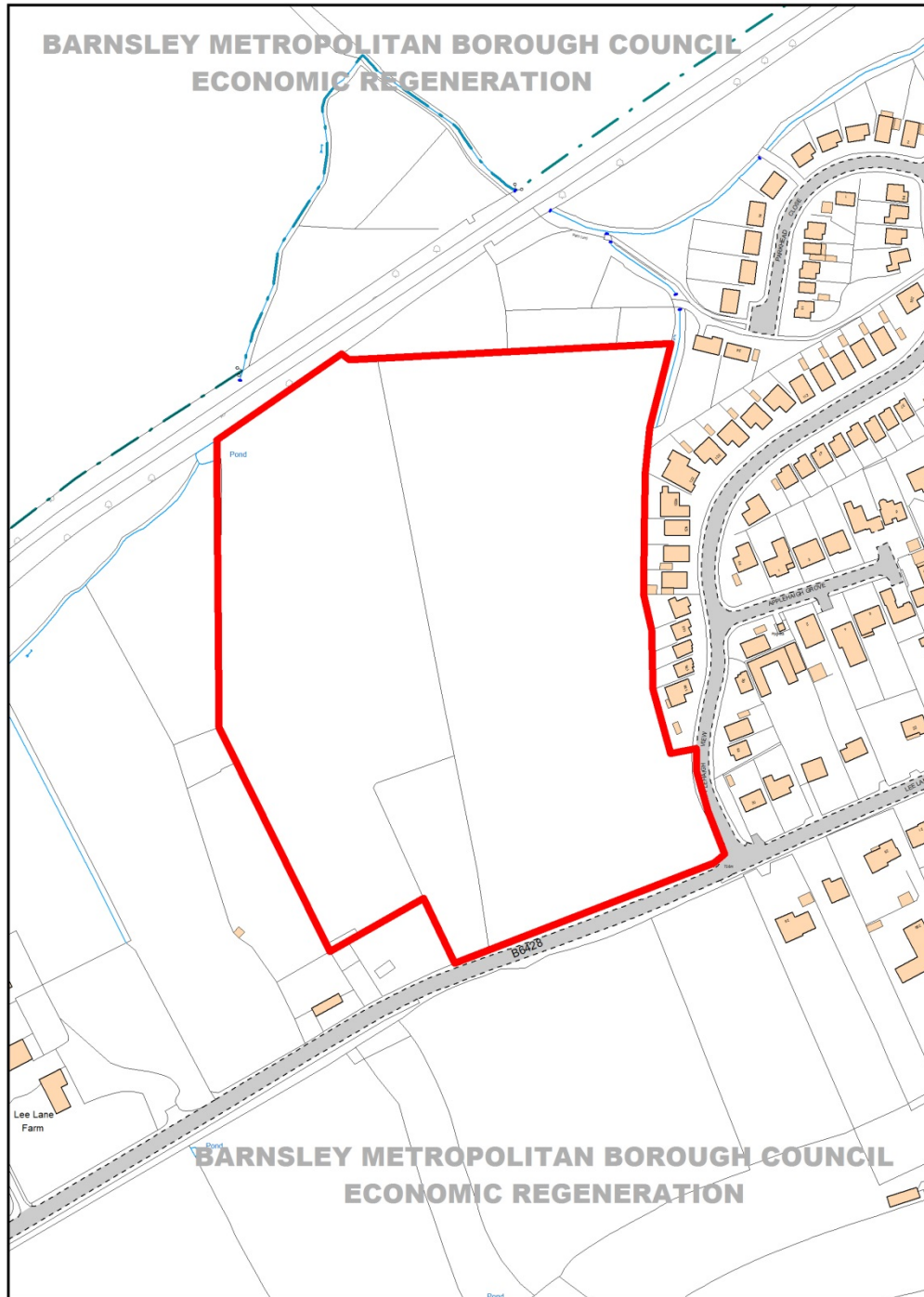
27 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- Provision of a roundabout at the junction of the site access with Lee Lane;
- Measures to reduce speeds on Lee Lane;
- Measures to prevent parking at the new junction;
- Provision of /any necessary alterations to street lighting;
- Provision of / any necessary alterations to highway drainage;
- Any necessary resurfacing/reconstruction;
- 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.

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BARNSELY MBC - Economic Regeneration

Service Director: David Shepherd
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Scale 1: 2500

Item 5

2017/0599

Applicant: Company Shop & Rula Developments Limited, C/o ID Planning

Description: Erection of Class B8 storage and distribution warehousing and ancillary Class B1 office space and associated access (Outline with all matters reserved apart from means of access).

Site Address: Land off Maple Grove/Maple Court, Tankersley, Barnsley

A representation has been received on behalf of one of the local businesses.

Site Location and Description

The application site forms part of the larger Wentworth Way Industrial Park located just off Junction 36 of the M1 motorway. Rectangular in shape and of 3.1 hectares, and relatively flat, the site is located on the eastern edge of the estate and borders the Green Belt to which lies to the west. Employment uses lie to the north (Mercedes Benz Truck Depot), east (Pilkingtons) and south (Maple Court B1 business units). The site perimeter to the north beyond the site boundary comprises mature trees, forming an important wildlife corridor and recently included in the Sowell Pond Local Wildlife Site (saved UDP policy HN8/4, Sowell Pond). A belt of mature trees on the western part of the site is protected by a Tree Preservation Order.

The southern boundary of the site is bounded by Maple Court road, which ends at a spur in the south western corner of the site. Furthermore an existing entry point is located south-eastern corner. A small earth bund is runs alongside this boundary in a roadside location. Pilkingtons lies immediately adjacent to the northeast.

The site is generally level but uneven and covered in rough grass and scrub. A public foot path runs just outside the southern and western perimeter

Planning History

B/92/0918/WO Erection of information management centre Granted 27/07/92

B/00/0286/WO Erection of two factory units with associated external works Granted 04/05/00

B/01/0656/WO Outline application for the erection of cold storage warehouse, ancillary retail and office development with associated car parking and service yard. Granted 23/12/02

B/03/0641/WO Erection of cold storage warehouse, ancillary retail and office development with associated car parking and service yard (Reserved Matters). Granted 24/06/03

Proposed Development

Outline planning permission is sought for a development of up to 14,000m² built floor space of B8 storage/distribution use with ancillary offices. Access only is to be considered at this stage with all other matters to be considered at reserved matters stage.

An indicative plan shows a large single building proposed in a location which is set back from the site frontage. Parking is shown for 20 HGV's to the foreground, together with 92 space car park for staff mainly to the west of the proposed building close to the tree belt and

a balancing pond to the eastern side adjacent the boundary to Pilkington's. A new access is proposed to the southwest of the site for cars.

The indicative plans show that two storey offices are proposed to the southwest corner adjacent to car parking. The building would incorporate two storey ancillary office accommodation in the south western part.

The application has been supported with a suite of documents including Design and Access Statement, Ecological Appraisal, Flood Risk Assessment, Framework Travel Plan, Transport Statement, and Planning Statement, Coal Mining Risk Assessment, Arboricultural Impact assessment, Drainage Layout, Geo Environmental Assessment.

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 Council has submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

Unitary Development Plan (UDP)

Employment Proposal Area Policy Area HN3

ED4 – Economic Development and Residential Amenity – refers to proposals for economic development adjoining or close to housing will be assessed with regard to the likely impact on residential amenity in terms of air pollution, noise, traffic, visual impact etc.

The site is identified as a Natural Area, GS2182 Maple Road Open Space, on the Council's Greenspace Register

Core Strategy (CS):

CSP1 – Climate Change – refers amongst other matters to giving preference to development of previously developed land in sustainable locations.

CSP11 – Providing Strategic Employment Sites

CSP12 – The Distribution of new Employment Sites

CSP19 – Protecting Existing Employment Land – states that existing employment land, or land last used for employment purposes will be retained in order to safeguard existing or potential jobs

CSP26 – New Development and Highway Improvement – states that new development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP29 – Design – sets out the overarching design principles for the borough to ensure that development is appropriate to its context and states that high quality development will be expected.

CSP 34 Green Belt – need to protect the countryside and open land around built up areas.

CSP35 – Green Space. Development proposals which result in the loss of Green space will only be allowed if there is an excess of greenspace in that area, or an appropriate replacement of equivalent benefit, value and accessibility is provided, or the development is for small scale facilities needed to support or improve the proper function of Green Space.

CSP36 – Biodiversity and Geodiversity – development will be expected to conserve and enhance biodiversity features. Development which may harm a biodiversity feature will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

CSP40 – Pollution Control and Protection – development will be expected to demonstrate that it is not likely to result in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

Local Plan Publication Draft

Green Space

National Planning Policy Framework (NPPF):

Core planning principles 3 and 4 state respectively that planning should proactively drive and support sustainable economic development and always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Building a strong, competitive economy:

- The planning system should do everything it can to support sustainable economic growth.
- Local planning authorities should plan proactively to meet the development needs of business

Requiring good design:

- Good design is a key aspect of sustainable development.
- Planning policies and decisions should aim to ensure that developments (amongst other things) will function well and add to the overall quality of the area, respond to local character and history reflect the identity of local surroundings and are visually attractive.

Supplementary Planning Documents (SPD):

Parking

Consultations

Enterprising Barnsley - Enterprising Barnsley support the application on the basis that the proposed development could attract inward investment and/or accommodate local company expansions, which would result in new job creation for the borough.

Highways Agency – No objection

Tankersley Parish Council – No objection, but request that the existing quality of road is addressed and repairs put in place.

Yorkshire Water – No objection subject to conditions

Air Quality – No objection subject to measures set out in Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance.

Pollution Control – No objections

Highways DC – No objections subject to a condition controlling trip generation.

PROW – No comments received

SYMAS – No objections subject to a condition for intrusive site investigation.

Coal Authority – No objection subject to a condition requiring intrusive site investigations

Forestry Officer – No objections, subject to conditions and the provision of off site woodland planting as compensation for the loss of trees within the site to accommodate the development.

Biodiversity – Content not to object to the application subject to the proposed commuted sum for sufficient off site woodland planting to offset the loss of habitat within the site to accommodate the development.

Transportation Officer – The Framework Travel Plan is acceptable but a condition is required to secure a full travel plan for reserved matters.

Ward Councillors - No comments received

Drainage – No objections subject to a condition

Waste Management – No comments received

Superfast Broadband Programme - It would be beneficial to the final build to ensure this development is enabled with broadband capability.

Representations

The application was advertised by press notice, site notice and neighbour notification letter. One representation was received from a business in the area which raised the issue of impact of the site on parking in the local area which is already congested through parked cars.

Assessment

Principle of Development

The proposed site is designated as an Employment Proposal Area in the Unitary Development Plan where employment uses are acceptable in principle. Core Strategy Policies CSP11, CSP12 and saved UDP policy HN3/1 will, therefore, apply

Policy ED7 indicates that business, industrial and storage and distribution uses are normally permitted on such sites which would bring economic and employment benefits for the Borough as a whole and Tankersley in particular.

In terms of greenspace the site is identified as a Natural Area, GS2182 Maple Road Open Space, on the Council's greenspace register, and Core Strategy Policy CSP35 therefore applies. The site is currently functioning as green space and, as such, should be protected from development unless material considerations indicate otherwise

As the site is fulfilling a green space function and has been identified as having significant ecological value it has been proposed as Green Space in the emerging Local Plan. Whilst it is recognised that the green space designation in the emerging Local Plan carries limited weight, Core Strategy policies CSP35 and CSP36 require that the present and potential greenspace functions of the area must be assessed. Permission should not normally be approved where a proposal would be likely to have a significant effect on the present or potential function of an area, unless material considerations indicate approval and the adverse effects can be offset by effective mitigation and compensatory measures.

Greenspace and Biodiversity

Core Strategy Policy CSP 36 states that development will be expected to conserve or enhance the biodiversity features of the borough. It goes on to say that development should protect and improve sites of ecological value and that development which may harm a biodiversity feature will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

The site has been added to the Greenspace Register due to its ecological value, which in particular is related to its botanical interest. During the consideration of this application, with new surveys undertaken both on behalf of the applicant and the Council, it appears that the ecological interest of the grassland has diminished somewhat. However, the Biodiversity Officer remains of the opinion that parts of the grassland only just fall below the standard required for it to be designated as a Local Wildlife Site, based on the number of indicator plant species, and remains of medium value. Its loss would have a significant impact at a local level and worthy of significant mitigation as grasslands are recognised as UK habitats of principal importance under s41 of the NERC Act 2006. In addition, the woodland is a UK habitat of principal importance under s41 of the NERC Act 2006 and some of this high value habitat is proposed for removal.

Verbally, the applicant has offered as on-site mitigation a 3m strip of vegetation to the northern boundary of the indicative building, adjacent to the Local Wildlife Site, and a strip of grassland to replace the bund along the southern boundary between the highway and HGV parking. Off-site, the applicant has suggested compensation works to 2 failed newt ponds in the applicant's ownership on Wentworth Way. This is not considered sufficient appropriate mitigation for this site as the ponds referred to were already part of a mitigation scheme for a previous development.

No mitigation proposals have been formally submitted for the removal of the grassland and woodland. Although the ecological appraisal proposes that a planning condition could secure mitigation and enhancement measures to be included within an Ecological Mitigation and Enhancement Plan (EMEP), there is insufficient space on site for a comprehensive mitigation scheme so a S106 Legal Agreement to secure a commuted sum for off-site biodiversity mitigation is considered more appropriate in order that the proposal complies with the requirements of CSP 36. A sum of £25,000 has been agreed between the parties which both the Biodiversity Officer and Forestry Officer are satisfied can be used to pay for the planting of an equivalent area woodland and its long term future maintenance.

Air Quality

In order to account for operational phase air quality impact of the development, and compliment the actions proposed in the Travel Plan, consideration should be given for the installation of electric vehicle charge points for the car park. In addition, heavy duty vehicle operators using the proposed distribution centre should be encouraged to join the ECO Stars heavy duty fleet recognition scheme. All of these are in accordance with the Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance. Conditions requiring these measures would ensure the proposal would be in accordance with CSP28 Reducing the impact of Road Travel on this point.

Highways

Access for HGV is proposed off the existing spur from Maple Court with a separate vehicular access proposed to the west for cars, bicycles and pedestrians. The proposal is generally acceptable, and the number of parking spaces proposed is in line with the adopted SPD for parking. However, revised details were requested to include tactile paving and cycle provision which have been incorporated into the amended plans. Two-way trip generation should be controlled via a suitable condition. Despite the comments received about parking congestion on the local roads from a local user, no objections were raised by the Highways Officer. As such the application is in compliance with CSP 26 New Development and Highway improvement.

Coal Mining Legacy

The indicative layout shows construction over three mine entries within the site. Such development can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority considers that the recommended site investigation works to establish the exact situation regarding coal mining legacy should be carried out prior to the formulation of detailed development proposals and should be used to inform the design and layout details to be submitted for approval by the LPA at Reserved Matters stage.

Design and Visual Amenity

The site lies adjacent to the Green Belt although it lies within the boundary of an existing and well established industrial estate. It is separated from the Green Belt to the west by a substantial belt of trees which is to be retained. The application is outline with appearance, layout and scale being subject to a future reserved matters application. However, an indicative layout has been submitted which shows a single large unit on a modern layout with substantial trees retained to the west and just offsite to the north. This would appear to be in accordance with the principles set out in CSP 29 to provide a high quality well designed site with modern layouts and buildings which would contribute positively to the growth agenda that Barnsley is seeking to achieve.

Residential Amenity

This site has is part of a long established employment proposal in the approved Barnsley UDP. The site is remote from residential properties, the nearest being a small row of cottages immediately to the west of Tankersley Manor. These are substantially divorced from the site by road, intervening landscaping and level changes and are not considered to be affected detrimentally. As such the proposal is considered to accord with CSP 40 in maintaining residential amenity with regards to noise and pollution, and to CSP 19 with regard to overlooking etc.

Trees

The Forestry Officer expressed significant concerns with the plans originally submitted due to impact on trees of the site. However, the amended scheme now proposes to move the building away from the northern boundary and the trees (which lie off site in the Sowell Pond Local Wildlife Site) by between 5 and 6 metres. The Forestry Officer is satisfied that this distance is sufficient to allow correct pruning to British Standard Institute specifications. The amended plan also now retains approximately 80% of the woodland to the western edge of the site. The applicant has additionally agreed to move the car access slightly in order to retain some of the frontage trees in the south west corner, providing screening to the car park and producing a softer frontage at that point. The Forestry Officer considers this amendment to be acceptable in ensuring the retention of the most important trees on the site and the substantial wooded boundary to the west. Conditions are proposed including the requirement for a fresh tree survey to inform the reserved matters submission.

Economic Impacts

It is anticipated that that a class B8 unit of this scale (14,000sqm gross) could deliver around 180 FTE jobs and lead to private sector investment being secured. The development would provide premises for potential inward investors and expand local companies.

Conclusions

The substantial investment of much needed units of this size on a site allocated in a well-established Employment Policy Area is in accordance with a range of development plan policies (UDP policy ED7 & HN3/1 and CSP11, CSP12 of the Core Strategy). Usually this would mean that the principle of development is straight forward to establish. In this case however the land has established ecological value leading to the site's inclusion on the Council's Register of Greenspace sites. This is resulted in variety of survey work to establish the value of the biodiversity interests leading to changes to the plans that were originally submitted. The circumstances are such that the areas of land to remain undeveloped within the site are not sufficiently large enough to accommodate compensatory provisions on site to offset the losses. However the Biodiversity and Forestry Officers are satisfied that the amendments to the plans which incorporate the retention of the trees in the western part of the site, along with the proposed commuted sum of £25,000 to cover the costs associated with the provision of woodland planting off site and future maintenance would be sufficient to compensate for the losses experienced. Consequently the benefits associated with the application are considered to outweigh the harm.

All other material considerations have been assessed at the outline stage. In summary the development can be accommodated on the highway network without giving rise to safety and network capacity concerns. In addition the site is remote from the nearest residential properties and as such would not result in any amenity issues. However mitigation measures have been identified to be necessary with regards to land stability due to the presence of former mine entries within the site and air quality.

