

# Public Document Pack

<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 19 December 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## AGENDA

### SITE VISITS

#### 1. Site Visit Details

Planning Application(s) No: 2017/1001

**Please meet at the Town Hall at 10.45 for departure at 11.00 a.m.**

Plan Number	Site	Approx Time of Arrival
2017/1001	Residential development of 150 no. dwellings with associated access, car parking, landscaping, public open space and infrastructure (Amended Description) on land east of Lundhill Road, Wombwell, Barnsley, S73 0RL	11.20 a.m.

*Please note: Members of Planning Regulatory Board should not become involved in discussions with either the applicant/agent 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.

#### 3. Minutes (Pages 3 - 6)

To receive the minutes of the meeting held on 21<sup>st</sup> November 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](mailto:developmentmanagement@barnsley.gov.uk) or by telephoning (01226) 772593.

4. Land east of Lundhill Road, Wombwell - 2017/1001 - For approval (*Pages 7 - 26*)
5. Land to the West of Wakefield Road, Mapplewell, Barnsley S75 6DL - 2016/0337 and 2017/0520 - For approval (*Pages 27 - 44*)
6. Land to the rear of 309 Dodworth Road, Barnsley - 2017/1218 - For refusal (*Pages 45 - 50*)
7. Capitol Close, Dodworth, Barnsley - 2017/1002 - For approval (*Pages 51 - 64*)
8. Land off New Road/Lidgett Lane, Tankersley - 2017/1113 - For approval (*Pages 65 - 74*)
9. Former garage site at Kirk Cross Crescent/Pinfold Lane, Royston, Barnsley S71 4PJ - 2015/0895 - For approval (*Pages 75 - 86*)
10. Manor Grove and West End Avenue, Royston, Barnsley - 2017/1400 - For approval (*Pages 87 - 94*)
11. West End Avenue, Royston, Barnsley - 2017/1426 - For approval (*Pages 95 - 102*)
12. Land adjacent to 54 Doles Crescent, Royston - 2017/1431 - For approval (*Pages 103 - 110*)

## **Planning Appeals**

13. Planning Appeals - 1st to 30th November 2017. (*Pages 111 - 114*)

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](mailto:governance@barnsley.gov.uk)

Monday, 11 December 2017

<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 21 November 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## MINUTES

### Present

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

### 72. Declarations of Interest

Councillors Makinson and Unsworth declared Non-Pecuniary interests in **Planning Application No 2017/1203** – [Erection of 7 no. bungalows with provision of associated access road and landscaping] at land between 24 and 20 Meadstead Drive, Royston, Barnsley S71 4LN as they are Berneslai Homes' Board Members. Councillor Noble also declared a Non-Pecuniary interest in the same application (2017/1203) as she is a tenant of Berneslai Homes.

### 73. Minutes

The minutes of the meeting held on 24<sup>th</sup> October 2017 were taken as read and signed by the Chair as a correct record.

### 74. Land off Park Spring Road (opposite ASOS), Little Houghton, Barnsley - 2017/0782 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0782** [formation of car park at Land off Park Spring Road (opposite ASOS) at Little Houghton, Barnsley] .

**RESOLVED** that the application be granted in accordance with the officer recommendation and subject to signing of S106.

### 75. Land between 24 and 20 Meadstead Drive, Royston - 2017/1203 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1203** [Erection of 7 no. bungalows with provision of associated access road and landscaping] at land between 24 and 20 Meadstead Drive, Royston, Barnsley S71 4LN

**RESOLVED** that the application be granted in accordance with the officer recommendation.

**76. 86A Burton Road, Monk Bretton, Barnsley - 2017/0587 - For approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0587** [Erection of split level part 2 storey/part 3 storey detached dwelling with partially exposed basement floor and associated areas of hard and soft landscaping including retaining walls] at 86A Burton Road, Monk Bretton, Barnsley S71 2AA

**RESOLVED** that the application be granted in accordance with the officer recommendation and subject to signing of Section 106.

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**77. Lidl Foodstore, Mitchells Way, Wombwell - 2017/0726 - For approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0726** [Variation of conditions 2 and 7 of application 2015/0927 (erection of A1 retail food store and associated works) to reduce the provision of electric vehicle charging points from 2 to 1] at Lidl Foodstore, Mitchells Way, Wombwell, Barnsley S73 8D

**RESOLVED** that the application be granted in accordance with the Officer recommendation and subject to signing of Section 106.

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**78. The Caravan Park, Shaw Lane, Carlton - 2016/0726 - For refusal**

The Head of Planning and Building Control submitted a report on **Planning Application 2016/0726** [Removal of condition 2 of planning permission 2011/0143 (appeal ref APP/R4408/A/11/2155046) – Change of use of land for siting of 2 no. residential caravans and associated facilities to allow permanent retention of caravan site] at The Caravan Park, Shaw Lane, Carlton, Barnsley S71 3HJ

**RESOLVED** that the application be refused in accordance with the Officer recommendation.

**79. Land at Gunthwaite Lane, Gunthwaite, Penistone - 2016/0215 - For approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2016/0215** [Erection of detached agricultural workers dwelling (Resubmission)] at land at Gunthwaite Lane, Gunthwaite, Penistone, Sheffield S36 7GE.

**RESOLVED** that the application be granted in accordance with the Officer recommendation with an additional condition imposing an agricultural tie to the existing farmhouse as well as to the proposed dwelling.

**80. Planning Appeals - 1st to 31st October 2017**

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2017/18.

The report indicated that no appeals were received in October 2017 and no appeals were withdrawn in October 2017. Two appeals were decided in October 2017.

It was reported that 12 appeals have been decided since 1 April 2017 of which 7.5 appeals (62.5%) have been dismissed and 4.5 of which (37.5%) have been allowed since 1<sup>st</sup> April 2017.

**RESOLVED** that the appeals update report for 2017/18 be noted.

**81. Application to divert footpath at Tyers Hall Farm - minor amendment**

The Assistant Director, Highways, Engineering and Transportation submitted an application to amend the previously approved application to divert Darfield public footpath nos. 3 and 4 at Tyers Hall Farm, between Ardsley and Darfield.

**RESOLVED** that

- i. In exercise of statutory powers, the Council makes Public Path Orders under the provisions of section 119 of the Highways Act 1980 for the diversion of Darfield footpaths 3 and 4 at Tyers Hall Farm as shown on the plan.
- ii. The Director of Legal and Governance be authorised to publish the Orders and to confirm them himself in the event of there being no objections thereto.
- iii. In the event objections are received which cannot be resolved, the Director of Legal and Governance be authorised to submit the Orders to the Secretary of State for confirmation and to take all necessary steps to support the Orders at any public inquiry, informal hearing or written representation as necessary.
- iv. The Director of Legal and Governance be authorised to make a Definitive Map Modification Order to make the necessary changes to the Definitive Map and Statement for the area.

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Chair

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**2017/1001**

**Applicant:** Persimmon Homes West Yorkshire

**Description:** Residential development of 150 no. dwellings with associated access, car parking, landscaping, public open space and infrastructure (Amended Description).

**Site Address:** Land east of Lundhill Road, Wombwell, Barnsley, S73 0RL

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29 representations have been received from local residents

## **Site Description**

The site is approximately 5.1 ha of agricultural land, currently used for grazing horses which is located to the south east of the existing settlement of Wombwell. Lundhill Road borders the site to the west with an existing field access located from here. Land levels fall across the site from north to south and north to south east. The existing boundary treatments vary with residential fencing to the north and a mixture of concrete posts with cable fencing and stone walling around the rest of the site.

To the north of the site is residential development, marking the current edge of Wombwell. The residential character in the immediate area is predominantly modern, brick built housing. There is a mix of houses and bungalows with a number located very close to the site boundary.

To the south and west are agricultural fields and Lundhill Playing Fields. An informal footpath runs north west from the top of the playing fields towards the former Wombwell High School and Wombwell District Centre beyond. To the south east of the site is Elsecar Canal, beyond which are the A6195 Dearne Valley Parkway and Cortonwood Retail and Business Park.

A public footpath runs through the land to the south to the site, accessing Cortonwood via Intake Bridge. Lundhill Road slopes north to south with access to the main road network (Dearne Valley Parkway) via the A633 to the north east. Wombwell District Centre is located to the north west and accessed via Park Street.

## **Proposed Development**

The proposed development would provide 150 new dwellings with provision of public open space.

Access is proposed via a T-Junction with Lundhill Road with the internal road layout following a broadly grid pattern incorporating adopted highway and shared surfaces. The main spine road bends through the site with a number of cul-de-sacs and loop roads leading off from this.

The main green space is located to the south east of the site adjacent to the canal and in part located in Flood Zone 3. This area would provide ecological mitigation through the creation of marshy grass areas and grassland habitat. An additional green strip is provided, linking the area adjacent the canal, around the boundary of the site to Lundhill Road. This area follows the line of an existing ditch around the site and provides additional habitat / foraging acting as a wildlife corridor as well as amenity space for residents.

In addition, the layout allows for the retention of existing and provision of additional hedgerows around the perimeter of the site.

The housing mix proposed is as follows:

21 x 2 bedroom dwellings  
87 x 3 bedroom dwellings  
42 x 4 bedroom dwellings

This mix includes 4 bungalows and a range of 2 and 2.5 storey houses. Streetscenes have been provided to show how the development will sit within the existing land levels and relate to neighbouring properties. Off street parking has been provided on driveways and integral or detached garages.

A total of 14 different house types are proposed across the whole site. These provide some variation in scale and design with a mix of roof designs, elevations and window detailing. Materials are stated to be red and buff brick with White PVCu windows and doors and slate grey or red roof tiles.

Garden space is provided for all properties with a range of boundary treatments providing privacy, demarking private and public spaces.