Recommendation

Approve subject to conditions and a Section 106 Agreement to secure a commuted sum for off-site mitigation/compensation for the loss of ecological interests.

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

- (a) the layout of the proposed development.
- (b) scale of building(s)
- (c) the design and external appearance of the proposed development.
- (d) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

- 3 The application for the matters reserved in condition 2 shall be informed by the following plans (with access to the site approved on plan 6157-035) and accompanying supporting documents listed below:-

\$6157-036 Site Location Plan received 14/9/17
Site Layout Plan 6157-035 received 06/09/2017.
50104-DE-ARB-101 Existing Trees on site received 6/9/17
50105-DR-ARV-02 Tree Constraints Plan received 6/9/17
50104-DE-ARB-104 REV A Tree Removal Plan received 6/9/17
Ecological Appraisal V2.2 by Surface dated September 17
Bat Survey Report V 2.0 by Surface dated September 17
Great Crested Newt Survey Report V 2.0 by Surface dated September 17
Botanical Appraisal V 2.0 by Surface dated September 2017
Arboricultural Impact Assessment V3 dated April 2017
Coal Mining Risk AssessmentVP2 by BWB
Drainage Layout MRT-BWB-GEN-XX-DR-C-500 Version P2
Flood Risk Assessment by BWB Version 2
Phase 1 Geo-Environmental Desk Top Study Version P2
Transport Statement Version 4 By BWB
Travel Plan dated 29/6/17 by BWB MRT-BWB-GEN-XX-TR-0001_TP-S2-P1 REV P1

Reason: For the purposes of certainty and in the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.

- 4 No development shall take place unless and until full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. 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 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 5 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system, which will prevent overloading in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 6 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.
- 7 Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment and in accordance with CSP 40 Pollution Control and Protection
- 8 Details shall accompany each phase of the reserved matters of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.

Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.

- 9 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of buildings and associated structures, road levels and any proposed alterations to 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 in accordance with Core Strategy Policy CSP 29, Design.
- 10 All buildings within the proposed development shall achieve BREEAM standard of 'very good' or equivalent. Upon completion of the development, an energy performance certificate shall be provided to the Local Planning Authority demonstrating that the required standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.
Reason: In the interest of sustainable development, in accordance with Core Strategy Policy CSP2.
- 11 Within six months of the site becoming operational, a detailed Travel Plan including monitoring and implementation, shall be submitted to the Local Planning Authority based on the proposals within the Travel Plan by BWB Consultancy, and once approved, it shall be fully implemented and retained as such thereafter.
The detailed Travel Plan shall include the following:
1 Sheffield Regional and Barnsley Transport Strategies
2 Walking Isochrone for 1.2km and 2km from the proposed site with bus stops identified;
3 Cycling Isochrone for 5km and 8km from the proposed site;
4 Map showing bus routes from the site to the wider areas;
5 Map of cycle routes in and around the site.
Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.
- 12 Prior to the occupation of the development full details of bin storage and recycling facilities shall be submitted to the Local Planning Authority for consideration. The facilities shall be provided in accordance with the approved details prior to the occupation of any of the units and retained as such thereafter.
Reason: In the interests of visual amenity and in accordance with Joint Waste Strategy Policy WCS7.
- 13 Prior to the occupation of the site and where necessary, details of appropriate air quality mitigation controls shall be agreed in writing with the Local Planning Authority. The mitigation controls shall be in accordance with the requirements of the Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance, and shall be also incorporated into any Travel Plan where appropriate for the proposed development. Thereafter the controls shall be implemented in full for the duration of the development.
Reason: In the accordance adopted Core Strategy Policies CSP 40 (Pollution Control and Protection) and CSP 41 (Development in Air Quality Management Areas).

- 14 No development or other operations being undertaken on site shall take place until the following documents in accordance with BS 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 survey
Arboricultural impact assessment
Tree protective barrier details
Tree protection plan
Arboricultural method statement

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

- 15 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 and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

- 16 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 other of similar size and species.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

- 17 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.

- 18 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 and in accordance with Core Strategy policy CSP 36.

- 19 No building or other obstruction including landscape features shall be located over or within 3.0 (three) metres either side of the centre line of the water main i .e. a protected strip width of (6) metres, that enters the site . If the required stand -off distance is to be achieved via diversion or closure of the water main , the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker (In order to allow sufficient access for maintenance and repair work at all times)

Reason: To ensure existing water infrastructure is protected in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 20 No development shall take place until details of the proposed means of disposal of surface water drainage, including any balancing works and off -site works, have been submitted to and approved by the local planning authority . If surface water is to drain to public sewer evidence as to the reasons why other means of surface water are not practical shall be submitted to and approved by the local planning authority. Surface water draining to public surface water sewer shall be restricted to a maximum discharge rate of 5 litres a second. Surface water from vehicle parking and hard standing areas shall be passed through an interceptor of adequate capacity prior to discharge. Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: In the interest of sustainable drainage and to ensure that no surface water discharges take place until proper provision has been made for its disposal in accordance with CSP 40

- 21 Prior to the commencement of development, intrusive site investigations therefore be undertaken by a suitably qualified person to fully evaluate the ground conditions and legacy risks as set out in the BWB coal mining risk assessment report ref LDH2179.

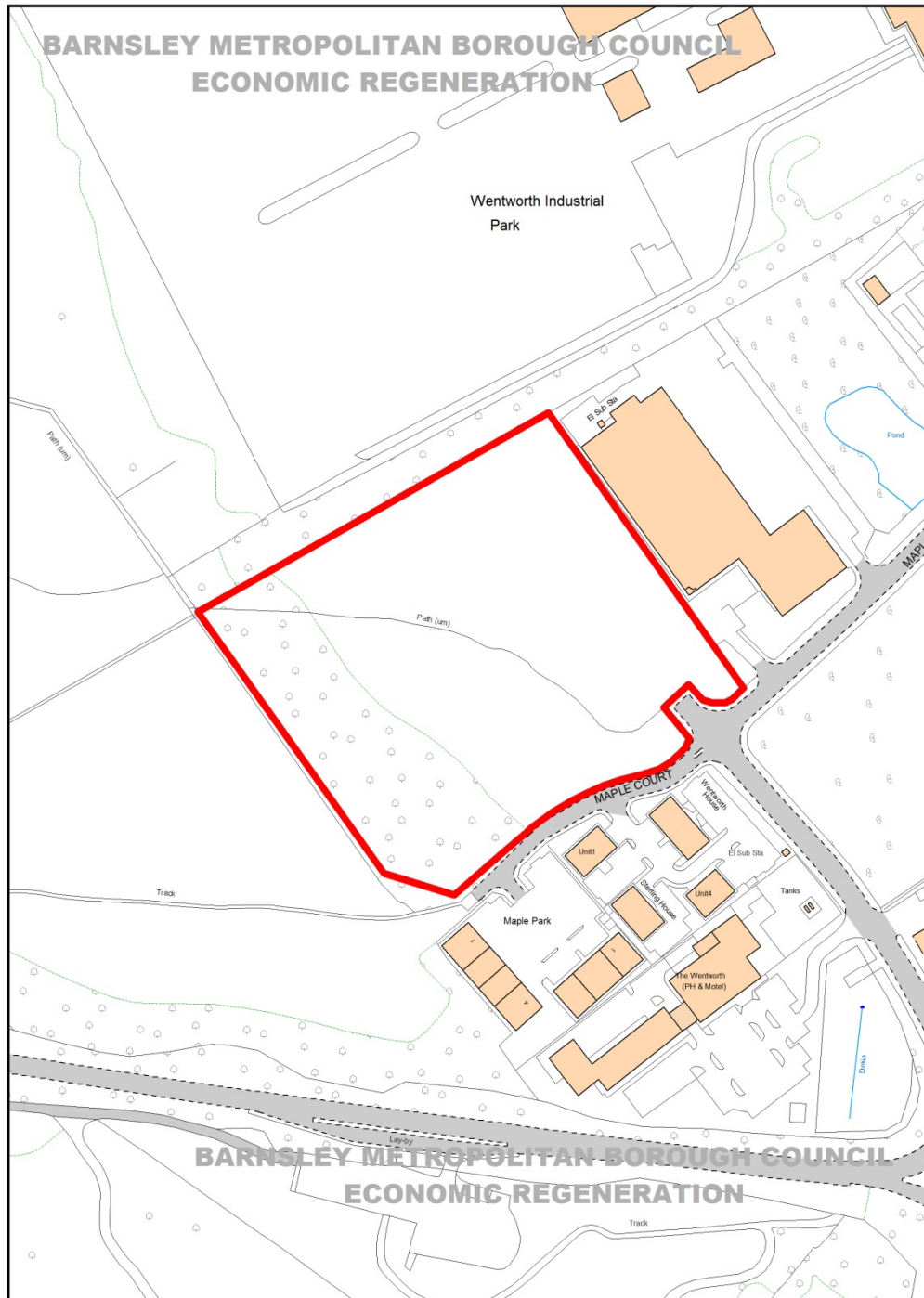
The site investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication 32 'Construction over abandoned mine workings' where applicable.

A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority prior to the commencement of development. The development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe development rests with the developer and/or landowner.

Reason: To ensure the safe development of unstable land in accordance with CSP 39 and Land stability NPPF sections 120 and 121

- 22 The development will have a maximum Floor Area of 14,000sqm and must not result in greater than 27 and 25 two way vehicle trips in the weekday AM peak hour (0800 to 0900) and the weekday PM peak hour (1700 to 1800) respectively.
Reason: To control the number of new vehicles on the highway network and prevent additional congestion in accordance with policy CSP26.
- 23 A detailed scheme of on-site ecological mitigation and enhancement and maintenance shall be submitted with the reserved matters application. The scheme shall broadly follow the measures set out in Section 5 of the ERAP Ecological Assessment and shall identify a timetable for implementation and maintenance for 5 years. The scheme shall be accompanied by a plan which clearly identifies what ecological features are proposed to be retained, mitigated and enhanced. Thereafter the development shall be carried out in accordance with the approved measures.
Reason: In the interests of biodiversity and in accordance with CSP 36.
- 24 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.
- 25 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In order to ensure compliance Core Strategy policy CSP 42, policy I1 in the emerging Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.

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BARNESLEY MBC - Economic Regeneration

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

NORTH
Scale 1: 2500

Item 6

2017/0155

Applicant: Craig Hawley, Gleeson Regeneration Ltd

Description: Residential development of 49 no dwelling houses.

Site Address: Site Accessed off Bondfield Close, Bondfield Crescent, Wombwell, Barnsley, S73 8TX

Update

Members will recall the application was presented at PRB on the 5th September where it was agreed to defer the decision pending further investigation into the potential for parking / drop off arrangements to be provided for the school.

It is important to note that there is an extant planning permission on the site which can be implemented at any time and which provides no additional parking or drop off arrangement for the school. As such any solution to this issue is likely to require the agreed contribution towards off site green space to be reduced to cover the cost of works to the highway.

Notwithstanding the above, proceeding the deferral the following three options were identified as potential ways to address the issue raised by Members:

1. a layby close to the entrance of the site from Bondfield Close;
2. parking spaces (chevron or at 90⁰ to the road) laid out on the strip of land at the entrance of the site from Bondfield Close; and
3. provision of parking close to the school or within the school grounds.

The layby option would not increase the overall parking provision and whilst angled spaces would provide additional parking it would result in increased reversing manoeuvres which could impact on highway safety at peak periods. In addition, whilst both options 1 and 2 would remove some the parking from the street this could potentially increase traffic speeds as cars are able to move more freely. Furthermore both options would result in the loss of trees which are covered by a tree protection order.

With regards to option 3, there is very little spare land within the proposed development layout, adjacent to the school that could be utilised. However, at the time of preparing the report, discussions were still on-going with the developer to see if a way forward could be found. Members will be updated verbally at the Board meeting on the outcome of those discussions.

Other matters

In addition Members will recall that Mr Wood spoke at the meeting on the 5th raising concerns regarding the boundary treatment with properties along Rectory Close. The existing concrete and wire mesh fencing along this boundary is shown as retained on the proposed plans and a condition requires the applicant to agree detailed boundary treatments across the site.

The small strip of land left between properties on Kingsway (to the east) and the proposed is outside of the applicant's ownership and as such it is not possible to resolve issues associated with this as part of this applications.

The remaining report is the same as previously reported to Members and all conditions currently remain the same.

Background

B/03/1281/WW Residential Development (Outline)

2007/0533 Residential Development of 56 dwellings and 4 apartments, communal car park and landscaping (Reserved Matters).

Description

Located off Bondfield Close, the site is a brownfield site with access road running (north to south) through it to Kings Oak Primary Learning Centre with a turning circle at the southern end of the site, outside of the school. The site was formally Gables Primary School and caretakers bungalow, however, this was cleared over 10 years ago and the majority of the site is now grass scrubland with areas of dense shrubs and trees across the site and, in particular around the edges. The site is broadly flat, albeit there are some variations in levels and the land rises along the western boundary with houses along Bondfield Crescent at a higher level.

The site is located in a residential area with housing located bounding the site to the north, east and west. A number of the properties to the west of the site (Bondfield Crescent) have rear access gates onto the site. Properties along the eastern boundary back onto the development site with existing close boarded fencing along the boundary.

Proposed Development

The proposed development is for 49 residential units utilising the existing access road through the site, with a small cul-de-sac off the roundabout at the entrance to King Oak Primary School. There is a mix of two and three bed properties, detached and semi detached proposed on the site. In addition, the scheme includes 2 four bed properties. All the dwellings proposed are two storeys in height and off street parking is provided. No green space is provided on site.

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 submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

Saved UDP Policies

Policy BA35 'Existing Community Facilities' – facilities including those shown on the proposals map will be protected against other forms of development.

Core Strategy

CSP10 'The Distribution of New Homes' commits 9% of the Boroughs Housing to be built within Wombwell (2,000 properties).

CSP14 'Housing Mix and Efficient Use of Land' states that priority shall be given to the development of previously developed land with a target of 55% and 60% of the overall amount of new housing. A minimum density of 40 dwellings per hectare will be expected with lower densities only supported when it can be demonstrated that they are necessary.

CSP 25 'New Development and Sustainable Travel' new development will be expected to be located and design to reduce the need to travel.

CSP26 'New Development and Highway Improvement' new development shall be expected to be design and built to provide safe, secure and convenient access for all road users.

CSP29 'Design' sets out that high quality design shall be expected.

CSP36 'Biodiversity and Geodiversity' development is expected to conserve and enhance the biodiversity and geological features of the borough.

CSP39 'Contaminated and unstable land' where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by an appropriate assessment.

CSP40 'Pollution Control and Protection' is that the Council shall not allow development of new housing where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that they can be mitigated against.

Local Plan

Policy GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.

Policy H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 20,900

Policy H2 'Distribution of New Homes' states 10% of new homes to be built in Wombwell.

Policy H3 'Housing Site Policies' all development will be expected to comply with policy GD1 and in accordance with the site specific policies for the individual site. In the case of Site 56, Land rear of Kings Oak Primary School the indicative number of dwellings identified is 45 and development will be expected to be accompanied by an appropriate archaeological appraisal of the site.

SPDs

The following LDF Supplementary Planning Documents have now been adopted which are relevant to the proposal:-

'Parking' states that the parking standards for new housing development shall be 2 spaces for 3 bed dwellings and above.

'Designing New Housing Development' provides guidance regarding the design of new housing and external space standards.

'Open Space Provision on New Housing Development' provides guidance on open space requirements and off site contributions.

The South Yorkshire Residential Design Guide has been adopted as a best practice guide by the Council and covers issues relating to sustainability, local distinctiveness and quality in design and is underpinned by the principles in the CABI 'Building for Life' scheme.

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.

In respect of this application, relevant policies include:

General principles para's 17

Delivering a wide choice of high quality homes para's 47 – 55

Consultations

Coal Authority – No comments, site is outside of the Coal Authority Development High Risk Area

Highways DC – Initial concerns but following discussions with the applicant a revised layout has been provided and highways have no objections.

Ward Councillors – No comments

Drainage – Recommended conditions

Yorkshire Water – No surface water should be discharged into the public sewer, if approval is recommended then a condition is required. There is a combined sewer crossing the site and no tree planting can be within 5m of the sewer centre line.

Planning Policy – The Principle of Development is accepted subject to measures to address the density requirements, appropriate provision of affordable housing and a contribution towards off site green space.

Pollution – No objections

South Yorkshire Police – various comments on the design and layout.

Ecology – accepts the findings of the ecology survey but seeking additional mitigation on site and provision of open space.

Trees – Initial concerns regarding the loss of trees on site and / or impact on trees as a result of the layout. The revised layout is acceptable, taking account of the existing approved development on the site.

Affordable Housing – 15% affordable housing should be provided in accordance with Core Strategy Policy CSP15.

Representations

The application was advertised through neighbour letters and site notices with 11 objections. The issues raised are:

- Houses too close to the boundaries of existing properties;
- Too many houses proposed for the site;
- Loss of privacy;
- Lack of parking for the school;
- Safe access to the school;
- Pressure of services including doctors and schools;
- Impact on wildlife;
- Why is the site contaminated;
- The drains already block when there is high rainfall;
- Concerns that the proposed will increase flooding;
- Road surfaces in the area are already poor and will be damaged by construction traffic.

Assessment

Material Consideration

Principle of development
Visual Amenity
Residential Amenity
Highway Safety

Principle of development

The site benefits from extant planning permission for 56 dwellings (2017/0533); therefore, the principle of residential development is accepted.

The extant residential development sets a number of precedents for this application, in particular relating to affordable house which was set at 0%. As this extant application can be implemented at any time it represents a fallback position in relation to the proposed and therefore it has been agreed that no affordable housing can be required on this revised scheme.

In addition, precedents have been set in relation to the design, layout, green space and removal of trees which are dealt with in more detail in the report below.

Visual Amenity

The layout of the proposed development is dictated by the existing spine road which runs broadly north - south through the site. This road impacts on the developable area in particular in relation to houses to the west of the road, where only a relatively narrow strip of land is available. The applicant has orientated houses here to face onto the road with windows in the front and side elevations only and access to gardens at the side. The remainder of the site is more densely developed with a mix of predominantly detached and semi-detached properties orientated to face onto the roads and garden space to the rear. The houses are themselves relatively plain; however, the applicant has sought to provide some interest through the use of materials and breaking up the uniformity by varying the house styles.