## **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**

The site is designated WW8 Urban Land to Remain Undeveloped (ULTRU) on the UDP and GS11 is the relevant policy.

## **Core Strategy**

CSP 3 & 4 Suds and Flood Risk

CSP 5 'Including Renewable Energy in Developments' requires 20% reduction in carbon dioxide emissions.



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

CSP13 Release of Allocated Land

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.

CSP15 'Affordable Housing' sites in Wombwell are expected to provide 15% affordable housing

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.

CSP35 'Green Space' seeks to improve existing green space and meet the standards in the Green Space Strategy

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.

CSP42 Infrastructure and Planning Obligations

CSP43 Education Facilities and Community Uses

### 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 H70, the policy states that development will be expected to provide off site highway works,

retain, enhance and manage the species rich grassland, marshy ground and the species rich hedgerow on the site and provide appropriate archaeological assessment.

### SPDs

The following LDF Supplementary Planning Documents have 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.

### **Consultations**

Affordable Housing Officer: Request that 15% affordable housing is provided in compliance with the policy. The mix proposed is acceptable and although the bungalows are slightly smaller than the design guidance recommends they do provide sufficient living space.

Biodiversity Officer: Approve subject to conditions to secure appropriate mitigation as set out in the Ecology Reports.

Broadband: Condition provision for fibre broadband

Coal Authority: No objection subject to conditions

Contaminated Land: No Objection subject to a condition

Drainage: No objection subject to conditions

EA: No objection as the development is located in Flood Zone One with that part of the site outside flood zone 1 left undeveloped.

Education: There is a current lack of capacity in primary schools in the Wombwell area with the development increasing pressure. An education contribution of £440,160 is therefore required in the event that permission is granted.

Highways: No objections subject to conditions

Natural England: No Comments.

Pollution Control: No objections subject to the noise mitigation set out in the Noise Report being provided.

Public Rights of Way: Requested improvements to Footpath 43 (linking Lundhill Road with Cortonwood and the TPT) and a possible new link to Footpath 43 from the south east of the site along the canal.

Rotherham Council: please note that members have confirmed that the impact of the development on Rotherham will be minimal, as such RMBC raise no objections to the proposal.

South Yorkshire Police: Guidance offered on layout and security measures.

South Yorkshire Passenger Transport Executive: No Comments.

South Yorkshire Mining Advisory Service: No objection subject to a condition.

Tree Officer: No Objection subject to conditions.

Waste: The development needs to provide sufficient space for refuse vehicles and bin storage.

Yorkshire Water: No objections subject to conditions

## **Representations**

At the time of writing the report, 29 objections have been received. This includes comments received following consultation on the amended site layout. The objectors raise the following matters:

- Loss of privacy and overbearing impact on neighbouring properties;
- Loss of outlook / view and existing open aspect enjoyed by properties;
- Concerns that the OS plan of existing properties does not take into account extensions / alterations which have been made by residents and as such distances as shown on the plans are not accurate;
- Impact of increased traffic on existing roads which are not suitable for the increased traffic accessing the Dearne Valley Parkway;
- Proposal is overdevelopment, fails to secure high quality design and doesn't respect amenities and quality of life for existing occupiers. It doesn't comply with the NPPF or South Yorkshire Residential Design Guide;

- Traffic / congestion issues and rat running on Lundhill Road, Lundhill Grove, Dove Grove, Hemmingfield Road and Beech House Road;
- The road floods near Lundhill Tavern and Beech House Road is a single carriage way with blind corners, the additional traffic will be dangerous;
- Increase in light, noise and air pollution associated with the proposed, particularly at the point of access and where the internal road layout immediately adjoins the boundary with existing properties on Lundhill Grove (access to plots 22-29);
- The site is greenfield, previously developed land should be built on first;
- Impact on wildlife: various birds, hedgehogs, frogs, toads, newts, snakes and foxes have been seen on the site and are already killed on the roads;
- Increased flood risk, particularly as existing houses have soakaway drainage which flows into the site proposed. Concerns that there is insufficient evidence to demonstrate that this has been properly addressed
- Concerns that the substation proposed is next to the boundary of existing houses and resultant health issues;
- The housing mix should include more bungalows to better reflect the existing area; 2 ½ storey houses are not in keeping;
- Extra pressure on local infrastructure including roads, drainage, public transport, schools dentists and doctors;
- Concerns about land stability and previous mining activity on the site;
- Insufficient parking leading to a risk of parking spilling out onto Lundhill Road;
- Residents objected strongly to the development when consulted pre-submission and no real mitigation has been offered;
- Cumulative impact from this and the proposed school site on infrastructure and particularly roads will be dangerous;
- Impact on the historic value of the area as a result of the former Cortonwood and Lundhill Collieries and associated tourism benefits;
- Shouldn't be allowed in advance of the Local Plan being adopted and the resolution of objections to the site being allocated;

## **Assessment**

### Principle of Development

The site is an area allocated as safeguarded land in the saved policies of the Unitary Development Plan (UDP).

The Council cannot currently demonstrate a supply of specific, deliverable sites sufficient to meet the boroughs housing requirement. A recent Supreme Court Judgment has confirmed that for the purposes of paragraph 49 of the NPPF relevant policies for the supply of housing

are limited to those dealing only with numbers and distribution of new housing. Therefore policy GS10 'Safeguarded Land' is not considered to constitute a policy for the supply of housing. However, the judgment goes on to clarify that '....The important question is not how to define individual policies, but whether the result is a five-year supply in accordance with the objectives set by paragraph 47. If there is a failure in that respect, it matters not whether the failure is because of the inadequacies of the policies specifically concerned with housing provision, or because of the over-restrictive nature of other non-housing policies. The shortfall is enough to trigger the operation of the second part of paragraph 14..."

Therefore, given that the council cannot currently demonstrate a five year supply of housing, it is considered that applications on safeguarded or ULTRU land, where it can be demonstrated that they are in a sustainable location, will now be determined in line with the NPPF Presumption in Favour of Sustainable Development (paragraph 14 of the NPPF), relevant development plan policies and any other material considerations.

### Sustainability

The NPPF sets out that there are three dimensions to sustainable development: economic, social and environmental:

- The economic role relates to building a strong, responsive and competitive economy by ensuring sufficient land of the right type is available at the right time to support growth.
- The social role includes the provision of the supply of housing to meets the needs of present and future generations by creating high quality built environment, with accessible local services.
- The environmental role relates to protection and enhancement of our natural, built and historic environment, helping to improve biodiversity, use natural resources prudently, minimize waste and pollution, adaption to climate change and moving to a low carbon economy.

The development as proposed would deliver a range of house types and 12% affordable housing, including bungalows, in Wombwell a settlement that Core Strategy policy CSP8 identifies as a priority for growth. The site is included as an allocation in the emerging Local Plan Publication Draft which was consulted on between June and August 2016 and whilst this draft allocation currently carries limited weight, as part of the site assessment process associated with the production of this Plan, a sustainability assessment was carried. This indicates the site scores relatively well in overall sustainability terms albeit not overly well in terms of access to the public transport network and services. A number of bus routes are available but stops are circa 650m away on Park Street (measurement taken from site entrance). Similarly, in terms of access to key services, the site is circa 1.3km from the nearest Primary School and 1.4km from Wombwell Center. However, the delivery of a primary school on the mixed use site AC40 (allocated in the Local Plan) would increase the sustainability of the site. In addition, improvements to the footpath network have been agreed with the applicant to reduce walking distances to Wombwell Town Centre (from Lundhill Road) and from the eastern side of the site linking to Dove Road to reduce walking distances to bus stops on Brampton Road. These measures, alongside measures secured through the Travel Plan would promote the use of sustainable transport. As a result, whilst the proposal would result in the loss of a greenfield site, it is considered to be in a sustainable location and the proposed development will contribute to the economic and social dimensions of sustainable development.

The contribution to the environmental role is less clear but the applicants have made a commitment to incorporating energy efficiency measures into the design and build of all

dwellings to reduce CO2 emissions beyond what is required by the Building Regulations Part L. Photovoltaic panels will also be considered for installation on some properties if necessary to increase the CO2 emissions reduction to 20% as required by Core Strategy Policy CSP5. Given that the site slopes downwards from north to south a significant proportion of the proposed housing will have a south orientation and the generous spacing means solar gains and good day lighting can be achieved. As such the layout will help to minimise housing energy use and carbon dioxide emission. The use of roof-mounted renewable energy technologies would further increase these benefits. The applicant has offered to provide an Energy Statement once the layout is agreed which will set out the energy efficiency strategy in more detail. This can be secured by way of a planning condition.

Overall, whilst the contribution to the environmental dimension of sustainable development would be largely neutral, the proposal would significantly contribute to the economic and social dimensions and as such, the development is considered to be sustainable. On this basis, it is considered the presumption in favour of sustainable development applies.

#### Core Strategy Policy CSP14: Housing Mix & Efficient Use of Land

Core Strategy policy CSP14 is concerned to ensure that development makes the most efficient use of land. This development does propose to include a range of different house sizes and tenures and is likely to comply with this aspect of CSP14.

With regard to density, CSP14 requires a minimum density of 40 dwellings per hectare unless it can be demonstrated that a lower density is necessary. Paragraph 9.78 of the Core Strategy expands on the issues that are relevant where justifying a density lower than that required by CSP14. The proposal is for 150 dwellings, which equates to a net density of circa 37 dwellings per hectare when a gross to net ratio is applied. This is only slightly below that required by CSP14 which is acceptable; taking account of the constraints of the site and character of the area.

#### Affordable Housing

Core Strategy policy CSP15 identifies that in Wombwell, 15% of the proposed dwellings should be affordable. The application shows provides 12.5% affordable housing only slightly below the level required by CSP15 and is greater than is proposed for Wombwell in the Local Plan (10%). This reduced level in affordable housing has been agreed to reflect the high education contribution and as such there are no objections subject to a S106 agreement.