The scale and design of properties fits within the context of the surrounding area and the proposed materials are in keeping. The garden spaces provided meet the external space standards as set out in the SPD.

The overall density of the proposed is 35 dwellings per hectare, below the minimum requirement of 40 as set out in CSP14 and that achieved by the 56 dwellings previously approved. However, the previously approved layout included a number of terraced properties and apartments of which the Strategic Housing Market Assessment (2014) (SHMA) identifies that there is sufficient supply. The proposed layout makes the best and most efficient use of the site allowing for the constraints set by the spine road and a number of trees which need to be retained, whilst also delivering detached and semi detached properties which are identified as being required in the SHMA. In this respect the lower density is justified and CSP14 is complied with.

Residential Amenity

The layout meets the external spacing standards as set out in the SPD Designing New Housing Development. The only exception is Plot 48 which is 11m from the rear of No.60 Bondfield Crescent just less than the 12 meters usually required between habitable room windows in existing properties and blank elevations of proposed dwellings. However, Plot 48 is offset so that it sits in line with the rear of the garage of No.60 and not the house, furthermore the change in levels between Bondfield Crescent and the site (which is lower) means that the impact in terms of either a loss of privacy or overbearing / overshadowing is acceptable.

The internal layout of the properties provides a good standard of living space in accordance with the Internal Space Standards in the South Yorkshire Residential Design Guide and the layout includes reasonable sized gardens.

Ecology and Greenspace

The site is a brownfield site which has been left undeveloped for 10 + years allowing existing vegetation and trees to continue to mature and new flora to establish itself. The Ecological Impact Assessment provided with the application identifies that the overall habitat value is low, with negligible potential to support protected species other than breeding birds and only limited impact on these as a result of the development of the site. This assessment has been confirmed by the Council's Ecological Officer.

No mitigation or proposals to enhance the biodiversity have been provided (as required by Core Strategy Policy CSP 36); however, none was required when the previous application was approved. In addition no on site green space was provided. This sets a precedent in

relation to this scheme and as the applicant, has agreed to a contribution of £80,162 towards green space improvements off site, it is considered that policies CSP 36 (biodiversity), green space policies CSP34, and CSP42 and the SPD Open Space Provision on New Housing Developments are met.

Highway Safety

Highways Officers have raised some minor concerns regarding the layout and in particular the location of driveways. These have been addressed by the applicant and an amended plan provided.

Objections have been received in relation to existing on street parking issues associated with the school and concerns regarding highway safety at school drop off and pick up times. However, the proposed scheme includes sufficient off street parking, meeting the parking standards as set out in the SPD and has been assessed by the highways as acceptable in terms of highway safety.

Conclusion

The proposed is for the re-use of a brownfield site which is allocated in the emerging Local Plan for housing. It will deliver 49 new homes, helping to meet the identified need in the borough. Taking account of a number of precedents set by the extant planning permission for the development of this site; the proposed complies with Local and National Planning Policy 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 amended plans (Nos.2897-0-001 F, SD703 Rev B, SD701 Rev B, SD700 Rev A, 314/1-, 307/1B, 202/1F, 201/1F, 212/1-, 304/1E, 309/1E, 301/1G, and 401/1G) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with 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 until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP 29, Design.

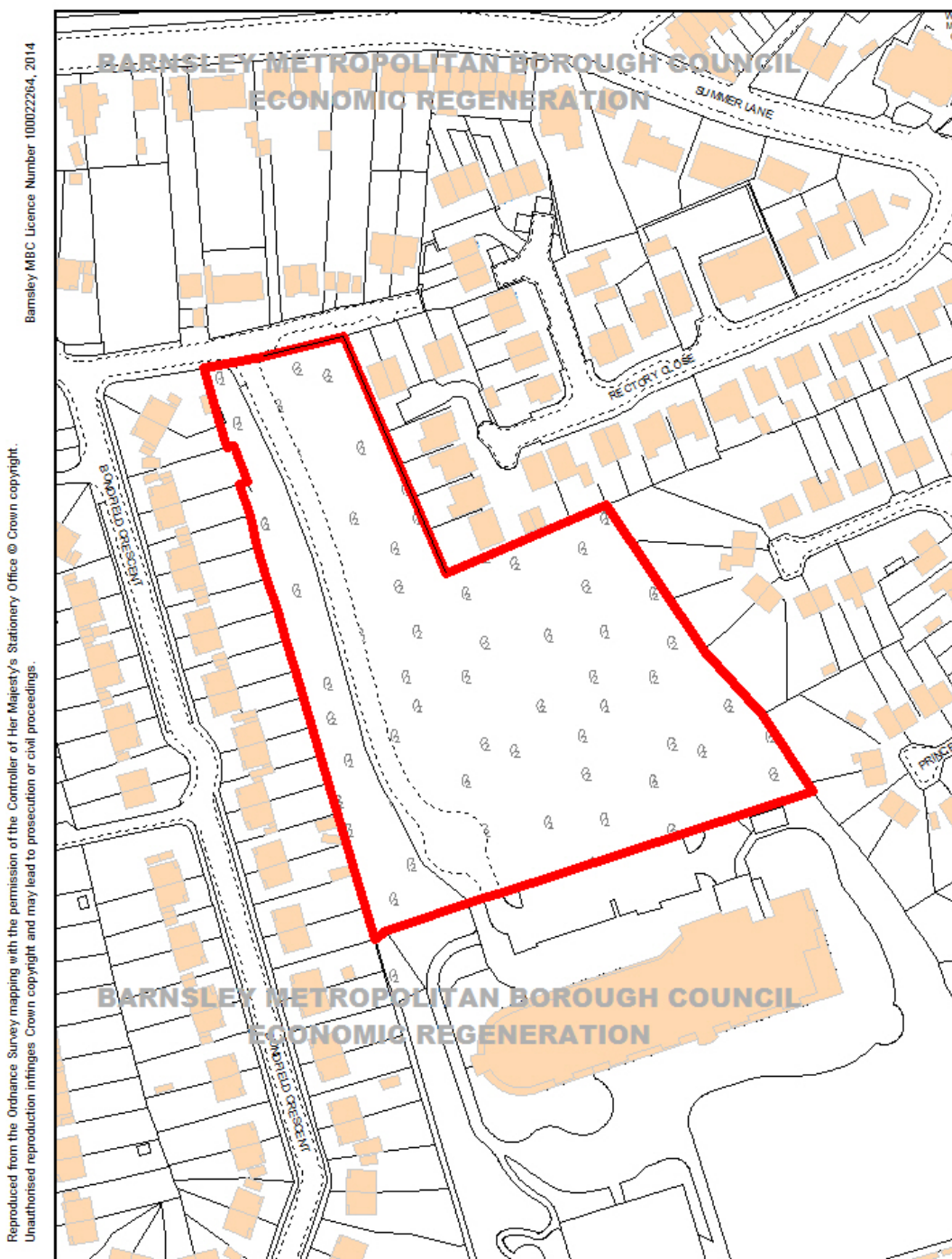
- 5 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: 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.
- 6 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.
- 7 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, in the interest of road safety.
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.
- 8 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.
- 9 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.**

- 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 and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 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
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity
- 12 No development shall take place unless and until
- (a) full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. 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 unless otherwise agreed in writing with the Local Planning Authority.
 - (b) porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways and
 - (c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways are all approved in writing by the Local Planning Authority
- Reason: To ensure the proper drainage of the area in accordance with Core Strategy Policy CSP3 and CSP 4**
- 13 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 identify and remove any contaminated material.
 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.
- The development shall thereafter be undertaken in full accordance with the submitted reports.
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.

- 14 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 Core Strategy Policy CSP 29, Design.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of the sewer which crosses the site.
Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 16 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.
- 17 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, 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.
- 18 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.

PA reference :-

2017/0155



BARNESLEY MBC - Economic Regeneration

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



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Item 7

2016/1329

Applicant: David Smith C/o SBP Architects

Description: Residential development of 19 no. dwellings and provision of access and parking.

Site Address: Land to Rear of 26 Cross Lane, Royston, Barnsley, S71 4AT

Three letters of objection have been received

Site Description

The site is located to the rear (East) of the properties fronting Cross Lane and adjacent (North) to the recently completed affordable housing scheme on Lineside Lane. The site measures approximately 4000m² and accommodates an orchard, ménage and some outbuildings. The surrounding area is predominantly residential but there are some small scale commercial premises to the East of the site. The site was recently sold in connection with number 26 Cross Lane and there is a narrow access to the site from Cross Lane down the side of number 26. Potential access to the land was also built into the housing scheme to the south where the existing cul de sac could be extended into the site over Council owned land, subject to a percentage of the uplift in the value of the land.

Proposed Development

The applicant seeks permission to erect 19no. dwellings. There would be 2no. pairs of semi-detached properties, 1no. terraced block containing 3no. properties and 3no. blocks containing 4no. properties each. 15 of the properties would front the proposed adopted highway with 4no. fronting a private drive. Each property would have 2no. allocated parking spaces to the front/side and a private garden to the rear. Vehicular access into the site would be taken from the neighbouring affordable housing estate off Lineside Lane.

There are 5no. different types of dwellings proposed, each having accommodation over 2 floors and providing 3 bedrooms

Site History

2013/0537 – Erection of 14 dwellings refused due to inefficient use of land, reduced distances to neighbouring properties affecting residential amenity and internal road layout not meeting standards. Appeal dismissed.

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 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 submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration

and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

Core Strategy

CSP 4 'Flood Risk' The extent and impact of flooding will be reduced by expecting all development proposals on brownfield sites to reduce surface water run-off by at least 30%.

CSP 26 – New Development and Highway Improvement – New development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP29 – Design – High quality development will be expected, that respects, takes advantage of and enhances the distinctive features of Barnsley. Development should enable people to gain access safely and conveniently.

CSP 35 'Green Space' – We will only allow development proposals that result in the loss of green space where;

- an assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or
- an appropriate replacement green space of at least an equivalent community benefit, accessibility and value is provided in the area which it serves; or
- the development is for small scale facilities needed to support or improve the proper function of the green space

Saved UDP Policies

Policy H8 (Existing Residential Areas) – Areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use.

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.

SPDs/SPGs

SPD 'Designing New Housing Development'

SPD 'Parking' provides parking requirements for all types of development.

Other Material Considerations

South Yorkshire Residential Design Guide - 2011

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.

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 58 (general design considerations) and paragraph 64, which states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

Consultations

Yorkshire Water Services Limited – No objections subject to conditions.

Highways DC – No objections subject to conditions

Drainage – No objections subject to conditions

Regulatory Services – No objections subject to conditions

Tree Officer – No objections subject to conditions

Ecologist – No objections subject to condition

Design – No objections to the revised scheme

Representations

Three letters of objection have been received. The main points of concern are:

- Drainage problems/increase flood risk
- Increased traffic/reduced highway safety
- Loss of habitat for wildlife
- Loss of privacy
- Increased noise and disturbance
- Loss of outlook

Assessment

Principle of Development

The site contains an orchard and was most recently used for equestrian activities. It is located partially within a Housing Policy Area and partially within a Housing Proposal area in the UDP proposals maps. It is also within a predominantly residential area and as such residential use would be considered acceptable in principle,

The application site is also identified as Green Space and is on the Councils Green Space Register as GS2185, land East of Cross Lane Local Neighbourhood Green Space. However, the land does not appear to be functioning as green space in accordance with the current definition and does not offer any positive green space attributes. In this instance policy CSP35 is therefore not considered applicable.

All new dwellings proposed must ensure that 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. In addition, development will only be granted where the proposal would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

Residential Amenity

It is acknowledged that the development of the site would introduce noise and disturbance into an area previous undeveloped. However, the site is currently allocated as Housing Policy and Housing Proposal area and is surrounded on 3 sides by residential development. As such, the introduction of 19no. dwellings in a relatively densely populated area would not reduce residential amenity to an unreasonable degree.

There are existing neighbouring residential properties to the North, West and South of the site. Block C would be immediately adjacent to the side elevation of the existing properties to the south, however, it would be on a similar building line and be orientated to the North, as such, it would not significantly increase overshadowing or result in an overbearing feature.

Block E would have its rear elevation facing the side elevation of properties to the south but would have a separation distance in excess of 12m as recommended in SPD 'Designing New Housing Development'. Its side elevation would face the rear elevation of properties fronting Cross Lane but again the separation distance would be circa 21m, in excess of the required 12. Furthermore, the proposed side elevations would not incorporate habitable room windows.

Block D, (containing plots 10 to 13) would also have a side elevation facing the rear elevations of properties fronting Cross Lane but would be located at least 18m away, again there would be no habitable room windows in the side elevation. The rear elevations of this block would face private amenity space but would be in excess of the recommended 10m from the shared boundary. Blocks D and A would both have rear elevations facing the rear elevations of properties fronting Midland Road, however, the separation distance would be at least 25m, in excess of the 21m required. In addition, the properties to the north are built on a higher level than the application site.

With regards to the separation distances between the proposed properties themselves, they meet or exceed the separation distances set out in the SPD.

The proposed house types exceed the internal spacing standards set out in the South Yorkshire Residential Design Guide and the garden areas meet or exceed the 60m², set out in the SPD and Design Guide, required for 3 bedroom properties. As such, residential amenity levels for the future residents of the scheme would be to a reasonable degree.

Visual Amenity

The scheme incorporates 5no. different block types which have a common theme and design as one another, but, each introduce differing elements and features to add interest to the scheme, in accordance with CSP 14 'Housing Mix and Efficient Use of Land'.

The dwellings would have accommodation over 2 floors and comprise semi-detached and terraced blocks, which reflect the development pattern of the area. Visual interest would be added to the front elevations of the blocks through the addition of porches and projecting gables. These would also break up the front elevations of the larger blocks and avoid a monotonous or regimented appearance, in accordance with CSP 29.

The site would be entered via Lineside Lane which accommodates existing dwellings. Block C faces onto the access road to provide an active frontage into the development and incorporate it within the neighbouring estate. It is acknowledged that block B would have a side boundary and side elevation facing the access to the site. However, the corner plot would have fenestration and its front entrance facing the access road, and, the fencing would be set in from the hard margin to allow a landscaping strip to be incorporated. This would soften both the dwelling and the fencing and provide a more attractive entrance into the development.

A number of the properties would have parking to the front of the dwellings which would result in vehicles being in prominent positions. However, the largest run of vehicles in a row is 4 with some properties incorporating parking to the sides. This allows for front garden areas to be included in the scheme to allow the areas of hard landscaping to be softened and parking areas softened. As such, the development would not be car dominated, to the detriment of visual amenity.

There are also opportunities for landscaping in prominent corner positions, for example adjacent to block C and to the front of block E. Again, this would aid to soften the development and balance the areas of hard landscaping.

Despite some of the properties being in terraced rows, each dwelling would have pedestrian access to their rear gardens. For example, block D would have a central passage way through to allow the 2no. 'internal' properties access without crossing over neighbouring gardens. This would allow bins and recycling containers to be stored away from the prominent front elevations and the streetscene.

Highway Safety

The turning head off Lineside Lane was designed with the potential of accessing the application site in mind. The road layout has been amended during the course of the application in line with comments provided by the highways department. 15no. of the dwellings would be accessed via the 5.5m carriageway with 700mm wide margins which would become adopted highway. The remaining 4no. plots would be accessed via a private drive. The adopted road would incorporate a turning area large enough for refuse and emergency vehicles.

Each property would have at least 2no. parking spaces, in accordance with SPD 'Parking'.

Ecology

The applicant has submitted an Ecology Report alongside the application which the Council's Ecology Officer accepts as broadly acceptable. However, it will be conditioned that the subsequent mitigation measures and recommendations outlined in the report shall be carried out. These include the provision of bat boxes within the development.

Trees

The site was previously, partially an orchard with a number of fruit trees across the site. There are no protected trees on the site; therefore, the applicant could remove them without planning permission. However, they have proposed to retain a mature pear and apple tree to the West of the site as well as incorporating a number of new trees within gardens and landscaped areas. Conditions will be recommended to safeguard the trees to be retained as well as for further information regarding the landscaping to be submitted.

Affordable housing

CSP 15 'Affordable Housing' states that housing developments of 15 or more dwellings will be expected to provide affordable housing. 15% of the site will be expected within Royston unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable.

Discussions have commenced with the agent on agreeing the type, tenure and number of affordable units and whether they would be provided on site or would form part of an off-site contribution. Whilst a final agreement has not been reached on the make up of the provision it is considered that can be adequately secured via a S106 agreement which would need to be signed before any permission can be released.

Green Space

The application site is identified on the Council's Green Space Register as GS2185 land East of Cross Lane Local Neighbourhood Green Space. However, the land does not appear to be functioning as green space in accordance with the current definition and does not offer any positive green space attributes. In this instance policy CSP35 is not considered applicable and as such no compensation will be required.

Conclusion

The proposed dwellings would ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing. In addition, the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land in accordance with policies H8D, CSP 26, CSP 29 and SPD's 'Designing New Housing Development' and 'Parking'.

Recommendation

Approve subject to signing of S106 Agreement (for affordable housing) and the following 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 16-025-01-D, 16-025-20-A, 16-025-21-A, 16-025-24-A, 16-025-26) 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 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 Core Strategy Policy CSP 29, Design.
- 4 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy 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 Upon commencement of development, 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 shall be submitted to and approved in writing by the Local Planning Authority. 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 and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 7 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 other of similar size and species.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 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.