#### Green Space Policy

In accordance with CSP35, CSP42 and the SPD Open Space Provision on New Housing Developments, new developments that exceed 20 residential units are expected to contribute towards green space requirements. A minimum of 15% of the gross site area must be open space of a type appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses. The SPD provides further details in terms of what contributes towards requirements and the type of green space we would generally seek dependent on scale of development and local needs. The SPD is clear that landscaped strips that are required to soften the boundary with countryside or protect the living conditions of residents is not available for development and will not normally make any significant contribution to recreational open space requirements.

The submitted landscape masterplan shows an area of green space to the east of the site alongside the route of the canal. Part of this area is not developable due to being in Flood Zone 3 and does not, therefore, count towards the 15% open space. Further, due to the

linear and irregular shape of the site it is appropriate to seek off-site contributions for provision of both children's play and formal recreation. This has been agreed at £196,798.90.

### Education

Education has expressed concerns, as the proposed will increase pressure for primary school spaces and impact on future capacity.

From a planning perspective, it is not considered that it would be reasonable to withhold permission if a £440,160 contribution is secured to provide additional accommodation in the local schools. The applicant is agreeable to providing this contribution, which would be included within a S106 agreement. The agreement would not stipulate which school the accommodation would be provided at as this decision would depend on circumstances at the time it is received.

### Residential Amenity

This is a full application with detailed layout, elevations and floorplans provided. The boundary to the north of the site is the most sensitive with the majority of existing properties along here orientated to back onto the site and / or having been altered so as to have habitable room windows close to and facing the site. As such careful thought has been given to the relationship with the proposed and existing dwellings, with the layout amended to address initial concerns regarding the potential for a loss of privacy and an overbearing impact on current residents. The layout now proposed has moved and re-orientated a number of the proposed dwellings so as to increase distances and provide breaks in the development form. This has reduced the overall impact of the proposed. Residents have been consulted on the amended layout with some continuing to raise concerns in relation to the overbearing nature of the development and potential loss of privacy, the impact of the estate road adjacent properties on Lundhill Grove and the substation located at the boundary of the site. However, the layout complies with the SPD Designing New Housing Development in relation to distances between existing dwellings / gardens and new dwellings (allowing for extensions not shown on the plan). The estate road only provides access for 7 plots so would not be heavily trafficked but provides benefits in that it allows a number of plots to be re-orientated and for increased distances and breaks in the proposed development, reducing the overbearing impact and impacts on privacy. Further, boundary treatments proposed in the landscaping plan provide additional privacy to existing and new residents. Finally, the substation has been relocated closer to existing properties as a result of the layout change but would be a small building with landscaping around it and along the boundary screening it.

The majority of the dwellings meet the internal space standards as set out in the South Yorkshire Design Guidance, the exception being the bungalows which are very slightly below the suggested internal floor space for a two bed / 3 person property but do still provide suitable living space including larger bathrooms. Gardens and external amenity space as shown on the layout plan also meets the standards set in the SPD and suitable boundary treatments are proposed.

Therefore the proposed is acceptable in residential amenity terms in the context of the relevant assessment policies.

### Visual Amenity

The design and access statement accompanying the application has set out how the development has been informed by the character and grain of the surrounding area. The density on site is higher than adjacent streets but this is to comply with policy CSP 14 ensuring the efficient use of land. The street pattern, including cul-de-sacs, private drives and shared surfaces, creates breaks in the development on the site allowing views through to the open countryside. Plots are well spaced with soft landscaping breaking up parking areas and the dominance of hard surfaces. The materials proposed, brick and grey / red tiles, would fit with the existing area but the development would benefit from some additional variation to further break up facades and add interest. This can be secured through condition.

Some objectors have raised concerns that 2 storey and 2 ½ storey houses will be out of keeping with the character of the area. However, whilst properties along the boundary are mostly bungalows the wider area is characterised by a mix of dwelling types with bungalows, dormer bungalows and 2 storey dwellings all present in the surrounding streets.

An area of greenspace is provided to the south east of the site, adjacent the canal. This area provides an attractive buffer to the development when viewed from the Dearne Valley Park Way and footpaths on the opposite side of the canal. It also provides residents with an attractive greenspace for informal use.

The proposed development is therefore acceptable in visual amenity terms in the context of the relevant assessment policies.

### Trees and Ecology

The site contains a number of mature trees with others located on the boundary. The majority of these would be retained and the Tree Officer has confirmed no objections to those proposed to be removed. Additional measures to ensure trees are not damaged during construction is proposed to be conditioned.

The application is supported by a detailed Ecological Assessment, which demonstrates that there are no statutory sites of nature conservation importance within the site or within 2 km of the site but that it does fall within the Impact Risk Zones of the Denaby Ings SSSI and is within 1km of the locally designated sites Parkhill Nature Reserve and Gypsy Marsh LWS. The site is also in the Dearne Valley Nature Improvement Area. Species specific surveys have also been provided in relation to Bats, Water Vole, Cray Fish and Newts finding no evidence of any protected species habitat on the site.

The indicative layout includes the retention and reinforcement of the hedgerows along the site boundary and across the site, creation of a linear greenspace along the canal with a mix of wetland and grassland habitat. In addition, mitigation recommended in the various ecological reports to off-set the loss of habitat/impact on biodiversity will be conditioned, in accordance with policy CSP 36.

### Highways

The site is located on Lundhill Road in Wombwell which is a residential street to the south of Wombwell Town Centre. It is a single carriageway and is the subject of a 30mph speed limit. The application is supported by a Transport Assessment which studies various junctions in the immediate vicinity. It demonstrates that even with the development traffic and growth, the junctions continue to work within capacity in future years. A speed survey was carried out and established that the 85th percentile speed was in excess of the speed limit at 38mph. This has resulted in the visibility splays at the junction with Lundhill Road being increased to meet the higher requirements of DMRB (Design Manual for Roads and Bridges) rather than



Manual for Streets. There are walking routes to local facilities which are more convenient than the road network and improvements to these routes are being sought to make them more attractive for users.

The NPPF states that “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.” Clearly, in this instance the development can be accommodated on the existing highway network and the impact could not be classed as severe.

The proposed junction would have to be designed to meet the relevant design standards, which would be secured by way of a S278 agreement.

The nearest existing bus stops to the site are located on Park Road (650m from the site entrance) and Brampton Road (1km from the site entrance). As such a contribution has been agreed with the application towards formalising an existing link from Lundhill Road to Wentworth View to the north west and to provide a link from the eastern corner of the site to an existing footpath between 69 & 71 Dove Road. This would improve the overall sustainability of the site, increasing connectivity with Wombwell Town Centre and the mixed use site AC40 (which will provide a new primary school) as well as providing an alternative and shorter walking route to bus stops on Brampton Road.

The applicant has also provided a Travel Plan setting out how they will encourage trips other than by private car. The proposal therefore accords with sustainable transport policies within the NPPF and Core Strategy policies CSP 25 & CSP 26.

In these circumstances, there are no objections to the proposed development in a highway context, subject conditions.

#### Drainage

In respect of drainage, it is proposed that surface water will be deposited of via an existing culverted watercourse prior to its discharge into the adjacent disused canal. The rate of discharge would be restricted to the greenfield discharge rates with an allowance for climate change. Residual storage is also allowed for on that part of the site allocated as greenspace adjacent the canal. However, further detailed drainage information would be required and conditions are proposed to sure this.

Yorkshire Water have not objected and have confirmed that the Flood Risk Assessment provided with the application is acceptable.

Subject to the compliance with the proposed conditions, the proposed development can satisfy the requirements of the National Planning Policy Framework, its accompanying Technical Guidance in relation to flood risk and accords with Core Strategy policies CSP1, CSP 3 and CSP4.

#### Coal Mining Legacy

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority considers that the content and conclusions of the submitted Preliminary Appraisal Report are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority and SYMAS therefore have no objection to the proposed development subject to the imposition of conditions.

## Land Contamination

The submitted Phase 1 Desk Study recommends that an intrusive investigation is required to assess any degree of contamination that may affect the development. This can be dealt with through the use of a planning condition. Accordingly, the Council's contaminated land officer raises no objections.

## Conclusions

The proposal is contrary to saved UDP policy with regard to the Urban Land To Remain Undeveloped designation of the site. However, the relevant policy is classed to be out of date by the NPPF and other material considerations within the NPPF, policies in the adopted Core Strategy and emerging Local Plan carry significant weight with regard to the determination of this application. In particular, the Council cannot currently demonstrate a five year supply of specific, deliverable sites for residential development and the proposed site is located in Wombwell which is identified in the Core Strategy as the priority settlement for growth. As explained above, this necessitates the NPPF presumption in favour of sustainable development and it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the planning policy benefits associated with the granting of planning permission.

## **Recommendation**

**Grant** subject to conditions and S106 Agreement:-

12.5% Affordable Housing;  
£196,798.90 contribution to offsite greenspace;  
£440,160 education contribution; and  
£31,000 to provide improvements to footpaths.

- 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:  
LRW-2017:002 Location Plan  
LRW-2017:001E Proposed Planning Layout  
WS-WD10 Winster  
KL-WD10 Kendal  
BK-WD10 Bickleigh  
HT-WD10 Hatfield  
HB-WD10 Hanbury  
SGD-01 Single and Double Garages  
SGD-02 Single and Double Garages  
CCA-WD10 Clayton Corner  
CD-WD10 Chedworth  
200-BRA2-V Brampton Pair  
430-Boun-01 Boundary Treatments  
600-WILL-2 The Willow  
SU-WD10 Souter  
LRW-RF-WD06  
RF-WD10 Rufford

RS-WD10 Roseberry

LY-WD10 Lumley

AN-WD10 Alnwick

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 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.**

- 4 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.**

- 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 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 plots 1, 3, 4, 39 and 40 which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.