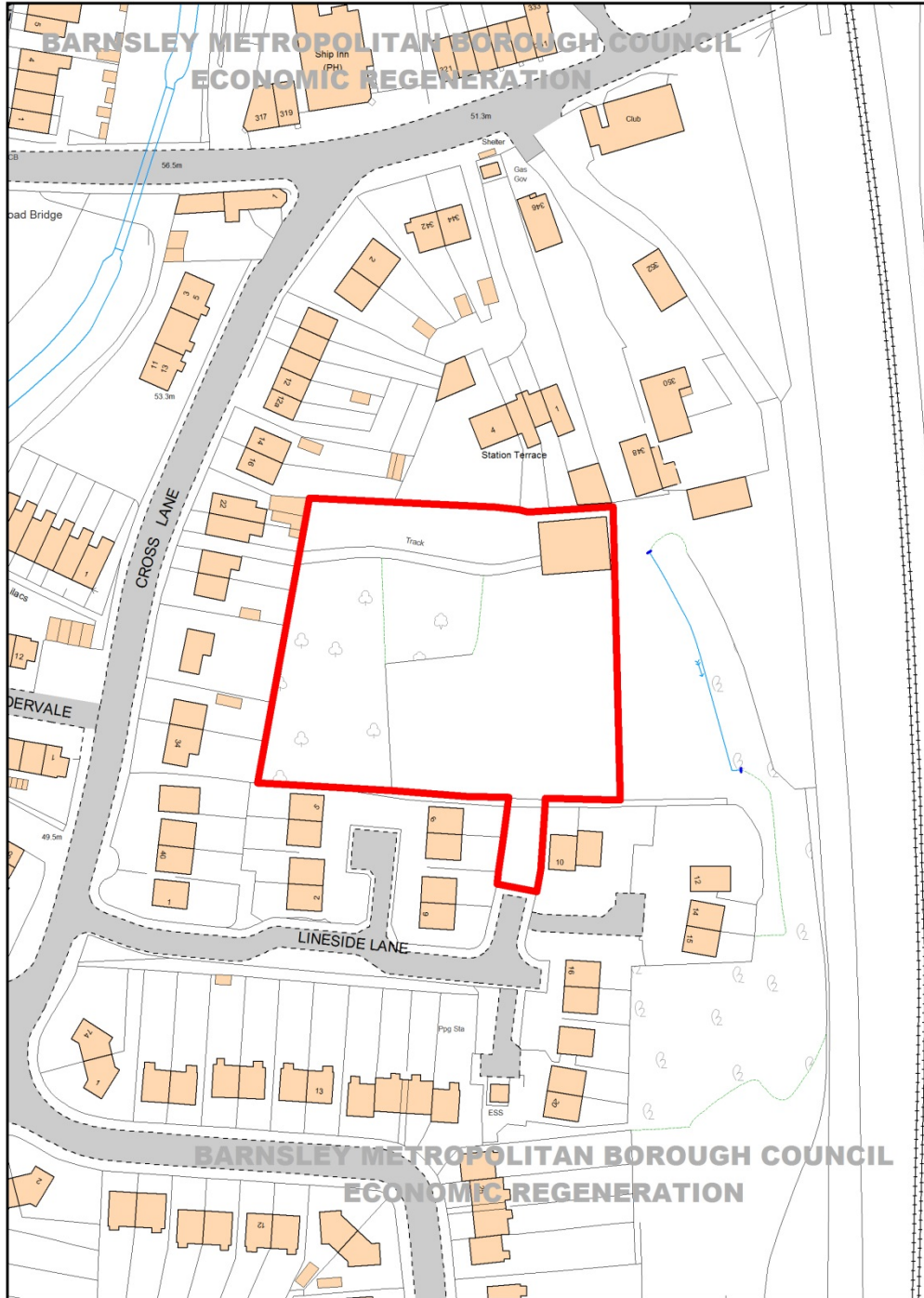
- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- 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.**
- 10 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.**
- 11 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.**
- 12 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.**

- 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 interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 14 Prior to commencement of development full highway engineering construction details, (including highway retaining structure, and phasing of the highway works) shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 15 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be submitted to and approved in writing by the Local Planning Authority:
- Root protection areas (RPA)
 - Tree protection plan (TPP)
 - Arboricultural method statement (AMS)
 - Details of no-dig construction proposals for areas of car park and drive including cross-sections and plans showing relevant area.
- No development or other operations shall take place except in complete accordance with the approved methodologies.
Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.
- 16 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.
- 17 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core

Strategy Policy CSP 29, Design.

- 18 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey, 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.
- 19 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network in accordance with CSP4.
- 20 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the dwellings hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In order to ensure compliance Core Strategy policy CSP 42, policy I1 in the emerging Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.

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Item 8

2017/0788 and 2017/0789 (Joint Report – Separate Conditions)

Applicant: Mr Alasdair Twist

Description: 2017/0788 - Replacement of existing signage
2017/0789 - Change of use from shop (Class A1) to Micro pub (Class A4)

Site Address: 28 Church Street, Darton, Barnsley, S75 5HG

Application 2017/0789 has been brought to Planning Board at the request of the Darton West Ward Councillors. Given that application 2017/0788 is linked to the outcome of application 2017/0789 then both applications have been brought before Members for consideration.

3 letters of objection have been received

Description

The property is a mid-terrace set within the principle shopping/commercial centre of the village of Darton, with an array of shops, takeaways, restaurants, a post office and a medical centre within the local area. The property dates back from early 1900's and is a former co-operative shop, it is constructed of stone and has a drive through at ground floor accessing a hard surfaced yard to the rear. The ground floor and first floor were previously utilised as a shop and beauty salon with part of the first floor used as residential accommodation. The yard area is used in connection with the residential dwelling adjacent and the flat above and is not part of this planning application.

There is a regular rail service which operates from Darton train station which is approximately 250m from the site and there is a small supermarket with a large car park some 200m away. There are waiting/loading restrictions along the full length of Church Street and are regular bus services through the village from Wakefield to Barnsley. Just off Church Street there is a free public car park used in connection with the adjacent open space and cricket club. The Rose and Crown Public house is a short walk away to the south, adjacent to the junction of Barnsley Road and Church Street.

Proposed Development

The applicant seeks permission to change the ground floor of the property from a retail use A1 to micro pub A4. Internal alterations are required in the form of the proposed bar area, and a cold room to store the drinks, wc's and a kitchen area. No external alterations are proposed with the change of use application.

The premises licence allows the micro pub to open from 11am – 11pm, Monday to Sunday, however the applicant has stated that the micro pub would be open Thursday to Sunday, with Thursday and Fridays opening – 4pm to 10pm and Saturday and Sunday and Bank Holidays from 12noon until 10pm.

The applicant states in support of the proposal:-

'There is no parking as we are aiming at the local market within walking distance. We are aiming at the craft beer sector hoping to utilise the Two Roses Brewery to reduce our carbon footprint. Parking is available within walking distance behind the village hall.

Deliveries will be restricted to normal hours. We have no beer garden to the rear, the smoking area will be at the front of the building. Adequate receptacles will be provided. We will be operating in a similar way to The Old Bakery in Mapplewell, The Knave and Kestrel Hoyland and Brew Hoyland Common.'

An advertisement consent application has also been submitted under application 2017/0788, and proposes a black fascia sign with white lettering, with the name of the micropub 'The Old-Co-op – Home of Grumpy's Ales.' The proposed signage is non illuminated.

History

2017/0404 - Subdivision of existing building to allow for creation of 1 no. dwelling, 1 no. flat above shop and alterations to part of shop to include staircase to first floor flat – Approved with conditions

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 submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

Saved UDP Policy

UDP Allocation – Principle Shopping Commercial Area

Policy S1 – Shopping/Commercial Centres – states that all new retail development will be permitted only within the Central Shopping Area of Barnsley Town Centre and in the defined Principle Shopping and Commercial Centres. New retail developments which extend and enhance the range of goods, consumer choice and the provision of amenities and facilities available will be particularly encouraged.

Policy S2 – Shopping/Commercial Centres – states that retail development will be permitted within the principle Shopping and Commercial Areas.

Policy BE6D states that consent to display an advertisement will only be granted where the proposal would not be injurious to amenity, by virtue of size. Position, location or proliferation and, where appropriate, level of illumination; and where the proposal would not be prejudicial to public safety.

Adopted Core Strategy

Policy CSP 8 – Location of Growth - The Core Strategy policy CSP8 prioritises Urban Barnsley for development and identifies it as the main focus for housing, employment, shopping, health, leisure, business and public services in the region. For the purposes of the spatial strategy Urban Barnsley incorporates the main built up area of Barnsley extending from Athersley to Worsbrough (North to South) and Higham to Ardsley (East to West) (the extent of the Barnsley Urban Community Area as set out in the Unitary Development Plan) and includes Darton and Dodworth. The general extent of Darton is intended to be that of the Darton UDP Community Area with the exception of the Green Belt to the north and west of the built up area (the built up area includes Darton, Staincross, Kexbrough, and Mapplewell).

Policy CSP 26 – New Development and Highway Improvement – New development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

Policy CSP 31 – Town Centres – states that support will be given to maintaining and enhancing the vitality and viability of Barnsley Town Centre and that the majority of new retail and town centre development will be directed here. Darton is defined as a Local Centre. The Local Centres serve smaller catchments and development here will be expected to meet the needs of the local area and not adversely impact on the vitality or viability of other nearby centres.

Policy CSP 40 – Pollution Control and Protection – states that development will be expected to demonstrate that it is not likely to result in an increase in air, surface water and groundwater, noise smell, dust or other pollution which would unacceptably affect or cause a nuisance to the surrounding environment.

Supplementary Planning Documents

Supplementary Planning Document (SPD) – Advertisements

Consultations

Highways DC – No objections to the change of use or signage

Regulatory Services – No objections to the change of use or signage subject to conditions

Drainage – No objections

Ward Councillors Darton West - Consider that the proposal is inappropriate for the situation for the following reasons:-

- There are residential properties on either side of the proposed micropub and also across the road. Residents would be seriously disturbed by the opening hours of a micropub.
- A local micropub has tables outside the property which if that happened next to the residential properties on Church St would be an additional nuisance for residents.
- There is no nearby parking for micropub customers and could result in inappropriate on street parking in the village. There is already a shortage of parking places for existing businesses in Darton.

Representations

Neighbour notification letters were sent to surrounding properties and a site notice was posted adjacent to the site. The following objections have been received:-

- At night the village is very quiet, the use would open until 11pm disturbing residents
- The village is short of parking and there is none available on site
- Impact on highway safety
- Potential antisocial behaviour
- Residential properties are close by and above the proposed micro pub, noise impact to residents
- Loss of privacy to residents
- Functions and live music would create a noise disturbance
- Smoking outside would cause smells and disturbance
- Unsuitable use close to schools and local amenities
- Concerns regarding the yard area and possible use as a beer garden for drinking and smoking
- Additional lighting, litter and cigarette butts would bring pollution and environmental issues

Assessment

Principle of Development

Policy CSP 31 Town Centres – states that Darton is defined as a Local Centre. The Local Centres serve smaller catchments and development here will be expected to meet the needs of the local area and not adversely impact on the vitality or viability of other nearby centres.

The unit is located within the retail frontage where there are a mixed of uses including A1, A3 and A5 uses. The proposed 'micro pub' would fit in with existing uses within this principle shopping and commercial area, would enhance the viability of the centre, and has an active frontage. The change of use of the premises is considered acceptable where there is no detrimental impact on residential amenity by means of noise and disturbance, visual amenity or highways safety, which are material considerations and are assessed below.

Residential Amenity

Objections have been raised with regard to the potential impact upon residential amenity of adjacent residential properties by way of noise, smells, disturbance and a loss of privacy. The Council's Regulatory Services team have been consulted and have no objection to the proposal subject to conditions which restrict the hours of opening from 11am to 11pm and the hours of deliveries from 8am to 6pm Monday to Saturday.

It is acknowledged that a change from a retail unit to a micro pub is likely to result in a greater level of activity at the premises during the evenings than is currently the case. However, in considering the relationship with nearby properties, such proximity between the respective uses within a commercial centre could not said to be unusual. The micro pub is limited in size and the applicant has stated that the premises would not be in operation later than 2300hrs. In terms of loss of privacy to rear garden areas of the properties on Church Lane, the rear yard area is not part of the proposal therefore cannot be used as an outdoor drinking or smoking area. This also means that customer comings and goings from the premises will be limited to the Church Street frontage.

Whilst it is acknowledged that there some residential properties within close proximity, given the principle shopping/commercial area location, where there are some existing night time economy uses that are currently in operation, it is considered that due to the small scale of the proposal, and that there is no outdoor seating areas or beer garden, any noise would be contained within the building. On balance it is felt that the proposal would not have a significant detrimental impact on amenity of the adjacent residential property by way of noise/disturbance in order to warrant a refusal of planning permission on this basis, subject to the imposition of suitable conditions.

Highway Safety

The site is conveniently located a short walk away from two public car parks. Furthermore the site is centrally located within the local centre and is well served by public transport links. Highways have raised no objection to the proposal and as such the development is considered to be acceptable.

Visual Amenity

There are no visual amenity considerations to take into account as no external alterations are proposed as part of the change of use. The signage proposed is simple and similar to the previous signage at the premises. The signage is not illuminated and is considered to be acceptable in terms of visual amenity and in accordance with the policy BE6D and the SPD Advertisements.

Conclusion

It is acknowledged that there some residential properties within close proximity to the proposed micro pub, however given the principle shopping/commercial area location where there are some existing night time economy uses are currently in operation, the limited size of the building and restricted opening hours; on balance it is felt that the proposal would not have a significant detrimental impact on amenity of the adjacent residential property by way of noise/disturbance in order to warrant a refusal of planning permission on this basis.

Recommendation

Approve 2017/0788 subject to condition:-

- 1 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.

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

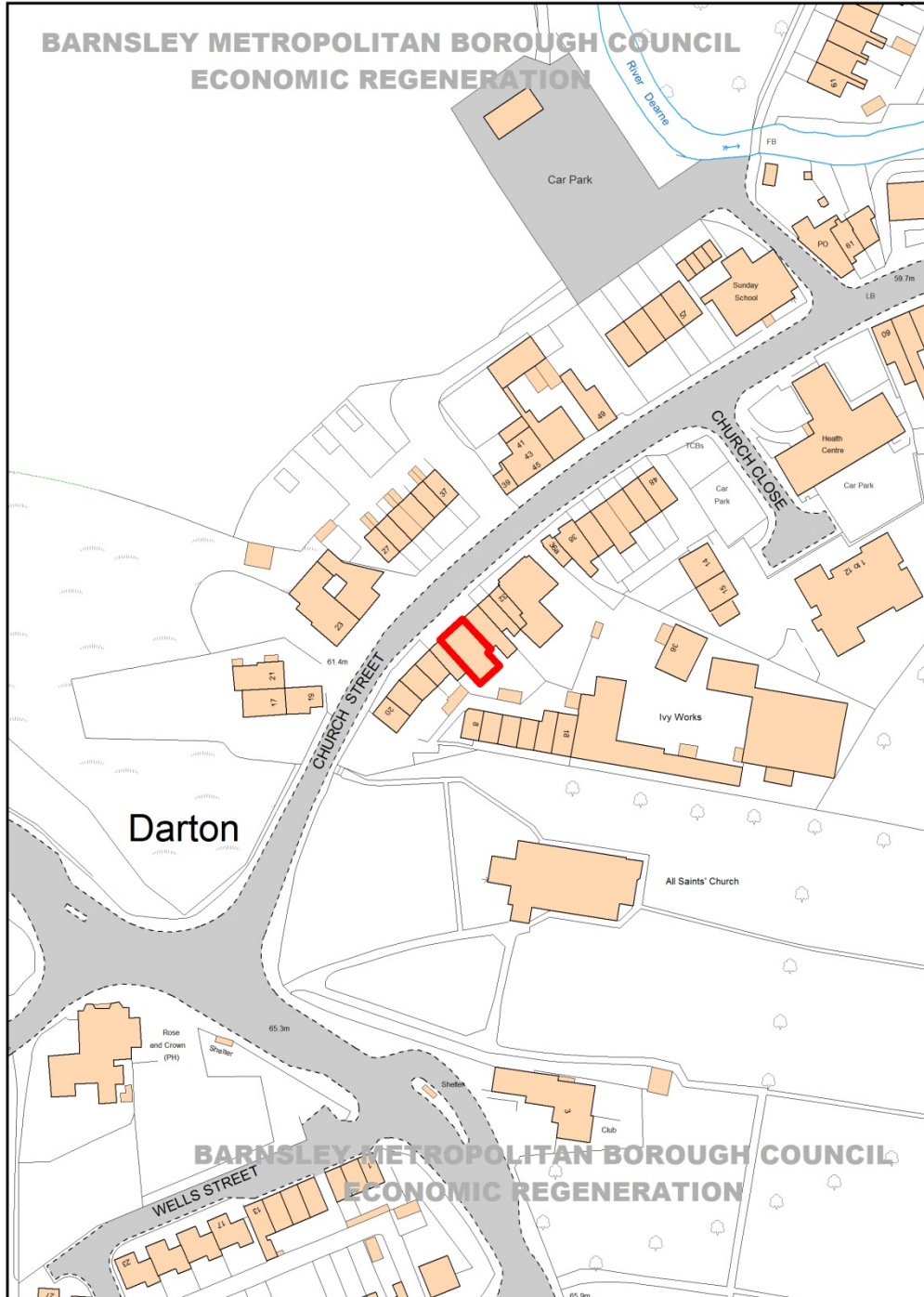
Approve 2017/0789 subject to conditions:-

- 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 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 The use hereby permitted shall be carried on only between the hours of 11:00 and 23:00 Monday to Sunday.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 4 Commercial deliveries may only take place between 08:00 and 18:00, Monday to Saturday, and at no times on a Sunday or Bank Holiday.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, there shall be no further plant or machinery installed externally to the property, without the prior approval of the Local Planning Authority.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 6 The use as approved, for a micro pub, shall be limited to that area within the red edge on the approved plan and there shall be no external seating or tables provided in connection with this use outside that red edge area.
Reason: For clarification and in order to protect neighbouring amenity in accordance with CSP40.

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Item 9

2017/0586

Applicant: Barnsley MBC, C/o IBI Group

Description: Mixed use development of land adjoining Barnsley Markets following demolition of part of existing market hall and multi storey car park to provide new retail/food and drink (Use Classes A1, A3), cinema and leisure use (Use Class D2), new multi storey car park and service road, with access to/from Lambra Road.

Site Address: Barnsley Markets and adjoining land, Cheapside, Barnsley

Barnsley Civic Trust are supportive of the application. No comments have been received from any other party including other members of the public and local business owners.

Site Description

The application relates to the next phase of the 'Better Barnsley' proposals for the redevelopment of the Town Centre, following on from the approval for the detailed set of plans relating to the new Library and the refurbishment of the Metropolitan Centre and its modification into the 'Glassworks'.

The application is the latest in a series of an increasing number of applications submitted relating to the Better Barnsley Town Centre redevelopment plans to take into account differences as the scheme has evolved as it has progressed nearer to becoming a reality. A development agreement is now in place to enable the delivery of the scheme as has been widely publicised.

Phase 2 encompasses:-

- The existing multi storey car park located to the rear of the Met Centre off Lambra Road;
- The remaining part of the Met Centre which did not form part of the phase 1 application fronting onto Cheapside;
- land associated with the existing temporary market at May Day Green;
- land associated with the former TEC building to the north of Kendray Street;
- Wesley Street and Lambra Road;
- The Lambra Road car park located to the rear of the existing food market
- The service roads and raised engineering structures which provide access to the multi storey car park and service vehicle access to the Met Centre and Markets from Lambra Road

The existing Met Centre, TEC building and the multi-storey car park are a form of brutalist post war architecture that are a product of their time. Facing materials include brown concrete panels, concrete and red brick. This phase includes 1.74ha of land in total.

Proposed Development

This is a comprehensive mixed use redevelopment proposal for the Town Centre that would link in with the refurbished Met Centre to create a new retail hub known as the Glassworks. The development would also include other town centre related uses including a new multi-screen cinema and food and drink establishments. In addition also forming part of the application would be a new multi storey car park to serve the Town Centre to replace the existing one which is going to be demolished.

Previous applications have been in outline and reserved matters form. However this is an application for full planning permission and includes full details of the plans for each constituent part of the development.

The mixed use development will comprise approximately 9360sq m of new retail floorspace (Use Class A1), approximately 2484 sq m of food and drink (Use Class A3,), approximately 8526sq m of leisure floorspace, including a 12 screen cinema and a bowling alley (Use Class D2), ancillary floorspace of approximately 6487sqm, a 494 space multi storey car park with access road, and servicing arrangements including a new service road between Kendray Street and Lambra Road.

A more detailed summary of the proposals is provided below:-

- Ground floor food and drink and first floor leisure use in a separate block north of Kendray Street on the site of the former TEC building;
- A canopy over the proposed public walkway between the Phase 2 development and the Metropolitan Centre
- A cinema above retail and food and drink uses on land to the south of Kendray Street between the Met Centre and the railway;
- The 4 level, 494 space multi storey car park would be located above the 2 storey retail provision at the southern end of the scheme near to Lambra Road.
- An extended service road to link the development with Kendray Street

The proposal is for the development to link in with the refurbished Met Centre and library phases via new public realm works which would see the existing pedestrian areas in the vicinity remodelled and the covered pedestrian walkway adjoining the new retail units being provided on all 4 sides of the refurbished Met Centre. As part of this a new public square is envisaged in the May Day Green area which includes land forming part of the existing temporary market.

Access to the multi storey car park and for service vehicles for most of the development would be via a reconfigured and extended service road off Kendray Street. The building to the north of Kendray Street would be serviced via Midland Road.

The various buildings would differ in size with the cinema and multi storey car park being 4 storeys in height. In addition the roof space of the multi storey car park would also be used. The remaining parts have been designed on two levels.

The proposed elevations are dominated by full height glazing for the most part in the case of the retail and restaurant shop units. The palette of materials proposed includes a mixture of light brown brick, gold metal cladding, light render. The cinema and multi storey car park would be enclosed with aluminium panels.

Demolition of approximately 38,200 sqm of buildings within the wider town centre redevelopment site is being undertaken pursuant to the outline permission and a separate Prior Notification of Demolition procedure

History

Outline planning application 2015/0549 was approved 08/07/2015 with all matters reserved. This approved a *mixed use development of Barnsley Markets and adjoining land following demolition of existing offices, bridge, part of existing market hall and multi-storey car park to provide a replacement refurbished retail / market floorspace, new retail / food and drink (Use classes A1, A3, A4), a cinema (Use Class D2), a library (Use Class D1), and new public open space, access road and associated servicing arrangements, car parking and a pedestrian footbridge across the adjacent railway to the site of the former CEAG building.*

Reserved matters approval of access, appearance, layout and scale of the refurbishment and extension of Metropolitan Centre containing a mixture of markets, retail, food and drink (A1, A3, A4), and leisure (D2) uses was given 20th April this year under application 2017/0135. This is now known as phase 1 of the Glassworks.

Approval over the reserved matters for the new central library was approved 27/10/2016 and under applications 2016/0924 and 22/02/2017 (amended plans -ref 2016/1504).

Application 2015/0730 determined that Permitted Development Prior approval was not required for the Demolition of Council Offices (Kendray Street) / TEC Centre & Retail Units (Eldon St / Kendray St) / Multistorey Car Park & associated structures / Zero Ice (Alhambra Road) on 23rd September 2016.

Preceding those were a number of applications for versions of the development that were not initiated including-

2006/1082 - Mixed use redevelopment comprising retail, leisure and residential, including new market hall, public amphitheatre/ outdoor market, multi storey car park with pedestrian link bridge over railway, new pedestrian routes and means of access (Outline) – Approved with conditions 10/10/2006.

2007/1573 - Mixed use redevelopment comprising retail, leisure and residential, including new market hall, public amphitheatre/ outdoor market, multi storey car park with pedestrian link bridge over railway, new pedestrian routes (Reserved Matters) – Approved with conditions 06/12/2007

2010/0293 - Variation of condition 39 of planning consent 2006/1082. (2007/0271 Extension of time limit). Approved with conditions 03/06/2010.

2011/0714 - Mixed-use redevelopment, comprising demolition of existing buildings on application site and replacement with retail and leisure elements, including new market, multi-storey car park and surface-level car park, new pedestrian routes, public realm, means. Approved 07/09/2011.

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 submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the

development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

Saved UDP Policies

UDP notation: Principal Shopping Frontage
Public Car Park/TC58/16 Lambra Road (0.53ha B1 business)

Local Development Framework Core Strategy

CSP2 'Sustainable Construction'
CSP3 'Sustainable Drainage Systems'
CSP4 'Flood Risk'
CSP5 'Including Renewable Energy in Developments'
CSP8 'The Location of Growth'
CSP20 Promoting Tourism and encouraging cultural provision
CSP26 'New Development and Highway Improvement'
CSP27 'Parking Strategy'
CSP25 'New Development and Sustainable Travel'
CSP29 'Design'
CSP31 'Town Centres'
CSP36 'Biodiversity and Geodiversity'
CSP39 'Contaminated and Unstable Land'
CSP40 'Pollution Control and Protection'

SPD's

- Residential amenity and the siting of buildings
- Parking

Publication version of the Draft Local Plan

Proposed designations: The Markets Area/Better Barnsley Development Area/Primary and Secondary Shopping Frontages/Priority and Gateway Sites for Public Improvements/Proposed Cycle Routes

BTC12 The Markets Area District – We will allow shops, offices, leisure developments, and food and drink uses within the Markets District. We will allow residential development on upper floors, but not at ground level if it would harm the vitality and character of the town centre. We may allow other uses if they would support the liveliness and economic strength of the town centre.

BRC13 Development Site 1 – Better Barnsley including former TEC building and CEAG site – We will allow the following types of development:-

- Retail, including a department store
- Offices
- Leisure
- Food and drink
- Residential
- Car Parking

Development will be expected to:-

- Create new links to and within the town centre and other areas adjacent to the Town Centre such as the Metrodome and Oakwell
- Provide residential development in the upper floors only, and not at ground level if it would harm the vitality and character of the town centre
- Include other uses if they would support the liveliness and economic strength of the town centre

TC2 Primary and Secondary Frontages – Within the primary and secondary shopping frontages in Barnsley Town Centre and the District Centres ground floor uses should be predominately retain in nature. Financial and professional services (class A2) and food and drink (classes A3 to A5) uses will also be acceptable. Other uses may be acceptable, especially where they diversity and improve provision in a centre, providing that it can be demonstrated that the vitality and viability of the primary shopping area is concerned.

BTC7 Gateways – Development must satisfy a range of criteria relating to design quality, place shaping and improving public spaces

BTC11, Car Parks – Town centre car parks will be managed to allow short stay car parking and restrict long stay car parking. Long stay car parks will be located on the edge of the town centre. Short stay car parks will be located within the town centre. Where they are proposed car parks should be located in the basements or on upper floors.

BTC1, The daytime and evening economies

BTC4, Improving Public Spaces

BTC6 Building Heights

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

Air Quality – The developer shall ensure that suitable air quality mitigation is incorporated into the development. These mitigations shall consist of those listed within Section 6.2 (Mitigation, Operational Phase) of the supporting air quality assessment, and those in subsequent correspondence between the Local Planning Authority and the developer.

Biodiversity Officer – No comments have been received. No objections were received to the previous outline planning application subject to conditions.

Contaminated Land – No comments have been received. No objections were received to the previous outline planning application subject to conditions.

Civic Trust- BCT support the application for the following summary of reasons:-

- Barnsley needs a town centre that is a “Destination” for both locals and visitors alike.
- The proposals are attractive and inviting and will give Barnsley presence
- Better use of previously underused or badly used locations
- The improved offer regarding the evening economy is to be welcomed both from the aspect of choice and also increased safety which is of great importance especially for people on their own.
- The increased offers regarding leisure, dining and retail are to be applauded and the Trust is hopeful that the new developments will bring about an enhanced feeling of civic pride and ownership into the town.
- Retention of commerce instead of money being spent outside of the Borough
- Employment generation for the benefit of local people
- The absence of harm to heritage assets
- The materials palette will harmonise with the new Library and will give an uplift to an area which has suffered from uninspiring and unattractive frontages especially along Cheapside

Drainage – Are content to agree details via a pre-commencement condition.

Enterprising Barnsley – Express support for the application on the grounds that it would secure investment, generate a business rate income and lead to an increase in employment opportunities.

Highways – No objections subject to conditions.

Network Rail – NR are fully engaged with the proposals relating to the Town Centre Regeneration Project. They have no observations to make, subject to the continuation of necessary discussions and agreements with the applicant.

Pollution Control – No objections are raised. However conditions are requested to agree the details of air conditioning or extraction systems and to limit noise and dust during the construction phase.

SYMAS – No objections on the basis that a suitable ground investigation report has been provided. The report has identified that mining legacy risks are low. However suitable foundations are required as there is some potential for the ground to be affected by shallow coal workings.

SYAS – No objections have been received. No objections were received to the previous outline planning application subject to conditions.

SY Police ALO – The Police ALO has made a variety of recommendations with regards to detailed design measures to make the development suitable from a secured by design and counter terrorism perspective.

Urban Design Officer – Comments received are broadly supportive of the plans. However conditions are required in relation to the following matters:-

- Sample panels of the proposed materials.
- Refinements to the external façade of the cinema
- Refinements to the glass canopy roof over the new shopping arcade

Yorkshire Water – The company have identified that 750mm and 1200mm public combined sewers are likely to be affected by the development. As such they require a condition that prevents development until the necessary diversions have been carried out. In addition water mains and other services enter parts of the site may require capping off or removal.

Representations

The application was advertised by neighbour notification letters, site and press notices. No representations have been received.

Assessment

Principle of Development

The long list of decisions to approve the previous applications associated with the Better Barnsley redevelopment plans have established the acceptability of the various constituent proposals of the scheme in land use planning policy terms.

Retail, food and drink and leisure are all town centre uses and so being in the heart of the Town Centre this is the ideal location from a planning policy point of view (CSP31 and the NPPF). There is no need for a retail impact or sequential assessments to be carried out on that basis. In addition the large scale and comprehensive nature of the proposals would greatly enhance the vitality and viability of Barnsley Town Centre and its role as a sub-regional centre.

The largest amount of floorspace would be allocated to retail use (9,360sqm) which also fits well with policy aims taking into account that the UDP and local plan includes parts of the site as Principal Shopping Frontage where the greatest amount of frontage should be A1 retail use. The food and drink floorspace would be a proportionate amount. Both the cinema and bowling alley leisure uses would greatly diversify the town centre offering to retain and attract visitors and to achieve more of a balanced evening and night time economy.

The multi storey car park would be constructed above 2 levels of retail floorspace and so would not affect the retail frontages that are protected on the lower levels. Overall the development is acceptable in principle taking account of policy CSP31, policies in the emerging Local Plan and the NPPF.

Visual Amenity

The demolition of the TEC building, existing multi storey car park and Met Centre which would all be cleared to make way for the development would serve to benefit the appearance and perception of Barnsley Town Centre.

The new and refurbished buildings have been through an extensive design and review exercise with a variety of different serve areas within the Council and the Design Review Panel made up of a variety of architects and urban design officers. In addition the proposals have been well received by the Urban Design Officer and the Barnsley Civic Trust.

The various developments would greatly modernise appearance of the town centre and bring it up to date with the modern era.

The retail and restaurant units would have a light appearance taking into account the amount of glazing included in the design and the light palette of materials that would be used.

The cinema and car park are more challenging aspects because their nature means they would need to be enclosed structures. In addition both would be the tallest structures containing four internal floors. The design for the cinema replicates the same type of cladding as the retail units. The cladding for the car park is not dissimilar but is more bespoke being perforated. The curved nature of its design gives it one that is ultra-modern for a building of such a functional nature.

The proposals would replace similarly large buildings and are viewed as being suitable in scale and massing terms. In addition the development would only enhance the appearance of the adjacent Conservation Area and Listed Buildings given the improvements that would be achieved via the replacement of the old buildings with the new ones.

Overall there can be no doubt that the development would not greatly enhance the appearance of the Town Centre for residents and its attractiveness to visitors from outside the Borough. The development is considered to comply with policy CSP 29 'Design' accordingly.

Residential Amenity

There are no residential properties located in the immediate vicinity that would be affected by overshadowing, or over dominance considerations. Construction work has the potential to cause disturbance over a greater area. Therefore the usual conditions would need to be imposed to limit working times and to ensure that a construction method statement is in place. In addition details of air conditioning and extraction systems would need to be provided to Regulatory Services for approval.

Highway Safety

The application is accompanied by a Transport Assessment which has considered traffic generation and capacity issues on the Town Centre road network.

The existing market and retail provision has an overall floor area of 17,731sq.m. The total amount of floorspace proposed is 28,718 sqm. The net increase in floor space is therefore much lower at 10,987 sqm, or 62%.

In addition to the above, Phase 2 will also allow the closure of the Kendray Street level crossing, as the access to the new Markets Car Park will be from Lambra Road. The new Markets Car Park will replace the existing car park and provide just short of 500 vehicle spaces. The car parking accumulation assessment calculated there to be a maximum deficit of 271 vehicle spaces within the Saturday Peak hour. However within 600m walking distance of the development site there are a number of Town Centre Car Parks, which have the available capacity to accommodate the additional vehicular trips. As such the assessment asserts that sufficient parking would exist.

In addition the site is adjacent to the transport interchange making it highly accessible by public transport.

In terms of network capacity the assessment has considered the effects of the development on the following junctions:-

- Kendray Street / Schwasbisch Grund Way;
- A628 Pontefract Road / Lambra Road;
- Lambra Road / Wesley Street;
- A628 Harborough Hill Road / Wesley Street / A61 Sheffield Road – Alhambra Roundabout
- A61 Sheffield Road / Union Street / Taylor Row;
- A61 Sheffield Road / A6133 Park Road, and
- A628 Dodworth Road / Shambles Street / A628 / Racecommon Road – Townend Roundabout.

The Transport Assessment indicates that whilst there is a slight impact on the Alhambra Roundabout as a result of development, it must be borne in mind that this has been modelled without signals. At present, the Alhambra Roundabout works without signals, except at peak times, when SCOOT loops then detect where the problem is and activates a red signal to create gaps and allows optimum flows on all legs. The impact as a result of development is only slight with the increase in queues on all legs being 1 or 2 vehicles, which could not be classed as severe as required by the NPPF. This must, therefore, be considered a robust analysis, a worse case scenario, as in reality the signals will continue to operate at peak times.

The modelling predicts that there would be more significant effects at the Lambra Road/Pontefract Road junction. Lambra Road would be forced over capacity as a result of the development leading to considerable queues if left unaltered. Mitigation has therefore been produced in the form of a signal controlled junction which resolves the problem and allows the junction to work within capacity.

The mini roundabout at the junction of Wesley Street and Lambra Road shown on the submitted plans has been tested, and shows that two of the arms would be over capacity without changes. Again, mitigation has been produced and shows that a signal controlled junction in this location resolves the problem and the junction operates within capacity.

Highways have accepted the findings of the Transport Assessment that the residual cumulative effects of the development would not be severe, subject to the mitigation work proposed. The list of mitigation works to be incorporated in the condition needs to include:-

- a) provision of a signal controlled junction at the Wesley Road/Lambra Road*
- b) provision of a signal controlled junction at Lambra Road/Pontefract Road;*
- c) provision of VMS at various locations throughout the town centre;*
- d) any necessary changes to street lighting;*
- e) any necessary changes to drainage;*
- f) provision of and any necessary changes to Traffic Regulation Orders;*
- g) carriageway/footway resurfacing/reconstruction on all affected highways;*
- h) any necessary signing/lining;*
- i) provision of signal engineer parking bay at the signal controlled junctions;*
- j) provision of motorcycle/cycle parking*
- k) provision of coach parking facilities*

Servicing is proposed to take place within the undercroft of the main buildings which shall allow that to take place outside of the public realm in the way rather than externally via the shop fronts preventing conflicts. Highways are comfortable with the proposals and have

resolved not to object to the proposed development taking into account of the advice within the NPPF and Core Strategy policy CSP26 'New Development and Highway Improvement'.

In addition a construction method statement needs to be provided in association with the development. This would provide highways with control over the following areas:-

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Phasing of the development
- 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

Other considerations

Air Quality

An Air Quality Assessment report has been provided with the application. The potential for air quality impacts have been assessed for two distinct phases:

- The 'construction' phase: during which the greatest impact is expected to be from dust; and
- The 'operational' phase: when the impacts will be primarily associated with vehicle emissions.