**Reason: To safeguard residential amenity in accordance with Core Strategy Policy CSP 29, Design.**

- 7 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.**

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

- 9 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.**

- 10 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The peak pumped foul water discharge shall not exceed 7 (seven) litres per second.

**Reason: In the interest of satisfactory and sustainable drainage and to accord with Core Strategy Policies CSP 3 and 4.**

- 11 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the dwellings/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.**

- 12 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. A survey of the extent, scale and nature of contamination.
2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
3. An appraisal of remedial options, and proposal of the preferred option(s).
4. A remediation statement summarising the works to be undertaken (if required).
5. A Validation Report to confirm remediation works have been undertaken (if req'd).

The above 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 thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".

**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.**

- 13 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**

- 14 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.**
- 15 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 20% 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.**
- 16 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 Policies CSP 3 and 4.**
- 17 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 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 Policies CSP3 and CSP 4.**

- 18 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 drainage of the area, in accordance with Core Strategy policy CSP4.**

- 19 The site is located in a coal mining referral area due to the probable presence of shallow coal, and possible shallow coal mine workings. The land could therefore be at risk from ground instability or mining legacy health and safety risks such as fugitive gas migration. Intrusive ground investigation must therefore be undertaken by a suitably qualified person in accordance with the Lithos Geo\_environmental report ref: 2409/1 to evaluate the ground conditions and potential mining legacy risks. 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. Prior to the commencement of development a report detailing the findings of the investigations and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner.

**Reason: In accordance with NPPF Paras 120 and 121 Land Stability.**

- 20 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 6 metres of the watercourse shown on the approved plan.

**Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

- 21 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.**

- 22 Prior to the occupation of the proposed dwellings all mitigation detailed in (Noise Impact Assessment NIA/6882/16/6782/v3/Lundhill Road, Wombwell), which form part of a scheme to protect the future occupiers of the dwellings from noise, shall have been implemented and retained in accordance with the details submitted to and approved by the Local Planning Authority.

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

- 23 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.**

- 24 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.**

- 25 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.

**Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**

- 26 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.**

- 27 Visibility splays, having the dimensions 2.4m x 90m, shall be safeguarded at the junction of the access road with Lundhill Road, such that there is no obstruction to visibility and forming part of the adopted highway,.

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

- 28 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 footway on the site frontage to connect to the existing footway,
- Any necessary alterations to/provision of street lighting,
- Any necessary alterations to/provision of highway drainage
- Any necessary resurfacing/reconstruction

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.**

- 29 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,

**Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**

- 30 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 the free flow of traffic in accordance with Core Strategy policy CSP 26.**

- 31 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority, to ensure a safe and adequate highway network.

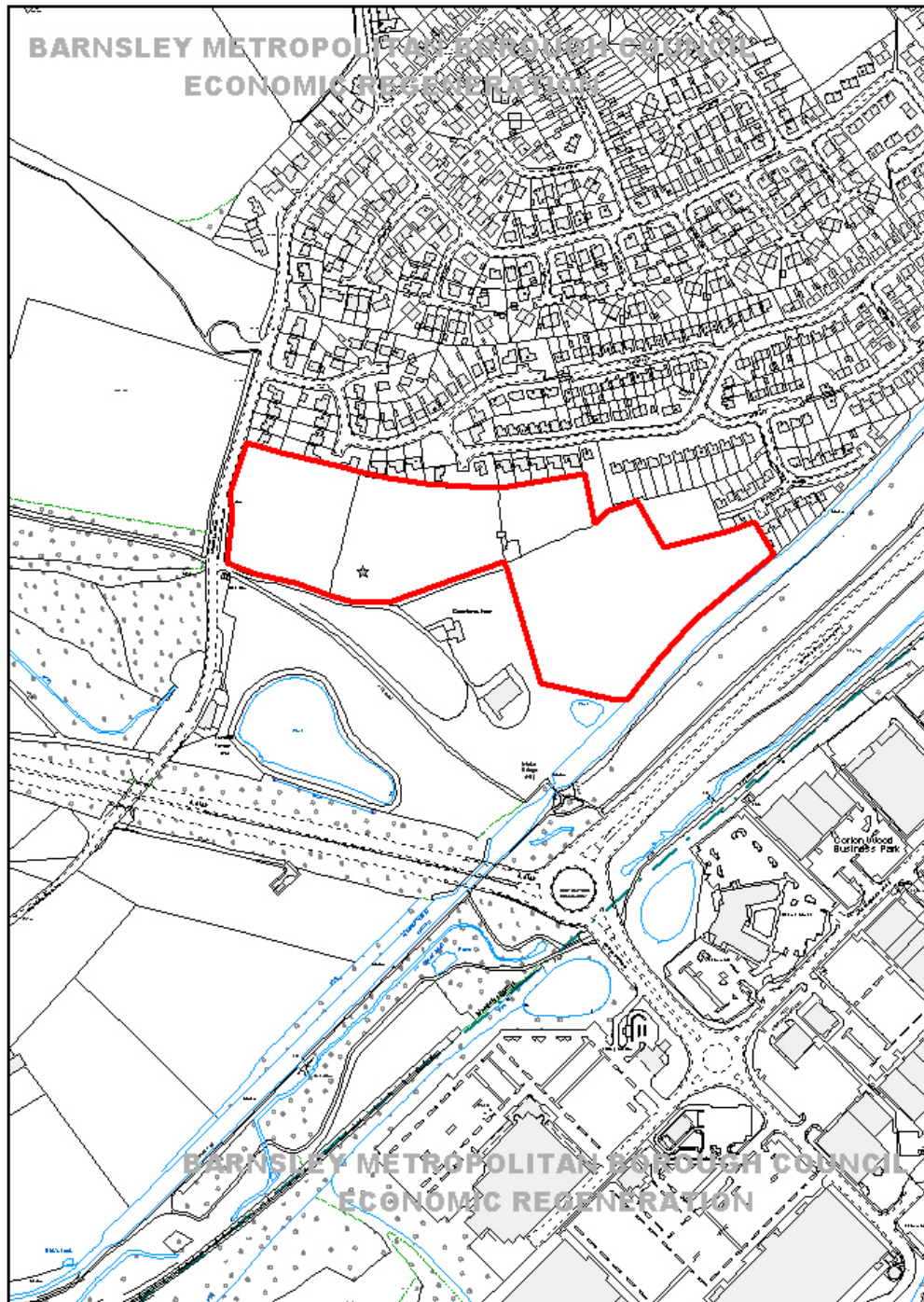
**Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**

- 32 Within six months of the occupation of the first dwelling, a detailed travel plan shall be submitted to the Local Planning Authority and once approved shall be fully implemented.

**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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**BARNESLEY MBC - Economic Regeneration**



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## 2016/0337 and 2017/0520

**Applicant:** Netherton Homes, C/o John R Paley Associates

### 2016/0337

**Description:** Application for approval of reserved matters of outline planning permission 2014/0249 for 46 dwellings including means of access, laying out of internal access roads, open space and associated works.

### 2017/0520

**Description:** Erection of 193no. dwellings, including means of access, laying out of internal access roads, suds, open space and associated works (Reserved Matters)

**Site Address:** Land to the west of Wakefield Road, Mapplewell, Barnsley

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## Introduction

The two applications follow on from the decision by the Council to grant outline planning permission on the site for a development of up to 250 dwellings in March 2014. Initially a reserved matters application was submitted in respect of part of the site in 2016. However a further reserved application was requested by Officers earlier this year to cover the remainder of the site in order to ensure that the requirements of the outline planning permission could be satisfied in full.

## Site Description

The application site is located west side of the A61 Wakefield Road about 400m north-west of the Wakefield Road/Bar Lane traffic light controlled junction. The site which is 9.58ha in size is within Mapplewell on the northern periphery of the Barnsley Urban settlement. On the opposite side of Wakefield Road there is some housing and commercial development close to the Bar Lane junction but thereafter it is mostly characterised by open countryside. The south east boundary of the application site is adjacent to rear gardens of dwellings fronting on to Eastfield Crescent. The south west boundary is adjacent to rear gardens of dwellings fronting on to Cloverlands Drive, Cloudberry Way and Snailsden Way. There is a mixture of a poultry farm, allotments and open land on the west and northern boundaries of the site.

The site is undulating grassland traversed by footpaths and hedgerows. The land slopes down in a southerly direction from the northern boundary and also downwards in an easterly direction from Wakefield Road. The land is currently scrubland that has been used mainly for recreational activities such as dog walking but whilst it has the appearance of a greenfield it was formerly used for open cast mining (abandoned in the early 1950's).

## Proposed Development

The two reserved matters applications provide a total of 239 no. dwellings with single point of access from Wakefield Road, open space incorporating SUDS and associated engineering works.

Access is proposed via a T-Junction with Wakefield Road with two lanes within the site for exiting traffic to queue and a single lane entering the site. A ghost island and dedicated right hand turning lane is proposed on Wakefield Road to allow traffic accessing the site safe waiting space.

The internal road layout follows a broadly circular route with a number cul-de-sacs and private drives off the main thoroughfare. A pedestrian link crosses the greenspace through the middle of the site and connections are proposed to existing footpaths to the east and south east of the site.

A large area of greenspace is proposed through the middle of the site, along the route of the existing High Voltage Pylons and there is a smaller area to the southern edge of the site. SUDs are proposed on the greenspace, which along with the existing pylons renders this part of the site as undevelopable. The applicant has proposed biodiversity enhancements on the greenspace and that it would act as open space.