The assessment has arrived at a number of recommendations to avoid the development having adverse effects including:-

- A variety of mitigation measures during the construction phase to limit dust
- 20 electronic vehicle charging points
- Provision of a travel plan
- New signage

Regulatory Services are content with the recommendations so as to not raise concerns under policy CSP40 'Pollution Control and Protection'. However a condition is necessary to ensure that the recommendations are complied with.

Flood Risk and Drainage

The FRA has established that the site falls in Flood Zone 1 (low flood risk) and the proposals are considered to be 'Less Vulnerable'.

Sough Dyke is a culverted watercourse passing through the town centre, including parts of this site. During periods of heavy rainfall, there is a risk that overtopping of the open watercourse could occur if the culvert was at full capacity, thus restricting the discharge of the watercourse. However, the capacity of the open watercourse is not excessive and consequently the volume of any resultant flood waters would be quite limited.

The drainage strategy report has identified that surface water from the existing site is collected from roofs and pavements and discharged directly to Sough Dyke culvert and Yorkshire Water sewers. The new development will see the buildings and pavements remodelled utilising the existing suspended concrete floor slab and building footprints.

It is proposed to install new surface water drainage to collect surface water from the roofs and pavements using a network of pipes fixed to the underside of the suspended floor slab. This system would connect to new in-line attenuation tanks that would be constructed in an area of the existing basement that has been set aside for this purpose. The attenuation tanks will discharge to the existing surface water pipes which run under the basement floor and connect to Sough Dyke.

The strategy proposed is similar to that formulated with the previous applications that were regarded as being acceptable by the relevant drainage consultees. A pre-commencement condition would be needed to agree the more detailed specifications.

No adverse comments have been received from consultees regarding surface water drainage proposals. However Yorkshire Water have identified that the development would affect two large existing sewers. As such the recommendation is the subject of a condition preventing development until an agreement is in place for their diversion. In addition water mains and other services enter parts of the site may require capping off or removal.

CO2 emission reduction and BREEAM

Development should achieve a BREEAM very good standard and CO2 emissions reductions of 15% in order to comply with policies CSP2 and CSP5. This would need suitable conditions imposing.

Biodiversity

The bat survey did not identify any bat activity within the site. The town centre was well lit at night which is likely to deter bats from roosting or foraging around the site. However, the survey identified that the railway lines immediately to the south of the site could be used as a potential commuting route by bats moving between roosting and foraging sites. Bat bricks are recommended as enhancements and more carefully thought out strategy for lighting of the new areas as mitigation.

The wider ecology survey has identified that pigeon nests might be affected. All wild birds, their nests and eggs are protected during nesting season which is a consideration for the demolition phase.

Police ALO recommendations

A condition is proposed to require details of how the recommendations of the Police ALO are going to be incorporated within the detailed construction drawings.

Conclusion

In summary the proposed development is in accordance with a variety of planning policy aims about maintaining and enhancing the vitality and viability of existing Town Centres via maintaining a town centre first approach to new retail developments. In addition the food and drink establishments, multi screen cinema and bowling alley leisure centres would be further complimentary town centre uses which would serve to benefit the vitality and viability of the town centre by providing a more diverse and evening and visitor economy that is suitable for a range of ages through attracting visitors. The application also follows on from previous applications which established the acceptability of the various constituent proposals of the scheme in land use planning policy terms.

In addition to the above the development would transform the appearance of the town centre via the removal of brutalist architecture buildings built in the post war period and their

replacement with modern form of buildings and materials that would aim to have a much more light touch appearance through the widespread use of glazing and the light colour material choices. The linkage with phase 1 and public realm works to create a new square shall transform the town centre and create a major new hub for the town and sub-region.

The Transport Assessment has identified that the residual cumulative impacts of the development on the highway network would not warrant the application being considered negatively, subject to the mitigation which is proposed. In addition it is predicted that sufficient parking would exist to serve the development as a result of the new car park, proximity to other town centre car parks and the proximity to the Transport Interchange.

Mitigation for the development would be required from the perspective of surface water storage and discharge, the diversion of existing sewers, biodiversity and air quality considerations. However no other specific impacts have been identified that would warrant planning permission being withheld. The application is therefore recommended for approval subject to the conditions in the report.

Recommendation

Grant planning permission with 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 following plans and specifications as approved unless required by any other conditions in this permission:-

-BBTC_IBI_XX_A_F100_PL_00_08 rev 1 - Existing Site Plan

-BBTC_IBI_XX_A_F100_PL_00_10 rev 1 - Phase 2 - Location Plan

-BBTC_IBI_XX_A_F100_PL_00_02 rev 4 - Phasing Plan - Ground Level

-BBTC_IBI_XX_A_F100_PL_RF_01 rev 3 - Phasing Plan - Roof Level

-BBTC_IBI_XX_A_F100_PL_00_05 rev 2 - Planning Boundaries

Ground Floor Level

-BBTC_IBI_XX_A_F100_SP_09 rev 1 - Building Elevation Reference Plan

-BBTC_IBI_D2_A_F100_PL_00_02 rev 2 - DS 2 - Context Plan

-BBTC_IBI_DS_A_F100_EL_XX_01 rev 6 - Proposed GA Elevations Sheet 1 of 2

-BBTC_IBI_DS_A_F100_EL_XX_02 rev 4 - Proposed GA Elevations Sheet 2 of 2

-BBTC_IBI_D2_A_F100_PL_RF_01 rev 8 - Roof Plan

-BBTC_IBI_XX_A_F100_SP_B1 rev 7 - Phase 2 Site Plan - Basement

-BBTC_IBI_XX_A_F100_SP_00 rev 12 - Phase 2 Site Plan - Ground Floor

-BBTC_IBI_XX_A_F100_SP_01 rev 9 - Phase 2 Site Plan - First Floor

-BBTC_IBI_XX_A_F100_SP_02 rev 5 - Phase 2 Site Plan - Second Floor

-BBTC_IBI_XX_A_F100_SP_03 rev 2 - Phase 2 Site Plan - Third Floor

-BBTC_IBI_XX_A_F100_SP_RF rev 4 - Phase 2 Site Plan - Roof

-BBTC_IBI_DS-35_A_F100_PL_BS_001 rev 5 - DS.3&5 - Basement Floor Plan

-BBTC_IBI_DS-35_A_F100_PL_00_001 rev 9 - DS.3&5 - Ground Floor Plan

-BBTC_IBI_DS-35_A_F100_PL_01_001 Rev 7 - DS.3&5 - First Floor Plan

-BBTC_IBI_DS-35_A_F100_PL_02_001 Rev 7 - DS.3&5 - Second Floor Plan

-BBTC_IBI_DS-35_A_F100_PL_03_001 rev 2 - DS.3&5 - Third Floor Plan

- BBTC_IBI_DS-35_A_F100_PL_RF_001 rev 4 DS.3&5 - Roof Plan
- BBTC_IBI_DS-67_A_F100_PL_B1_01 rev 6 - DS 6 & 7 Basement Level (B1)
- BBTC_IBI_DS-67_A_F100_PL_00_01 rev 9 - DS 6 & 7 Ground Floor (L0)
- BBTC_IBI_DS-67_A_F100_PL_01_01 rev 9 - DS 6 & 7 First Floor (L1)
- BBTC_IBI_DS-67_A_F100_PL_02_01 rev 7 DS 6 & 7 Second Floor (L2)
- BBTC_IBI_DS-67_A_F100_PL_03_01 rev 6 - DS 6 & 7 Third Floor (L3)
- BBTC_IBI_DS-67_A_F100_PL_04_01 rev 7- DS 6 & 7 Fourth Floor (L4)
- BBTC_IBI_DS-67_A_F100_PL_05_01 rev 5 - DS 6 & 7 Fifth Floor (L5)
- BBTC_IBI_D2_A_F100_EL_WW_EE_01 rev 8 - East & West Elevations
- BBTC_IBI_DS_A_F100_SE_AB_01 rev 7 - GA Building Sections A & B
- BBTC_IBI_DS_A_F100_SE_CD_01 rev 2 - GA Building Sections C & D
- BTC_IBI_D2_A_F100_PL_00_01 rev 18 - Ground Floor Plan
- BBTC_IBI_D2_A_F100_PL_01_01 rev 15- First Floor Plan
- BBTC_IBI_D2_A_F100_SE_AA rev 12 - Section AA
- BBTC_IBI_D2_A_F100_SE_BC rev 12 - Sections BB and CC DS2
- BBTC_IBI_D2_A_F100_EL_SS_01 rev 8 - South Elevation DS2
- BBTC_IBI_DS_A_F100_DT_06 rev 3 - DS3/5 - Typical Bay Type DS3/5D Details
- BBTC_IBI_DS_A_F100_DT_05 rev 3 - DS3/5 - Typical Bay Type DS3/5C Details
- BBTC_IBI_DS_A_F100_DT_04 rev 3 - DS3/5 - Typical Bay Type DS3/5B Details
- BBTC_IBI_DS_A_F100_DT_03 rev 2 - DS6/7 - Typical Bay Type DS6/7B Details
- BBTC_IBI_DS_A_F100_DT_02 rev 2 - DS6/7 - Typical Bay Type DS6/7A Details
- BBTC_IBI_DS_A_F100_DT_01 rev 5 - DS3/5 - Typical Bay Type DS3/5A Details
- BBTC_IBI_DS_A_F100_DT_07 rev 3 -DS3/5 - Typical Bay Type DS3/5E Details
- BBTC_IBI_DS_A_F100_DT_09 rev 1 -DS3/5 - Typical Canopy DS3/5F Details
- BBTC_IBI_XX_A_F100_SP_XX_001 rev 1 - Proposed Phase 2 Developments – Gross External Areas
- BBTC_IBI_XX_A_F100_SP_XX_003 rev 1 - Proposed Phase 2 Development – Gross Internal Areas by Planning Use
- BBTC_IBI_XX_A_F100_SP_XX_004 rev 1 - Proposed Phase 2 Development - Gross Internal Areas by Planning Use
- BBTC_IBI_D2_A_F100_DT_N_01 rev 3 - Wall Section N-01 North Facade/Party Wall - Grid 9/F
- BBTC_IBI_D2_A_F100_DT_S_01 rev 3 - Wall Section S-01 South Facade - Grid 4/A
- BBTC_IBI_D2_A_F100_DT_S_02 rev 3 - Wall Section S-02 South Facade - Grid 6/A
- The principles detailed within the Shopfront Design Guide document (appendix 6 of the Design and Access Statement)

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 level gradients; 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 samples of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The construction of the building shall only take place after a sample panel of all external materials has been constructed on site and the details approved in writing by the Local Planning Authority. The approved panel shall be retained on site until construction of the building has been completed. 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 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, in accordance with Core Strategy Policies CSP 26 and CSP 40.

- 7 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- a) provision of a signal controlled junction at the Wesley Road/Lambra Road
- b) provision of a signal controlled junction at Lambra Road/Pontefract Road;
- c) provision of VMS at various locations throughout the town centre;
- d) any necessary changes to street lighting;
- e) any necessary changes to drainage;
- f) provision of and any necessary changes to Traffic Regulation Orders;
- g) carriageway/footway resurfacing/reconstruction on all affected highways;
- h) any necessary signing/lining;
- i) provision of signal engineer parking bay at the signal controlled junctions;
- j) provision of motorcycle/cycle parking;
- k) provision of coach parking facilities.

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 interest of highway safety, in accordance with Core Strategy Policy CSP 26.

- 8 No development shall take place until 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. 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.
- 9 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.
- 10 Prior to commencement of development an investigation and risk assessment to assess the nature and extent of any contamination on the site shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:
(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
The development shall be carried out in accordance with the approved report including any remedial options.
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.
- 11 Prior to commencement of development, details of a scheme to reduce the carbon dioxide emissions of the shell and core part of the development by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their

implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.

Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.

- 12 The shell and core part of the proposed development shall achieve BREEAM standard of 'very good' or equivalent. Upon completion of the development, an energy performance certificate shall be provided to the Local Planning Authority demonstrating that the required standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.
Reason: In the interest of sustainable development, in accordance with Core Strategy Policy CSP2.
- 13 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey, 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.
- 14 Prior to the occupation of the development a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.
Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.
- 15 Details of measures to restrict vehicular access to/from Kendray Street shall be submitted and approved by the Local Planning Authority prior to the commencement of development, and shall then be implemented prior to the development being brought into use, and permanently retained thereafter
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 16 Details of measures to control vehicular/pedestrian access to the service yard shall be submitted to and approved by the Local Planning Authority prior to the commencement of development, and then shall be implemented prior to the development being brought into use, and permanently retained thereafter.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 17 Details of the car park management plan shall be submitted and approved in writing by the Local Planning Authority prior to the development being brought into use, and then shall be implemented at all times.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

18 The development shall not be brought into use until a service yard management plan has been submitted to and approved in writing by the Local Planning Authority, once approved it shall be strictly adhered to at all times. The plan shall include for the management of all delivery vehicles, customers vehicles, pedestrians, the use of banksmen, and shall provide a regular monitoring regime and a system for identifying and correcting issues at each delivery.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

19 Prior to the commencement of works on the new external façade of the development a scheme for the provision of bat bricks within the development as a means of providing biodiversity enhancements be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being brought into use and shall be retained as such thereafter.

Reason: To enhance biodiversity in accordance with Core Strategy Policy CSP 36.

20 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

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

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

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Core Strategy Policy CSP 30.

21 The developer shall ensure that suitable air quality mitigation is incorporated into the development. These mitigations shall consist of those listed within Section 6.2 (Mitigation, Operational Phase) of the supporting air quality assessment, and those in subsequent correspondence between the Local Planning Authority and the developer.

These shall consist of:

- Providing parking spaces with an electric charging point (20 normal electric vehicle charging points), using a phased introduction with an initial agreed provision and a remaining allocated at an agreed trigger level. The electric charging points should be located near priority parking areas (e.g. car park

pedestrian entrance routes).

- Provision of a Travel Plan, to include:

1. Strategy to discourage high emission vehicle use
2. Improved pedestrian access to public transport
3. New or improved bus stop infrastructure
4. Site layout to encourage walking and cycling.
5. Strategies for reducing emissions by vehicles operated by tenants and promoting the uptake of lower emission technologies shall be encouraged by provision of information on accreditation schemes, such as South Yorkshire ECO Stars (<http://www.ecostars-uk.com/>).

- Provision of anti-idling signage

With regard to the commercial site, the following mitigation to be implemented:

1. A workplace travel plan shall be promoted to all staff.

2. A Delivery and Service Planning Toolkit shall be adopted to ensure deliveries are efficient and minimise effects on local roads.

Reason: In the interests of minimising the impact of the proposal on local air quality in accordance with Core Strategy policies CSP 40.

- 22 Prior to the occupation of the development details of a scheme for responding to the recommendations of South Yorkshire Police Crime Reduction Officer in the completed development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being brought into use and shall be retained as such thereafter.

Reason: In the interest of crime prevention and counter terrorism.

- 23 Prior to occupation of the buildings, full details of externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details

Reason: In the interest of visual and public amenity in accordance with Core Strategy Policy CSP 40.

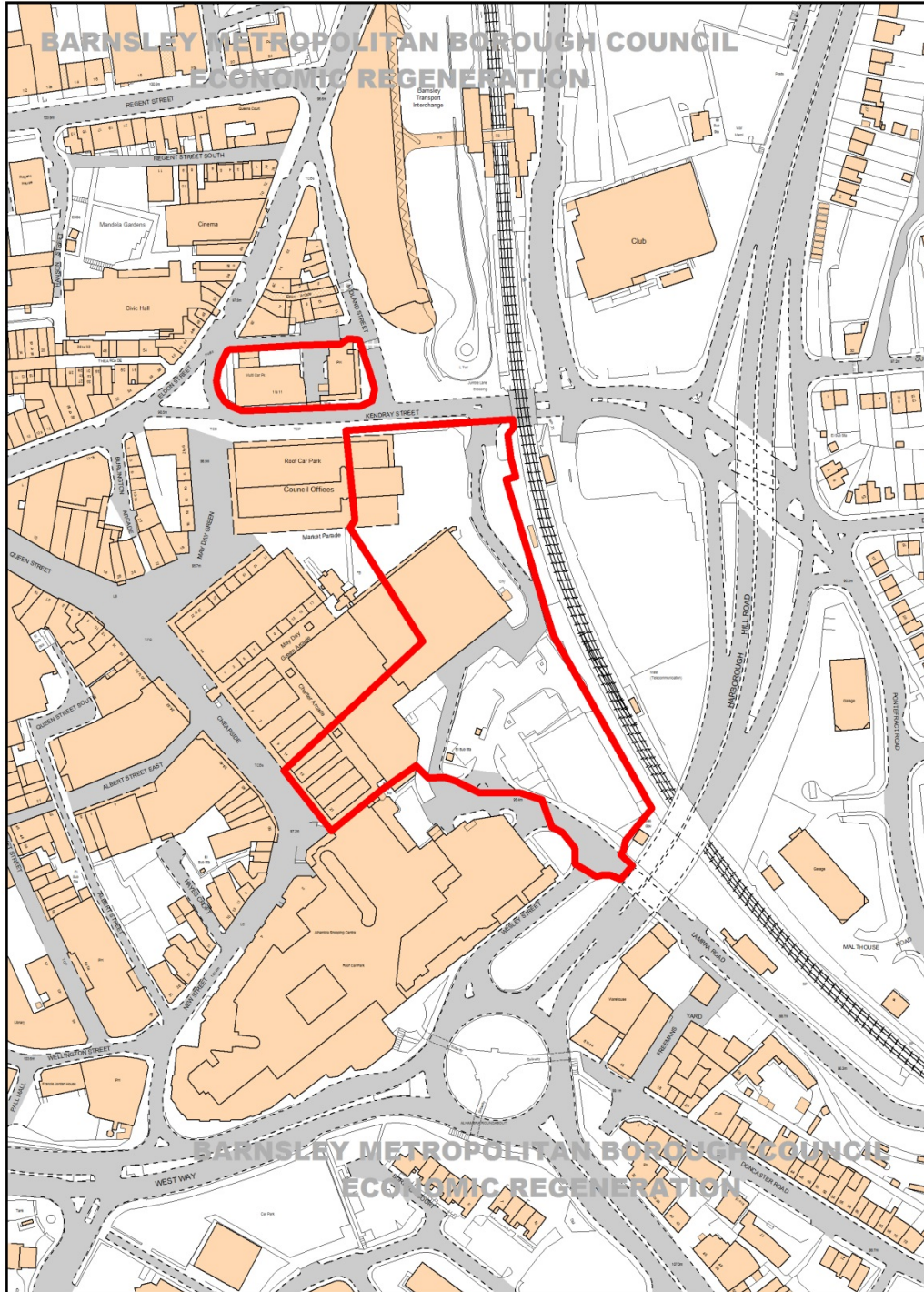
- 24 Prior to occupation of the building/commencement of the use, full details of the proposed refuse and recycling storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a method statement indicating how the facilities will be managed and serviced and how occupiers of the proposed development will be encouraged to maximise the use of the proposed recycling facilities to reduce general waste arisings. Prior to the occupation of the building/commencement of the use, the approved facilities shall have been implemented in conjunction with the approved method statement and shall thereafter be retained.

Reason: In the interests of encouraging recycling and visual amenity in accordance with Core Strategy Policy CSP 40.


- 25 Prior to the commencement of works on the new external façade of the development samples of the external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed 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.
- 26 Prior to the commencement of works on the arcade a lighting scheme for the glass canopy roof shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed 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.
- 27 No building or other obstruction shall be located over or within :-
- i) 6.5 (six point five) metres either side of the centre line of the 1200/1050mm public combined sewer i .e. a total protected strip width of 13 metres, that crosses the site ;
 - ii) 6 (six) metres either side of the centre line of the 1750mm public combined sewer i.e. a total protected strip width of 12 metres, that crosses the site;
 - iii) 5.0 (five) metres either side of the centre line of the 675mm public combined sewer i .e. a total protected strip width of 10 metres, that crosses the site;
 - iv) 3.5 (three point five) metres either side of the centre line of the 450mm public surface water sewer i .e. a total protected strip width of 7 metres, that crosses the site; and
 - v) 3 (three) metres either side of the centre line of each of the 300mm, 225mm and 150mm public surface water sewers i .e. total protected strip widths of 7 metres per sewer, that cross the site
- Furthermore, where the required stand -off distances are to be achieved via diversion or closure of the sewer (s), the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and the agreed diversion works shall then be fully implemented prior to construction in the relevant area of the development site, to the satisfaction of the Local Planning Authority as part of an overall phasing programme for the development.
Reason: In the interests of public health, in order to protect the public sewerage and to ensure access for repair and maintenance to the sewerage is maintained at all times in accordance with CSP4.
- 28 Development shall not commence until details have been submitted to and approved by the Local Planning Authority that demonstrate that public water supply infrastructure will be protected during all phases of eh development . Construction in the relevant areas of the development shall not commence until approved measures have been fully implemented.
Reason: In order to protect the public water supply in accordance with CSP4.

- 29 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network in accordance with CSP4.
- 30 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In order to ensure compliance Core Strategy policy CSP 42, policy I1 in the emerging Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.

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Service Director: David Shepherd
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Scale 1: 2500

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2017/0766 and 2017/0771 (Joint Report and Separate Conditions)

Applicant: Barnsley MBC, C/o NPS Barnsley

Description: 2017/0766 - Conversion of existing outbuilding and siting of wooden clad container for use as a Pet Crematorium.
2017/0771 - Conversion of existing outbuilding and siting of wooden clad container for use as a Pet Crematorium (Listed Building Consent).

Site Address: Cannon Hall, Bark House Lane, Cawthorne, Barnsley, S75 4AT

**These applications are put to Members as the Council is the applicant
Cawthorne Parish Council have objected to the proposal
No letters of objection have been received from local residents**

Description

Cannon Hall sits in 70 acres of historic parkland looking towards the village of Cawthorne, to the west of Barnsley and within the Green Belt. Cannon Hall is a Grade II* Listed Building and the majority of the hall in its current form dates to the early eighteenth-century and has an association with two eminent architects of the time, John Etty and John Carr of York. It is listed at Grade II* in recognition of the high level of architectural and historic interest it possesses.

A home farm complex lies immediately north of the Hall and consists of a range of buildings including stables, a coach house, cottages and a farmhouse of late C18 date (all listed Grade II). The northern and part of the eastern sides of the courtyard are private residential accommodation.

Cannon Hall shares its immediate setting with Cannon Hall Farm, and Cannon Hall Garden Centre, both of which are privately owned businesses. The park itself comprises of a mixture of formal landscapes, parkland, and structures that include a Grade II listed walled garden, a series of cascading lakes and a number of undesignated important heritage assets. The park boundaries comprise of mature trees to the north-west and south-west. The eastern boundary separates the park from Cannon Hall Farm and the southern boundary consists of meadow and small groups of mature trees. The main car park and cafe is set to the south western boundary, adjacent to the Garden Centre.

The Hall and Estate were sold to Barnsley Council in 1951 by the last member of the Spencer family, Elizabeth. Since then the Estate has been run by the council as a tourist attraction. It opened as a museum in 1957 and now hosts important collections of glassware, ceramics, paintings and period furniture. The site has approximately 450,000 visitors per year, with 150,000 people each year visiting the Museum itself and participating in a regular programme of visiting exhibitions, workshops and events.

The site for the proposed crematorium is set adjacent to the walled garden within an area which is not currently publically accessible. The site is screened by trees and shrubs along the eastern boundaries and to the west is a high brick wall which is part of the historic walled garden. The site currently contains a lean to stone built potting shed and a lean to timber and corrugated metal sheet storage building.

Proposed Development

The two applications under consideration here are for the same scheme but one is a planning application (2017/0766) and the other seeks listed building consent (2017/0771).

The works involve the conversion of the potting shed building into an office and store with the replacement of an existing lean to wood and corrugated metal sheet store area with a wooden clad steel containerised crematorium measuring 6.2m by 2.4m. The proposed crematorium would require a 4.7m high flue (from ground level) in an Anthracite grey finish. The works to the potting shed include repairs to the roof and a new entrance porch to be constructed of matching materials and a double glazed hardwood frame and vertical boarded entrance door.

The facility is for cremation only and no ceremonies would take place. Pets will be picked up from their homes and returned by a member of staff in a car sized vehicle. Generally the crematorium will be mostly private for staff only. If a member of the public wishes to visit the site (if they wish to be reassured that the process is what they expected) and should they arrive by car, they would be directed to park in the public car park at Cannon Hall.

The facility can accommodate 10 cremations per working day. However as there is no public involvement in the cremation process (no services), cremations could continue into the evening. Scattering is by appointment only and will be managed by a diary system. It is not expected that more than 5 scatterings will take place per day that have the family in attendance. If members of the public are attending a scattering within the grounds of the park, they would be directed to park in the public car park at Cannon Hall.

A transit van size vehicle would be used for fuel delivery and the frequency of delivery to be agreed with the crematorium plant specialist. Access to the site for pedestrians will remain unchanged, however will be unavailable generally to the public unless by invitation only. The access drive off the south of the Hall gardens will be tarmac up to the existing gated opening in the boundary wall. This will only be available for staff at time of fuel delivery only and will be blocked off by a locked 1800mm high timber boarded double gate, painted green.

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 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 the Publication Consultation Document of the Local Plan. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although this is still limited by the need to consider any comments received during the consultation and with the knowledge that the Inspector can require changes to the plan.

Core Strategy

CSP26 – New Development and Highway Improvement
CSP29 – Design
CSP 30 – The Historic Environment

CSP 34 - Green Belt
CSP36 - Biodiversity and Geodiversity
CSP40 – Pollution Control and Protection
Saved UDP Policy

GS8A – Re-use of existing buildings in the Green Belt
BE6E – Temporary structures

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.

In respect of this application, relevant policies include:

Paragraph 131: conserving and enhancing the historic environment. This states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 134: Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Consultations

Cawthorne Parish Council - Object to this application as they consider the pet crematorium to be inappropriate in a family leisure area.

Conservation Officer – No objections subject to conditions

Historic England – No objections received

Regulatory Services – No objections subject to conditions

Environment Agency – No comments or objections. A Permit may be required.

Highways DC – No objection subject to conditions

Tree Officer – No objections subject to conditions

Representations

No letters of representation have been received

Assessment

Cannon Hall is set within the Green Belt and is a Grade II* listed building within a Grade II registered landscape, with several associated buildings and structures listed at Grade II. The application therefore needs to be assessed in principle against Core Strategy Policy CSP 30 and CSP 34 and Government advice in the NPPF.

Principle

The application site is designated as within the Green Belt. It is therefore necessary to assess whether the development would be classed as inappropriate or not. In this respect there are two parts to the proposal, the conversion of the existing outbuilding and the erection of a wooden clad container. The NPPF states the re-use of buildings is not inappropriate within the Green Belt providing the buildings are of permanent and substantial construction. In this case the existing building is considered of sufficiently solid construction that it can be converted subject to amendments to the external finishes to improve its visual appearance. The impact on the visual amenities and openness of the Green Belt from the external alterations, including a small porch, are discussed later in the report.

In terms of the wooden clad container, the NPPF states that limited infilling of previously developed sites is not inappropriate within the Green Belt. In this case the site is within the central built up area of the site and is screened by trees and shrubs along the eastern boundaries and to the west is a high brick wall which is part of the historic walled garden. It also would replace a covered garden store and as such it is not considered that it would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

As the wooden clad steel containerised crematorium is considered a temporary structure consisting of short life materials, the Council's planning policy for temporary structures Policy BE6E should be applied. In terms of temporary structures, saved policy BE6E – Temporary structures states:- 'On sites visible from highways and public areas, portable and demountable buildings and those in short life materials will only be given a temporary permission, not exceeding five years, and then only in exceptional circumstances where it can be shown that a building in permanent materials is either not suitable, or that urgent accommodation is needed pending the completion of a permanent structure.' As the crematorium is a new operation and as the container is located in a sensitive location within the registered parkland and adjacent to Cannon Hall, this should be a temporary permission for 5 years. Should the container be required beyond this date the applicant would need to either apply for a more permanent building or apply for a further temporary consent and would need to show that exceptional circumstances exist in line with policy BE6E.

Impact on Green Belt/Visual Amenity

The proposed development involves the change of use of an existing building within the Green Belt, therefore policy GS8A will apply. GS8A states that a building should be converted with minimal alterations and extensions. The proposal includes the erection of a small wooden glazed porch and the removal of the existing lean to store and replacement with a small wooden clad container to house the incinerator. The replacement of the store with the incinerator store is considered acceptable; as it would not be considered materially larger than the lean to store it would replace and would be a significant improvement to visual amenity given that the unsympathetic lean to element is to be removed.

The re-use of the existing building for the proposed crematorium would not have a materially greater impact on the openness of the Green Belt. The use is small in scale with up to 10 cremations per day, with limited movements required. The proposed crematorium is set within the walled garden and in an area which is not publically accessible and screened by existing trees and vegetation, therefore cannot be seen other than from within the application site. The crematorium would not be easily viewed from public vantage points and as a result there should be very limited impact upon the openness and visual amenity of the Green Belt in accordance with policy CSP34.

Impact upon Heritage Assets

The Conservation Officer considers that the proposal is acceptable in terms of design and materials. The proposed conversion works would improve the appearance of the existing potting shed and would result in the removal of an unsympathetic lean to building. The proposal involves the siting of a crematorium container which would be clad in timber to match the adjacent timber elements on the existing building. The wooden clad container would not be attached to the walled garden or the existing potting shed, therefore would not harm the historic assets and could be removed should the crematorium use cease in the future. The proposed flue would be painted with an Anthracite grey finish and is limited in height to approximately 4.7m from ground level. The proposed flue would project a limited amount (approx 1m) above the adjacent wall and therefore would not be overly visible from within the historic walled garden.

Concerns have been raised from the Parish Council with regard to the conflict/appropriateness of the current leisure use and the pet crematorium use. No letters of objection have been received from members of the public or adjacent residential properties. The use would not result in a significant number of visiting members of the public and would be carried out as a small scale use with limited numbers of staff and vehicle movements. The use is considered to be sensitive and would be set away from the main leisure uses of the hall and the gardens within an area of the walled garden which is not accessible by the public. It is not felt that there would be a conflict between the uses and they could operate together without any detriment to the leisure use of Cannon Hall.

Impact on Green Belt/Visual Amenity

The proposed development involves the change of use of an existing building within the Green Belt, therefore policy GS8A will apply. GS8A states that a building should be converted with minimal alterations and extensions. The proposal includes the erection of a small wooden glazed porch and the removal of the existing lean to store and replacement with a small wooden clad container to house the incinerator. The replacement of the store with the incinerator store is considered acceptable; as it would not be considered materially larger than the lean to store it would replace and would be a significant improvement to visual amenity given that the unsympathetic lean to element is to be removed.

The re-use of the existing building for the proposed crematorium would not have a materially greater impact on the openness of the Green Belt. The use is small in scale with up to 10 cremations per day, with limited movements required. The proposed crematorium is set within the walled garden and in an area which is not publically accessible and screened by existing trees and vegetation, therefore cannot be seen other than from within the application site. The crematorium would not be viewed from public vantage points and as a result there should be very limited impact upon the openness and visual amenity of the Green Belt in accordance with policy CSP34.

Residential Amenity

No objections have been received from neighbouring residents and there would be limited activity generated from the proposal given its small scale use. The crematorium is tucked away adjacent to the walled garden and away from residential properties. The Council's Pollution Control team are satisfied that there should be no impact by way of smells or fumes from the incinerator. The proposal is considered acceptable when measured against CSP40.

Highway Safety

Highways DC have been consulted on the application and have no objections to the proposal subject to conditions. It is unlikely that any additional traffic would be so considerable to have a significant adverse impact on the surrounding highway network in accordance with Core Strategy Policy CSP26.

Trees

The proposed crematorium is located against the garden wall and away from the adjacent trees. As a result, no trees are required to be removed as part of the proposal. It appears unlikely that this proposal will have a detrimental impact on the trees; however care will be needed during construction/installation. There will be significant shrub removal for the new access drive in, however the Tree Officer has raised no objection to this. Given the proximity of the works to trees some specialist construction techniques may need to be employed to ensure that the trees and remaining shrubs remain unaffected

As no arboricultural information has been submitted with the application, then a full suite of protection related documents will be required to be submitted prior to the commencement of development and should be secured by condition.

Conclusion

No objections have been raised by Historic England and the Council's Conservation Officer and the proposal should not have a significant impact upon the Grade II* Listed Building or the Grade II registered landscape in accordance with the NPPF and Core Strategy Policy CSP30. The re-use of the building as a crematorium is considered to be an acceptable use and would not have any significant impact upon the openness of the Green Belt, adjacent residents or the highway network, in accordance with policies CSP26, CSP34 and CSP40.

Recommendations:

Grant 2017/0766 subject to the following 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 amended plans
(Nos.NPS-DR-A-(21)-010 REV P2
NPS-DR-A-(21)-011 REV P2
NPS-DR-A-(21)-012 REV P2
NPS-DR-A-(21)-013 REV P1
NPS-DR-A-(21)-020 REV P2
NPS-DR-A-(21)-021 REV P2
NPS-DR-A-(21)-120 REV P2
NPS-DR-A-(21)-121 REV P2) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.
- 3 Within 5 years of the date of this permission, the container hereby permitted shall be removed from the site, and all works necessary to reinstate the land to its original condition shall have been carried out.
Reason: In the interests of visual amenities of the site and its historic surroundings, and the character and openness of the Green Belt in accordance with CSP29, CSP30 and CSP34.
- 4 The stack for the incinerator shall be a minimum of 4.7 Metres from the ground.
Reason: In accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 5 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 survey
 - Tree retention and removal plan
 - Tree protective barrier details
 - Tree protection plan
 - Arboricultural method statement
- The scheme shall then proceed in accordance with the approved details.
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity.
- 6 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, 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: To safeguard existing trees, in the interest of visual amenity.
- 7 The proposed Flue shall be finished in Anthracite in a grey matt finish
Reason: In the interests of the visual amenities of the locality and in

accordance with Core Strategy Policy CSP 29, Design.

- 8 The pointing mix shall be lime (NHL 3.5): aggregate at a ratio of 1:3. Sand / aggregate should be well graded or river sand. Preparation of the joints will require careful removal of cement by hand at a depth equal to twice that of the width. Pointing mix to be of the same colour or as close as possible to the original lime and to be finished slightly back from arms of surrounding stonework and brushed off or stippled to remove laitance and expose aggregate to a depth of 2mm or 3mm.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.
- 9 Any new stone shall to be sandstone and shall match the existing historic waling in every respect colour, general grain size, and type of face dressing.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.
- 10 Windows, doors and timber cladding shall be hardwood, decorated in dark oak stain.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

Grant 2017/0771 subject to the following 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 amended plans
(Nos.NPS-DR-A-(21)-010 REV P2
NPS-DR-A-(21)-011 REV P2
NPS-DR-A-(21)-012 REV P2
NPS-DR-A-(21)-013 REV P1
NPS-DR-A-(21)-020 REV P2
NPS-DR-A-(21)-021 REV P2
NPS-DR-A-(21)-120 REV P2
NPS-DR-A-(21)-121 REV P2) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.
- 3 Within 5 years of the date of this permission, the container hereby permitted shall be removed from the site, and all works necessary to reinstate the land to its original condition shall have been carried out.
Reason: In the interests of visual amenities of the site and its historic surroundings, and the character and openness of the Green Belt in accordance with CSP29, CSP30 and CSP34.
- 4 The stack for the incinerator shall be a minimum of 4.7 Metres from the ground.
Reason: In accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 5 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 survey
Tree retention and removal plan
Tree protective barrier details
Tree protection plan
Arboricultural method statement

The scheme shall then proceed in accordance with the approved details.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity

- 6 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, 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: To safeguard existing trees, in the interest of visual amenity.

- 7 The proposed flue shall be finished in Anthracite in a grey matt finish.

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

- 8 The pointing mix shall be lime (NHL 3.5): aggregate at a ratio of 1:3. Sand / aggregate should be well graded or river sand. Preparation of the joints will require careful removal of cement by hand at a depth equal to twice that of the width. Pointing mix to be of the same colour or as close as possible to the original lime and to be finished slightly back from arms of surrounding stonework and brushed off or stippled to remove laitance and expose aggregate to a depth of 2mm or 3mm.