In addition, the layout allows for the retention of a number of hedgerows around the perimeter and within the site.

The housing mix proposed is as follows:

2 x 2 bedroom bungalows  
25 x 2 bedroom dwellings  
136 x 3 bedroom dwellings  
76 x 4 bedroom dwellings

The dwellings range from 2-3 storeys in height, including some 2.5 storey houses and 2 bungalows have been provided. Sections have been provided to show how the development will sit within the existing land levels and relate to neighbouring properties. Off road parking has been provided in the form of driveways and garages.

A total of 11 different house types are proposed across the overall site. These range in size and style with a mix of roof designs and elevational treatments. Whilst materials are not confirmed at this stage the plans show a mix of brick and render being used to break up elevations.

Garden space is provided for all properties with the apartments provided with a shared outdoor amenity space at the rear.

## **Planning History**

2013/1073 – Erection of residential development of up to 250 dwellings, provision of access and associated works including open space and structural landscaping (Outline) – Refused 27/01/2014

2014/0249 – Erection of residential development of up to 250 no. dwellings. (Outline – all Matters Reserved) (Resubmission) – Approved 17/04/2014

## **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

The site is designated DT7 Urban Land to Remain Undeveloped (ULTRU) on the UDP and GS11 is the relevant policy.

### Core Strategy

#### CSP 3 & 4 Suds and Flood Risk

CSP10 'The Distribution of New Homes' commits 46% of the Boroughs Housing to be built within Urban Barnsley (9,800 properties).

#### CSP13 Release of Allocated Land

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.

#### CSP15 Affordable Housing

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.

#### CSP35 Green Space

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.

#### CSP42 Infrastructure and Planning Obligations

## CSP43 Education Facilities and Community Uses

### 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.

H3 'Housing Site Policies' Site H14 West of Wakefield Road expects development to retain, buffer and manage all hedgerows; significant areas of the existing grassland and scrub should be retained and managed as the greenspace provision.

H7 'Housing Mix and Efficient Use of Land' seeks to secure a broad mix of housing sizes, types and tenures to help create mixed and balanced communities and a density of 40 dwellings per hectare.

Policy D1 'Design' looks to secure high quality design on all developments.

### SPDs

The following LDF Supplementary Planning Documents have 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.

### **Consultations**

Highways: No objections subject to conditions.

Pollution Control: No objections subject to the condition imposed at the outline stage requiring a Construction Method Statement being adhered to and the imposition of a new condition on the Reserved Matters requiring the noise mitigation set out in the Noise Report on plots nearest to Wakefield Road.

Tree Officer: Initial concerns were raised regarding the extent of removal of existing trees and hedgerows. However, additional mitigation / replacement planting is close to being agreed with the finer details to be dealt with at the condition stage. No objection subject to conditions.

South Yorkshire Police: Guidance offered on layout and security measures.

South Yorkshire Passenger Transport Executive: No comments have been received in relation to the reserved matters applications, however, the SYPTE confirmed at the time of the outline application that the site benefits from good access to Public Transport on Bar Lane / Blacker Road to the south. Improvements to footpaths linking the site to Paddock Road and Blacker Road were suggested by SYPTE and conditioned as part of the Outline Application Approval.

Affordable Housing Officer: 25% affordable housing. However it has been agreed in consultation with the DV that only 22 units is viable (9%). Originally this figure was 27 however a further reduction has been agreed to allow for the off-site greenspace contribution which was not included in the District Valuers original appraisal.

Yorkshire Water: Initially objected to the layout due to buildings or other obstructions located over the line of existing water mains, however this has now been resolved and YW have confirmed no objections subject to a condition. YW also recommended a pumping station may be required for foul which has now been included in the layout.

Public Rights of Way: No Comments were made on 2017/0520. However; in response to 2016/0337 the PROW Officer did request that the affected PROW on the western boundary be addressed when that element of the site is under detailed consideration. In addition, conditions were applied to the outline requiring the details of improvement and retention or provision of alternative footpaths and enhancements to PROW linking to Paddock Road and Blacker Road.

Drainage: No objection subject to conditions applied to the outline which will still need to be discharged.

Contaminated Land: No information provided to discharge conditions attached to the outline. These will need to be discharged separately before development commences.

South Yorkshire Mining Advisory Service: No comments have been received in relation to the reserved matters application but conditions were attached to the outline requiring additional investigation.

Coal Authority: No objection and conditions already attached to the outline permission as requested by SYMAS.

Biodiversity Officer: A number of amendments have been made to the Ecology Mitigation and Enhancement Plan and Landscape Masterplan following comments by the Ecology Officer. The proposed is now acceptable and condition 4 of the outline application can be discharged.

Education: Object on the basis of current lack of capacity in Mapplewell schools but suggest an education contribution of £250k in the event that permission is granted.

EA: No objection to 2016/0337 and no comment to 2017/0520.

## Representations

At the time of writing the report 36 objections have been received raising the following matters:

- Loss of privacy and overbearing impact on neighbouring properties;
- The village is losing its character and merging with the other villages in the area;
- Impact of increased traffic and increased number of accesses on the A61 which is already heavily used and congested;
- The access onto Wakefield Road is dangerous. A roundabout would be more appropriate;
- Traffic / congestion issues at the Lee Lane, Paddock Road and Stain Cross Common junctions. Paddock Road and Staincross Common will become a rat run to the M1;
- Concerns about air quality from the increased traffic;
- Increased flood risk from the increased in hard surfaces and changes in land levels. Residents report existing drainage issued on the site in the winter months and flooding issues on Wentworth Road and Hope Street (downstream). The drains are already overloaded and flood in peak rainfall;
- Concerns that the SUDs pond(s) won't work and / or will be a danger to children and the use of sketanks is untested technology;
- The foul sewerage system is at capacity and water pressure is already poor;
- Impact on wildlife, 30+ species of birds, hedgehogs, frogs, newts, bats, weasels an squirrels have been seen on the site along with a variety of plants all of which would be lost;
- Loss of greenspace / greenfield site that is valued and much used by residents. There is a network of footpaths crossing the site and the village already has less greenspace than other areas;
- Schools, Doctors and other services are already overloaded from other developments including the Gawber site. What investment will there be in improving local infrastructure;
- The proposed should provide a range of house types to suit all buyers and budgets;
- Information provided with the application is not sufficient to make comment on;
- Disruption during construction;
- Houses should not be built close to overhead power lines, creates issues regarding access to maintain the lines and from EMFs. Power lines would not be built so close to houses.
- Lack of facilities for children and young people or areas to play.



## **Assessment**

### Principle of Development

The principle of the proposed development has been established through the outline planning approval (2014/0249).

### Core Strategy Policy CSP14: Housing Mix & Efficient Use of Land

Core Strategy policy CSP14 seeks to ensure that development makes the most efficient use of land. This development does propose to include a range of different house sizes and tenures and complies with this aspect of CSP14.

With regard to density, CSP14 requires a site such as this that lies largely within the core public transport network to be built out at a minimum density of 45 dwellings per hectare unless it can be demonstrated that a lower density is necessary. Paragraph 9.78 of the Core Strategy expands on the issues that are relevant where justifying a density lower than that required by CSP14. The scheme proposes 239 dwellings (46 under 2016/0337 and 193 under 2017/0520) which equates to 30 dwellings per hectare taking the applicants net developable area of 7.96ha (9.8ha less 1.84ha greenspace / undevelopable land). This density is below what is required in planning policy CSP 14 and emerging Policy H7, however, it is not substantially below what was approved at outline (250 units) when the lower density was accepted because of site constraints (electricity lines cross the site as do a number of footpaths and hedgerows). The allocation for this site in the emerging Local Plan has taken forward the lower density figure of 250 dwellings. The additional drop in numbers (to 239) has resulted from the replacement of 24 one bedroom flats, which had been proposed to meet the affordable housing requirement on site, with 2 & 3 bedroom houses and the 2 bungalows. This change has resulted in a better mix of affordable units to meet local demand.

A local context analysis demonstrates that architectural styles vary significantly throughout the area. The applicant has responded to this by adopting a broadly simple and tradition housing design. Some interest is provided through varying house types and a mix of property sizes and heights. Taller dwellings (2.5 storey) are interspersed between the more standard 2 storey units, providing some interest in the street scene. The mix of dwellings includes 2, 3 and 4 bed dwellings and two bungalows have been included as the request of the Affordable Housing team. The mix and density as proposed is therefore acceptable.

### Section 106 Agreement

No Section 106 was agreed at the outline stage and as such details relating to the quantum of affordable housing on site along with the education and greenspace contributions have been agreed as part of the Reserved Matters process.

Core Strategy policy CSP15 identifies that in Mapplewell, 25% of the proposed dwellings should be affordable and the Education sought a £250,000 contribution to provide additional school places created by the proposed. The application provided a detailed viability assessment with the Reserved Matters Application(s) seeking to reduce the overall level of contributions required. This was assessed by the District Valuer and a reduced affordable housing figure of 27 units (11%) alongside the £250,000 education contribution was agreed to be viable. As discussed above the mix of affordable housing provided on site has been agreed with housing officers and includes: 2 two bed bungalows, 16 two bed houses and 4 three bed houses. However no provision was made for a contribution towards improvements in greenspace in the original assessment.