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

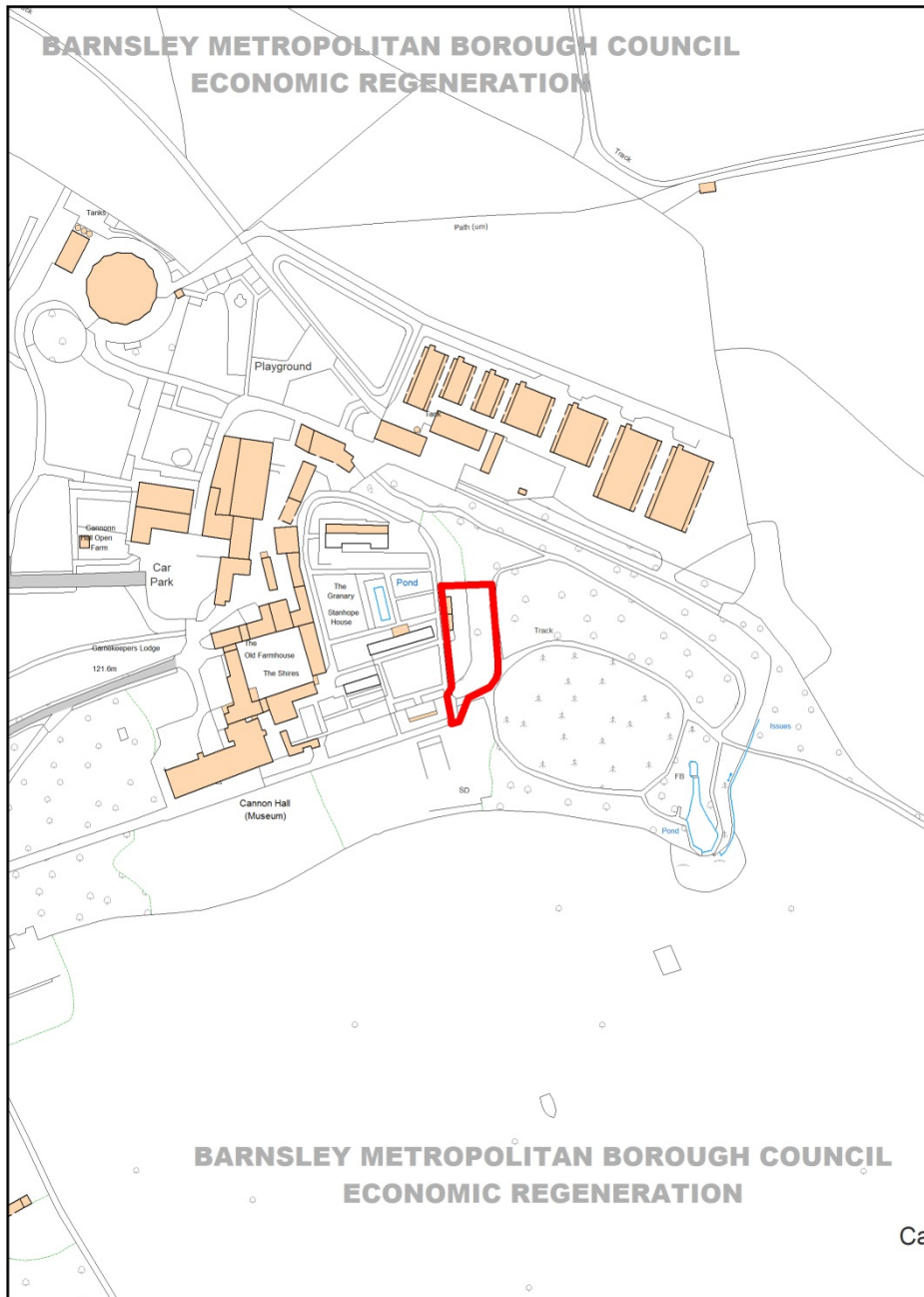
- 9 Any new stone shall to be sandstone and shall match the existing historic waling in every respect colour, general grain size, and type of face dressing.

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

- 10 Windows, doors and timber cladding shall be hardwood, decorated in dark oak stain.


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

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BARNLEY MBC - Economic Regeneration

Service Director: David Shepherd
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Tel. (01226) 772621


Scale 1: 2500

Item 11

2017/0770

Applicant: Berneslai Homes, C/o NPS Group

Description: Sub-divide commercial care flats into 1 pair of semi-detached dwellings.

Site Address: 8A and 8B Park Road, Thurnscoe, Rotherham, S63 0TG

Site Description

The site is a regular shaped parcel of land located within the grounds of Dearnlea Care Home at the head of Park Road. The existing building is a two storey, red brick building of residential appearance. There are two flat roof porches to the front which wrap around the sides of the building providing covered access at the front and side plus additional floorspace in the form of W/C and store. At the rear of the property there are additional patio doors accessing the rear garden.

There is a grassed area to the front, side and rear of the property with a 1.8m concrete post and wooden fence around the rear and side. A public footpath runs along the southern boundary of the property, accessing the sports grounds and park to the east. A further public footpath runs along the eastern boundary, separated from the site by a fence and high hedge.

Proposed Development

It is proposed to change the use of the property from commercial care flats to two 3 bed houses.

Externally alterations are limited to the laying out of parking and landscaping to the front and rear gardens. Existing fencing is retained where possible with a section relocated along the southern boundary and a new 0.6m fence is proposed along the front of the properties.

The parking for the properties is located within the existing grassed area with gated access and the applicant has confirmed that only two existing spaces are lost from the Care Home Car Park.

History

98/0323 – Erection of 2.150m high palisade security fence approved June 1998

2000/1203 – Erection of first floor extension, construction of pitched roof and erection of conservatory to residential care home approved November 2000

2001/0062 – Erection of two-storey bedroom extension to residential home approved March 2001

2002/1387 – Erection of two-storey extension and one conservatory to residential home approved December 2002.

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 submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

Saved UDP Policies

UDP notation: Existing Community Facility

Local Development Framework Core Strategy

CSP3 'Sustainable Drainage Systems'
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'
CSP26 'New Development and Highway Improvement'
CSP29 'Design'

SPD's

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

Other

South Yorkshire Residential Design Guide

Publication Draft Local Plan

Proposed allocation: Urban Fabric

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

Drainage – No objections.

Highways – No objections subject to the fence along the front boundary being reduced to 0.6m and the provision of appropriate bin storage facilities. Conditions are recommended to cover these aspects.

Yorkshire Water – No comments received.

Representations

The application was advertised by neighbour notification and site notice. One representation has been received from the Care Home who has raised the following concerns:

- Epworth House is situated within the grounds of 8A and 8B Park Road. With the proposal of these becoming family homes, the car park is small and the worry of children playing in the car park and the possibility of damage to staff cars and visitors.
- Currently the only car park space for the property is near the front door, concern is that the care home requires access to emergency vehicles and hospital transport, this could cause issues with family parking and blocking entrances.
- Children playing in the car park may disrupt residents.
- Damage to the home or cars.
- Loud music playing in summertime.

Assessment

Principle of Development

The site is allocated as a Community Facility in the UDP. Therefore Policy CF2 applies which allows the loss of existing community uses where:

- no alternative community use can be found;
- the proposed use is compatible with adjoining land uses; and
- the impact on highway safety is acceptable.

The change of use has been proposed as the existing flats are surplus to the requirements of the care home, having previously been used for nursing accommodation and then extra patient rooms.

The proposed use of residential is compatible to the surrounding area and will not conflict significantly with the existing care home use; it is worth noting that the care home is located within a residential area already. Further, the properties will provide affordable rented accommodation delivering benefits associated with this.

Access to the site and parking are dealt with in more detail below but the acceptability of the proposed in highway safety terms has been agreed with Highway Officers.

Therefore the proposed is acceptable in principle.

Visual Amenity

The proposed is a change of use with external alterations limited to the renewal of doors and windows, creation of parking spaces and the erection of additional fencing around the curtilage. These works will improve the appearance of the existing building and by bringing it back into use, ensure that it is maintained. Therefore the impact on visual amenity is positive.

Residential Amenity

The existing building is located within close proximity to the care home which could give rise to potential issues in relation to a loss of privacy. However, windows in the side elevation are limited to a small entrance porch and W/C at ground floor and bathroom and landing window at first floor. These windows are already in place and it is not proposed to add any more as part of this proposal. Given the windows are to non-habitable rooms and are already in situ it is not considered that they will result in any increase in loss of privacy to the neighbouring care home above what is existing.

Whilst the Care Home is significantly larger than the houses, they are located to the south of the Care Home and the close proximity could lead to some overshadowing of rooms in the Care Home. As this is an existing situation and no extensions are proposed there is no increase in impact. However, as with the windows the removal of permitted development rights for extensions will ensure that any future proposal to extend the property can be subject to detailed assessment.

The Care Home has raised concerns regarding potential noise nuisance from the property and safety concerns relating to children playing in the car park area. However, it is not possible to control this through the planning system. Should noise nuisance arise, this would be dealt with through Environmental Health regulations and there is sufficient private play space provided to the rear of the properties along with a large public park beyond the rear boundary for children.

Highway Safety

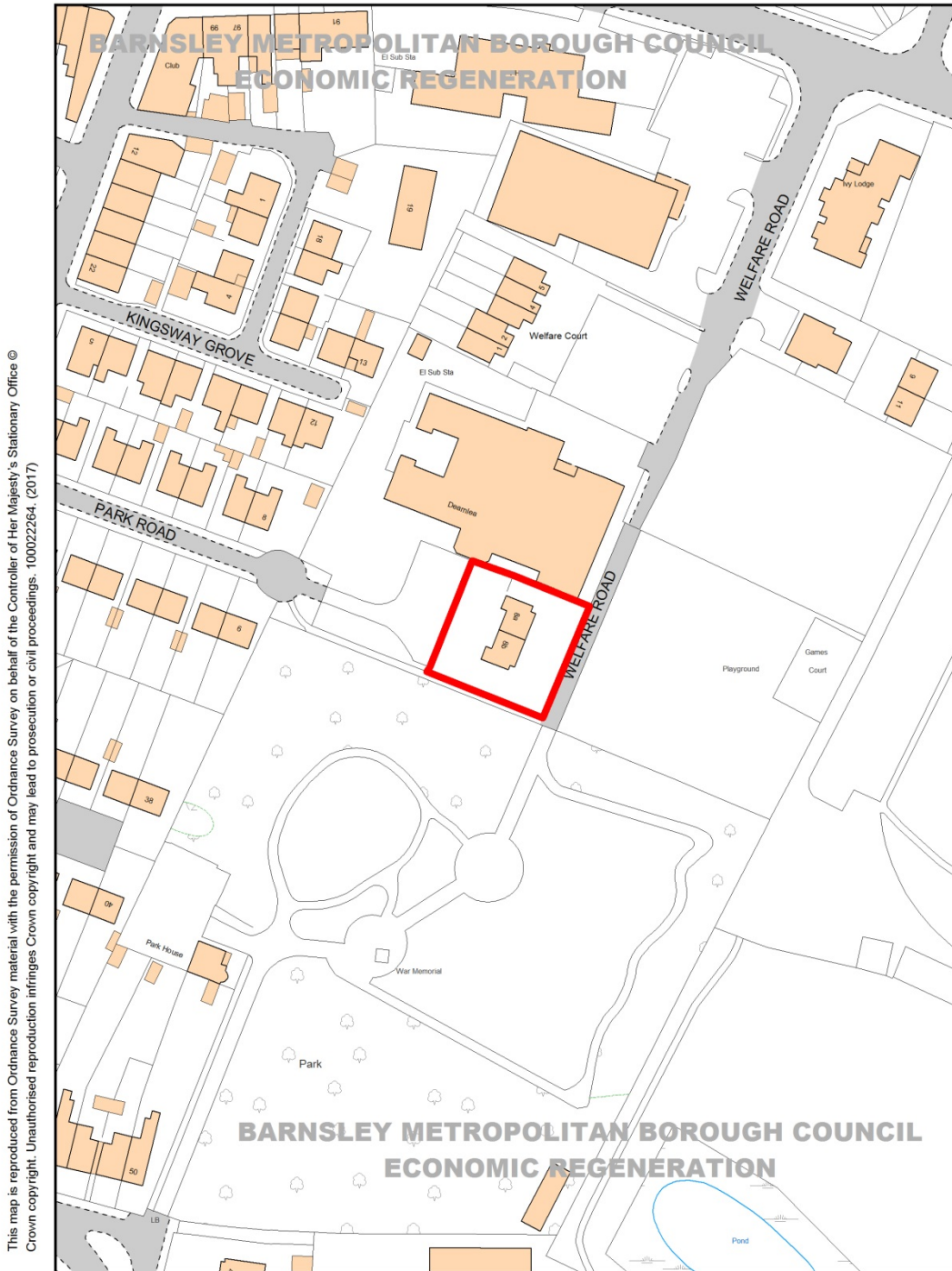
Highway Officers initially raised queries regarding access and parking for residents and the loss of parking for the Care Home. The Care Home has also raised concerns regarding the potential for resident parking to conflict with ambulance access and parking for the Care Home. However the proposed provides a dedicated parking space for residents which is considered acceptable by Highway Officers. Further, the Care Home car park has 14 No. standard, 2 No. accessible and 1 large hatched service area for emergency and delivery use. In addition to this there is an area for staff parking to the rear. As only 2 spaces will be lost as a result of this development, with a new parking space provided for each property to the front, Highways have confirmed that there are no objections.

Recommendation

Grant planning permission 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 NPS-DR-A-(00)-121 Rev:P5, NPS-DR-A-(00)-012, Rev:P4, NPS-DR-A-(00)-011Rev:P1 and NPS-DR-A-(00)-020 Rev:P1) 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings 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, and no garages or other outbuildings shall be erected.
Reason: To safeguard the amenities of the occupants of the adjoining care home in accordance with CSP29.
- 4 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.
- 5 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.
- 6 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.
Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 7 Prior to occupation of the dwellings, a bin collection point must be set aside for collection of waste and waste recycling containers on bin collection day, and this area must not encroach into the car parking spaces or access to the home. This shall be retained as such thereafter.
Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.



BARNSELY MBC - Economic Regeneration

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Tel. (01226) 772621



Scale 1: 1250

2017/1013

Applicant: Berneslai Homes, C/o NPS Barnsley

Description: Replacement door and windows (Listed Building Consent)

Site Address: 108, 110, 116, 118, 128, 132, 134, 138, 142, 144, 146, 148, 150, 152, 154, 156 and 160 Wath Road, Elsecar, Barnsley, S74 8JF

No objections received

Site Location and Description

The application properties are situated within 'Reform Row' which lies within the Elsecar Conservation Area along Wath Road. The terrace row comprises of 28 cottages constructed from local honey coloured sandstone walls and welsh slate roofs with timber box guttering and iron downpipes. The row of properties are the longest listed terrace in Elsecar.

Proposed Development

The applicant seeks listed building consent to replace all of the existing window frames and doors to the front and rear elevations with timber sliding sash and awning windows and timber tongue and groove doors. The windows are to be painted BS 10 B 15 Gardenia and the doors BS 14 C 39 Hollybush, which is similar to that used on the properties owned by Wentworth Estates.

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 submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

Barnsley Local Development Framework Adopted Core Strategy (CS):

CSP29 – Design – sets out the overarching design principles for the borough to ensure that development is appropriate to its context and states that high quality development will be expected.

CSP30 – The Historic Environment – states that development which affects the historic environment and Barnsley’s heritage assets and their settings will be expected to protect or improve the character and/or appearance of Conservation Areas and Listed Buildings.

Barnsley Unitary Development Plan adopted 2000 (UDP):

Housing Policy Area – Conservation Area

H8 – Existing Residential Areas – states that areas defined as Housing Policy Areas will remain predominantly in residential use.

HN13 – refers to development within the Elsecar Conservation Area will only be permitted if it enhances or preserves the character or appearance of the area.

National Policy Planning Framework:

Core planning principle 4 states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and conserve heritage assets in a manner appropriate to their significance.

The section ‘requiring good design’, advocates that decisions should aim to ensure that developments will function well, add to the overall quality of the area, respond to local character and history and are visually attractive.

The section ‘conserving and enhancing the historic environment’, states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected; the level of detail should be proportionate to the assets’ importance. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. Substantial harm to or loss of a grade II listed building should be exceptional.

Consultations

Conservation officer – No objections subject to conditions.

Historic England – No objections

Representations

The application has been advertised as a Listed Building Consent application by way of neighbour notification, a site notice and press notice; no representations have been received.

Assessment

The listed cottages are known locally as Reform Row and represent an early and very significant design for colliery workers housing drawn up by an historically important architect (John Carr of York) and contribute to the wider setting of the conservation area.

114 Wath Road (not part of this application) has the only surviving Yorkshire Window in existence along Reform Row; this window, although awning opening, has remained intact and has survived incorrect window and door replacement over the years. The frame is slender with lambs tongue profile glazing beads, the single glazing is pinned and has linseed putty to the exterior.

Historically, changes have occurred to Reform Row that have not been particularly sympathetic to the listed properties, the wider conservation area or to the best standard. However, recently significant efforts have been made, particularly with the assistance of Berneslai Homes and private owners to rectify this and bring properties up to a good standard of comfort for occupants whilst maintaining historic integrity of the building. The use of uPVC for windows and doors has always been resisted in favour of timber and to a traditional design.

The proposed replacement windows and doors would be of a high quality and appropriate to their context and would improve the character and appearance of the Conservation Area and the Listed Building. As such, the proposal is considered to comply with CS policies CSP29 and CSP30, UDP policy HN13 and the relevant policy statements in the NPPF.

Recommendation

Approve with 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 NPS-DR-A-(00)-140 P2, NPS-DR-A-(00)-141 P2, NPS-DR-A-(00)-142 P2, NPS-DR-A-(00)-143 P2, NPS-DR-A-(00)-144 P1, NPS-DR-A-(00)-020 P1 and NPS-DR-A-(00)-010 P1 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.