In accordance with CSP35, CSP42 and the SPD Open Space Provision on New Housing Developments, all developments that exceed 20 residential units are expected to provide a minimum of 15% open space of a type appropriate to the character of the site, its location and the nature of new housing. Section 5 of the SPD sets out what will normally be required on sites dependent on the size and type of development, on the availability of open space in the vicinity of the site (in both quantitative and qualitative terms) and an assessment of the increased pressure on facilities as a result of the development. The development provides a mix of properties in both size and type and it is expected that the residents of the development would be a broad mix of age ranges and as such would require access to informal open space, children's play and formal recreation opportunities. At present the submitted scheme includes open space comprising informal open space and SUDS and provides no play equipment or formal recreation offer. Due to the proximity to Mapplewell Park which is a District Level Park, it is considered appropriate in this instance to seek an off-site contribution for children's play and formal recreation in order to upgrade existing facilities both at Mapplewell Park and within the wider locality. Appendix 2 of the SPD splits the contributions by informal open space, equipped play and formal recreation. The greenspace contribution of £379,612 is on the basis of children's play equipment and formal recreation only, with the informal open space requirement satisfied on site. As this figure was requested after the viability exercise, it was agreed with the applicant that the Affordable Housing could be reduced to 22 units.

Total contributions agreed are:

- £379,612.00 Greenspace
- 22 Affordable Houses
- £250,000 Education Contribution

This is considered to comply with Core Strategy Policies CSP15 (Affordable Housing), Core Strategy policies CSP35, CSP42 and the Supplementary Planning Document (SPD): Open Space Provision on New Housing Developments and Core Strategy Policy 42 (infrastructure and Planning Obligations).

#### Residential Amenity

There are existing residential properties along the eastern and southern boundaries of the site with the impact of the proposed development on these properties being the main focus of the assessment on residential amenity.

The site is not level. The high point is in the north western corner with levels dropping as much as 20m down towards the south west corner and by circa 14m to the south east corner. There are variations across the site but generally it slopes southwards from Wakefield Road and eastwards. Along the eastern boundary (adjacent to Eastfield Crescent) from Wakefield Road to the south of the site (towards properties on Cloudberry and Cloverlands Drive) the land levels drop less severely with the change being between 1m and 3m.

The existing overhead lines running through the center of the site impacts on the layout with development pushed out towards the boundaries resulting in plots being located along the eastern boundary and in the south eastern corner; the most sensitive boundaries. A condition was applied at Outline requiring detailed plans of the existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. The applicant has provided a topographical survey and a number of sections running through the site (north to south and east to west) showing the existing and proposed changes in level, finished floor levels and the roof heights of specific

plots with key dwellings located adjacent also included. These allow an assessment of the difference in levels both across the site and in relation to adjacent dwellings along the boundary and show that the site can be developed without creating an overbearing impact on existing dwellings.

Separation distances between the proposed plots and existing dwellings all exceed the minimum distances as set out in the Designing New Housing Development SPD, allowing for the varying heights of the proposed. In addition, a plan showing the boundary treatments on site has been provided with 1.8m close boarded timber fencing providing privacy to rear gardens. In this regard privacy levels maintained as acceptable.

A number of property types are proposed of varying sizes and tenures with the design meeting internal and external space standards as set in the Designing New Houses SPD and accompanying South Yorkshire Residential Design Guidance.

A noise report was submitted with the original outline application which made recommendations regarding noise mitigation along the boundary with Wakefield Road. This includes the use of close boarded fencing (1.8m in height) along boundaries between the road and rear gardens and enhanced specification glazing to achieve the 'good' internal noise standard from BS 8233 with an alternative means of acoustic ventilation in noise sensitive rooms. The applicant has agreed to a condition requiring this as part of the Reserved Matters Application.

The proposed, therefore has an acceptable impact on residential amenity in the context of the relevant assessment policies.

#### Visual Amenity

The layout responds to the levels on site along with various other constraints including the power lines, a water main in the south west corner, maintaining as much of the mature hedgerows crossing the site as possible and various informal footpaths crossing the site to link with existing Public Rights of Way to the south and west. To address these, the estate is designed around a main loop road, accessed off Wakefield Road, with a number of cul-de-sac's and private drives spurring off this loop. There is a large greenspace through the center of the site (along the lines of the power cables) retaining an element of the existing open character of the site and providing opportunities for an attractive walking route. Existing hedgerows have been retained around the site edges and in part running through the center of the site with additional and replacement planting proposed in the landscaping scheme. A number of properties face onto the greenspaces providing natural surveillance and helping to frame the spaces.

The design of the houses is deliberately traditional and relatively simple, responding to the very mixed character of the surrounding area. House types are varied with 11 different styles proposed including bungalows and 2 ½ storey properties. Materials proposed are not confirmed but can be conditioned for future assessment.

The layout and design of the proposed is therefore acceptable in visual amenity terms and is in accordance with Core Strategy Policy CSP 29.

#### Trees

The site contains a large number of self-set trees which have colonised the site since agricultural production was ceased. Likewise there are still the field boundary hedgerows present within the site as well as occasional trees close to or on the boundary line. There are

no trees of a significant size or age on the site, however those present do have value and are visible to the public.

Initially the indicative layout with the outline application showed most of the boundary and internal hedgerows as retained which was welcomed. However, whilst the layouts provided with the reserved matters applications show some of the internal hedgerows or parts thereof being retained along with as much of the boundary vegetation as possible, significant sections of the hedgerows are now to be removed. Subject to this loss being mitigated through replacement hedgerow planting (agreed with the applicant) around the boundaries of the open space there are no objections to the proposed development. Conditions securing the protection of trees during construction will also be required.

### Highways

The site has previously been granted outline planning consent for up to 250 dwellings. The impact on the highway network and the mitigation measures were determined at that stage. Some widening on Lee Lane is required to improve capacity and a right turn lane into the site with central islands is necessary for the site to be accessed/egressed safely. There are, therefore, no objections to the proposed development in a highway context, subject to a condition relating to visibility splays in internal road junctions.

### Public Rights of Way

There are no formal Public Rights of Way crossing the site, however, Footpaths 30 and 31 are located to the west with Footpath 31 running along the western boundary (within the red line boundary). In addition, a number of informal footpath routes appear to cross the site providing links from Wakefield Road to these adopted routes. A condition of the outline planning permission required details to be provided with the Reserved Matters applications showing the retention and enhancement of footpaths or their replacement.

The Planning Layout(s) show the line of footpath 31 as retained with links to this from the estate roads at various points across the site. In addition, a new footpath route is shown running down the centre line of the site, around the central greenspace which provides opportunities for an attractive walking route for both existing and new residents. This is considered to be sufficient to discharge condition 12.

Enhancements to footpaths 30 and 31 are already secured under condition 25 of the outline application.

### Ecology

A Biodiversity Mitigation and Enhancement Plan for phases 1 and 2 has been submitted and agreed with these Reserved Matters applications. The Plan sets out a range of mitigation and enhancement works including:

- The retention of sections of hedgerows across the site and replacement planting of native species hedgerows in and around greenspaces on the site;
- The translocation of orchids from parts of the site being developed to the greenspaces;
- Creation of flower rich meadow and marshy grassland;
- Retention of trees where possible and replacement planting;
- Bird and bat boxes;
- Employment of an Ecological Clerk of Works during works in sensitive areas.

Where appropriate the Landscape Masterplan reflects the proposed mitigation and enhancements and along with the Biodiversity Mitigation and Enhancement Plan. These works are secured through condition 2 of both reserved matters decisions.

A Landscape Management Plan is conditioned as part of the outline approval as a requirement prior to occupation. This will set out details for the long term maintenance of the landscaping by a Management Company and should refer back to the Biodiversity Mitigation and Enhancement Plan.

### **Conclusion**

In summary the decision to allow the site to be developed for housing purposes was established by the decision by the Council to grant outline planning permission for a development of up to 250 dwellings in April 2014. These two applications relate to the details of the development that were reserved for subsequent approval:-

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

The assessment of the plans in relation to these considerations have concluded that the detailed plans for the development are acceptable in relation to the relevant assessment policies, including the Designing Residential Development, Parking and Provision of Open Space SPD's and the relevant Core Strategy policies including CSP26 and CSP29. Whilst the overall number of dwellings has reduced to 239 this has been necessary to ensure the types of affordable housing unit types which would better serve local needs.

In addition the plans are considered acceptable against other material considerations including highways, drainage, ecology and trees matters. However this recommendation is subject to the completion of a S106 Agreement requiring contributions in relation to education, public open space and education.

### **Recommendation**

**Grant** both applications subject to conditions and S106 Agreement relating to the following provisions:-

- £379,612.00 Greenspace
- 22 Affordable Houses
- £250,000 Education Contribution

### **2016/0337**

- 1 The development hereby approved shall be carried out strictly in accordance with the plans  
P14-4905-01G (Planning Layout)  
P14-4905-02 (Redline Boundary)  
P14-4905-06 (Site Sections)  
14/369/DE/100/001 Rev C (Proposed Highway Improvements General Arrangement)  
P14:4905:101 REV C (Landscape Masterplan)  
P14-4905-03 (Boundary Treatments)  
P14-4905-04 (Garage Details)  
Housetype Drawings:

P14-4905-15  
P14-4905-16  
P14-4905-17  
P14-4905-18  
P14-4905-19  
P14-4905-20  
P14-4905-21  
P14-4905-22  
P14-4905-23  
P14-4905-24  
P14-4905-25  
P14-4905-26  
P14-4905-27  
P14-4905-28  
P14-4905-29  
P14-4905-30  
P14-4905-31  
P14-4905-32  
P14-4905-33  
P14-4905-34

The Biodiversity Mitigation and Enhancement Plan Version 3 (Phases 1 and 2) Report  
Ref:9739

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.**

- 2 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.**
- 3 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.**
- 4 Visibility splays, having the dimensions 2.4m x 43m, shall be safeguarded at all internal road junctions such that there is no obstruction to visibility and forming part of the adopted highway  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 5 Development shall not commence site until details of the means of protecting the strategic water supply pipes, that are located within the site boundary , during the construction phase of the development have been submitted to and approved by the Local Planning Authority . Furthermore construction in the relevant part of the site shall not commence until the approved measures have been implemented to the satisfaction of the Local Planning Authority.  
**Reason: To prevent damage to the existing sewer or watercourse and to allow sufficient access for maintenance and repair work at all times.**
  
- 6 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.**
  
- 7 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.**
  
- 8 No hedges or trees on the site existing or proposed (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.**
  
- 9 The building envelope of plot number(s) 14, 15, 28, 29 and 30 shall be constructed so as to provide sound attenuation against external noise not less than 35 dB(A), with windows shut and other means of ventilation provided.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**
  
- 10 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.**

**2017/0520**

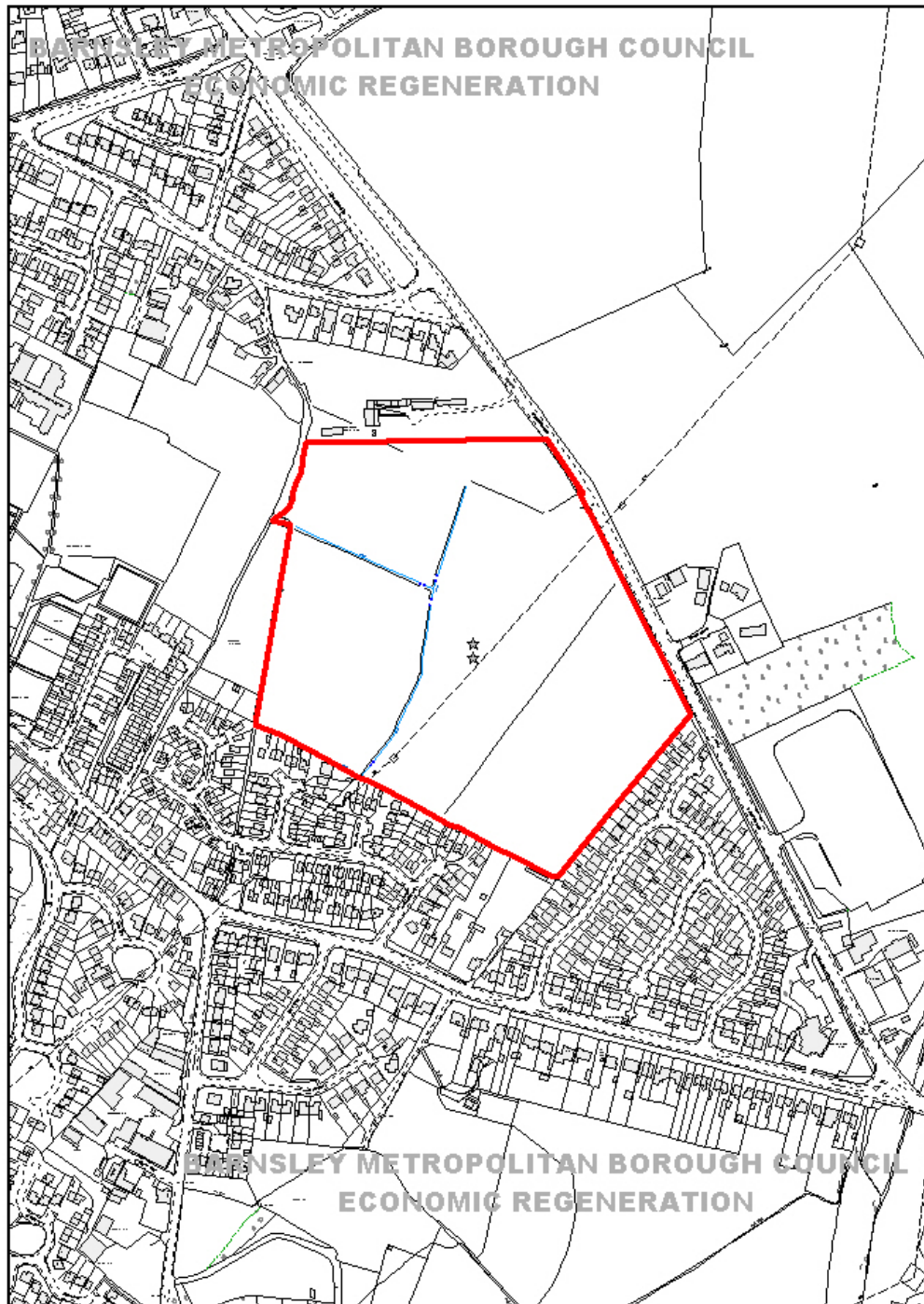
- 1 The development hereby approved shall be carried out strictly in accordance with the plans  
P14-4905-200H (Planning Layout)  
P14-4905-201 (Redline Boundary)  
P14-4905-211 (Site Sections)  
P14-4905-101 REV C (Landscape Masterplan)  
P14-4905-203 (Boundary Treatments)  
P14-4905-204 (Garage Details)  
Housetype Drawings:  
P14-4905-15  
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P14-4905-39  
P14-4905-40  
P14-4905-41  
P14-4905-42  
P14-4905-45  
The Biodiversity Mitigation and Enhancement Plan Version 3 (Phases 1 and 2) Report Ref:9739  
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.**
- 2 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.**



- 3 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.**
- 4 Visibility splays, having the dimensions 2.4m x 43m, shall be safeguarded at all internal road junctions such that there is no obstruction to visibility and forming part of the adopted highway  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 5 Development shall not commence site until details of the means of protecting the strategic water supply pipes, that are located within the site boundary, during the construction phase of the development have been submitted to and approved by the Local Planning Authority. Furthermore construction in the relevant part of the site shall not commence until the approved measures have been implemented to the satisfaction of the Local Planning Authority.  
**Reason: To prevent damage to the existing sewer or watercourse and to allow sufficient access for maintenance and repair work at all times.**
- 6 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.**
- 7 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.**
- 8 No hedges or trees on the site existing or proposed (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.**

- 9 The building envelope of plot number(s) 174-183 shall be constructed so as to provide sound attenuation against external noise not less than 35 dB(A), with windows shut and other means of ventilation provided.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**
- 10 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 11 Notwithstanding the Landscape Masterplan (P14 4905 10 Rev C) submitted 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.**

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BARNESLEY MBC - Economic Regeneration



Scale 1: -----

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**2017/1218**

**Applicant:** Mr Gordon Bird, C/o Peter Thompson

**Description:** Erection of detached bungalow (Outline with all matters reserved)

**Site Address:** Land to the rear of 309 Dodworth Road, Barnsley, S70 6PN

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The application has been referred to the Planning Regulatory Board for determination by Cllr Riggs. 2 representations have been received from local residents, although 1 of the representations was withdrawn after the resident became aware of the applicants supporting reasons.

## **Site Description**

309 Dodworth is a semi detached two storey house, which is situated on the heavily trafficked A628 located between Junction 37 of the M1 and the Town Centre. The application site currently forms the rear garden belonging to the property, which is located to the north of the house measuring approximately 405m2. Currently it is mainly laid to lawn and enclosed by mature hedging/planting to three sides.

## **Proposed Development**

The applicant seeks outline permission with all matters reserved to erect a detached bungalow in a tandem, rear garden location behind the existing house. The indicative plan shows that access arrangements would be shared with the existing two storey-semi detached house. This driveway would be then be extended to the land to the rear of the property to include provision of parking and a turning head. An existing garage located at the side/rear of the house would be demolished to make way for an extended length private driveway, which would be built adjacent the boundary with No.311 Dodworth Road.

The applicant has submitted a supporting letter which states that the development is intended to be occupied by their disabled daughter who has been informed by medical professionals that she needs to live in a bungalow with all the requirements for a disabled person.

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

## 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.

### 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.

### 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'. Paragraph 53 also states that LPAs should consider the case for setting out policies to resist inappropriate development of residential gardens.

## Consultations

Highways DC – Object as the applicant's plans have failed to demonstrate provision of adequate manoeuvring facilities to provide reassurance that vehicles can enter and leave the site in a forward gear. Reversing manoeuvres onto the highway would not be acceptable due to Dodworth Road being a heavily trafficked classified road. In addition the proposed access is not wide enough to accommodate two way traffic flows to serve both the existing and proposed dwellings. Use of both accesses at the same time would result in vehicles stopping and disrupting the flow of traffic on Dodworth Road. An adequate means of access for the development has therefore not been demonstrated.

Drainage (Wayne Atkins) – No objections

SYMAS – No objections subject to conditions

Coal Authority – Object as the application is not accompanied by a Coal Mining Risk Assessment to demonstrate that the development would not be at risk of shallow coal workings.

Ward Councillors – Cllr Riggs has requested that the application is determined by the Board due to the applicants personal circumstances.

## Representations

Neighbour notification letters were sent to surrounding residents and a site notice posted adjacent to the site. The objection raises concerns that the development would take away the tranquillity associated with the rear gardens of the existing houses on Dodworth Road, replacing greenery for bricks and mortar. In addition the residents are concerned that the development would set a precedent for allowing further dwellings in back garden locations in this area. Another objection letter was received, however this objection was subsequently withdrawn after they became away of the applicants supporting reasons.

## Assessment

### Principle of Development

Saved UDP policies H8A and H8D and Core Strategy policies CSP 26 and 29 provide the policy framework for assessing backland and tandem developments. These policies are reinforced further by guidance provided within Supplementary Planning Guidance Document 'Designing New Housing Development', which states *'tandem development, with one dwelling directly in front or behind another sharing the same access will almost always be resisted'*, and the South Yorkshire Residential Design Guide. The National Planning Policy Framework is supportive of many of these policy aims and states 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.

Backland developments are not without controversy and the Council has in recent times sought to ensure a more consistent approach is applied to such proposals. This approach has been supported by the Planning Inspectorate on many occasions whereby the Council's decision to refuse inappropriate developments has been upheld in recent planning appeals. Concerns are that isolated dwellings in backland developments take away the tranquillity of rear garden locations and undermine local character. In addition they represent a contrived form of development which do not contribute to the street scene and usually involved a forced access arrangement which is forged in a gap between two existing houses. To allow such proposals can also make it harder for the Council to resist further similar proposals in

future which in turn can progressively erode an areas character. This proposal falls foul of this list of concerns.

The sensitivity of the personal circumstances have been considered by Officers. However the reality is that as this is a proposal for a separate independent dwelling the Council would have no control over future occupancy beyond the planning application decision date. In the circumstances therefore the proposal should have taken the form of an annex that remains subsidiary accommodation linked to the main existing house.

#### Residential Amenity

Whilst the application is in outline form an indicative plan has been provided which indicates that a dwelling can be situated within the site that meets the requisite separation distances between facing habitable room windows and blank gable walls. I am therefore satisfied therefore that a development could be designed at reserved matters stage which would not give rise to overlooking or overshadowing.

Nevertheless, the proposed development would result in a long private drive running between 309 and 311 Dodworth Road. There would be noise and disturbance arising from the use of such a private drive and the associated manoeuvring areas, which could be exacerbated by driveway's inability for two way traffic to enter and exit the highway. As such is considered unacceptable in terms of residential amenity in noise and disturbance terms. This type of concern as a reason for refusal is usually supported by Planning Inspectors at appeal.

#### Visual Amenity

The area is predominantly residential characterised by two storey semi detached dwellings occupying long, narrow rear gardens. The development would introduce an isolated form of backland and tandem development which is out of character with the existing pattern of development in the area.

#### Highway Safety

As mentioned previously the application is at outline stage with all matters reserved including means of access. Indicative plans have been submitted. However these have failed to demonstrate that the on site manoeuvring areas would be inadequate to ensure that vehicles would enter and leave the site in a forward gear. Reversing manoeuvres would not be acceptable given that Dodworth Road is a heavily trafficked, classified road (A628) performing a strategic function on the local road network leading to/from the M1 motorway junction 37.

In addition the proposed access is not wide enough to accommodate two way traffic flows to serve both the existing and proposed dwellings. Use of both accesses at the same time therefore would result in vehicles stopping and disrupting the flow of traffic on Dodworth Road.

In these circumstances, it is difficult to understand how another dwelling can be accommodated within the proposed red line boundary whilst being able to function safely in highway terms and provide adequate manoeuvring for the existing property. It is, therefore, considered that the proposed development is not acceptable and would be detrimental to the free and safe flow of traffic on the A628 Dodworth Road, which is essential as it forms part of the strategic highway network.



It is therefore considered that the proposed development would have an adverse impact on the surrounding highway network and would be detrimental to the free and safe flow of traffic on the highway contrary to CS Policy CSP26, UDP Policies H8A and H8D and the relevant planning policy statements in the NPPF in respect of highway safety.

### Summary

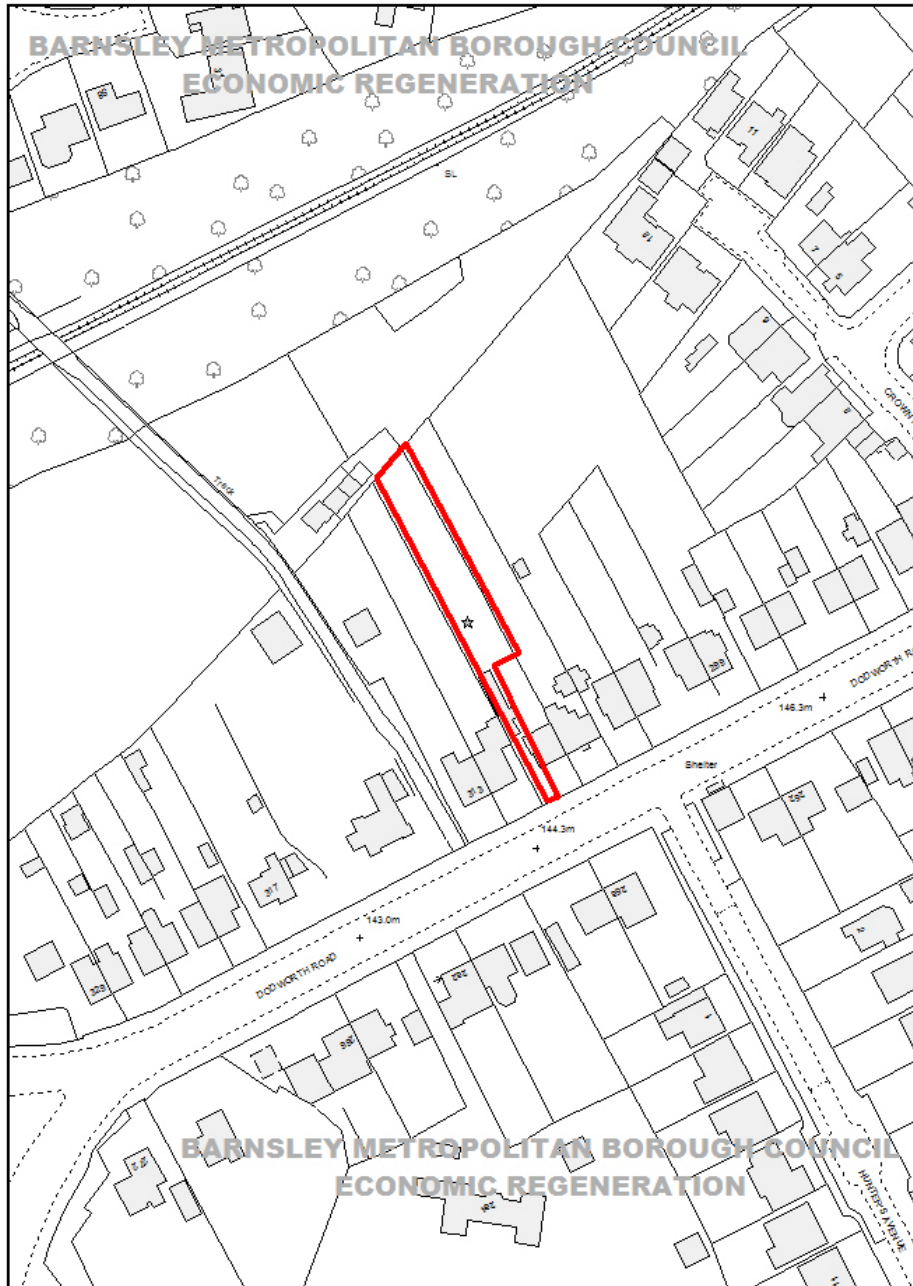
Supplementary Planning Guidance Document 'Designing New Housing Development', states 'tandem development, with one dwelling directly in front or behind another sharing the same access will almost always be resisted'.

In the opinion of the Local Planning Authority, the proposal dwelling would not reflect the development pattern of the area and would not integrate well within the immediate surroundings, to the detriment of the overall character and layout, resulting in a cramped 'ad-hoc' form of development. In addition it would create noise and disturbance causing harm to the residential amenity of Nos 307, 309 and 311 Dodworth Road. Furthermore the development is unacceptable in highway safety terms. As such, the proposed development would be contrary to saved UDP Policy H8D, Core Strategy policy CSP 29 and SPD 'Designing New Housing Development' and the NPPF, in that it would be an undesirable form of infill development that represents poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

### **Recommendation – Refuse planning permission.**

- 1 In the opinion of the Local Planning Authority, the proposal dwelling would not reflect the development pattern of the area and would not integrate well within the immediate surroundings, to the detriment of the overall character, resulting in a cramped and isolated ad-hoc form of development. As such, the proposed development would be contrary to saved UDP Policy H8D, Core Strategy policy CSP 29 and SPD 'Designing New Housing Development' and the NPPF, in that it would be an undesirable form of backland and tandem development that represents poor design that fails to improve the character and quality of the area and the way it functions.
- 2 In the opinion of the Local Planning Authority the development would harm the residential amenity of adjoining properties through creating noise and disturbance as a result of the proposed access to the dwelling passing in a gap between two existing houses. In addition the development would require manoeuvring and other disturbance associated with domestic habitation in an existing private rear garden location where existing residents can reasonably expect tranquillity. As such, the proposed development would be contrary to saved UDP Policy H8D, Core Strategy policy CSP 29 and SPD 'Designing New Housing Development' and the NPPF.
- 3 In the opinion of the Local Planning Authority the proposal is unacceptable in highway safety terms as the plans have failed to demonstrate provision of adequate manoeuvring facilities to provide reassurance that vehicles can enter and leave the site in a forward gear. Reversing manoeuvres onto the highway would not be acceptable due to Dodworth Road being a heavily trafficked classified road. An adequate means of access for the development has therefore not been demonstrated. In addition the proposed access is not wide enough to accommodate two way traffic flows to serve both the existing and proposed dwellings. The use of both accesses at the same time would have an adverse impact on the surrounding highway network and would be detrimental to the free and safe flow of traffic on the highway, contrary to Core Strategy Policy CSP26, UDP Policies H8A and H8D and the relevant planning policy statements in the NPPF in respect of highway safety.

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**BARNSELY MBC - Economic Regeneration**



Scale 1: -----

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**2017/1002**

**Applicant:** Mr Martyn Carnell, C/o Wm. Saunders Partnership LLP

**Description:** Erection of 15 no. industrial units in 8 blocks (Classes B1, B2 and B8) with associated car parking.

**Site Address:** Capitol Close, Dodworth, Barnsley

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One representation has been received from the owner of one of the existing units on Capitol Park.

## **Site Location and Description**

The site is located to the North of Capitol Close within Capitol Park, close to Dodworth and Junction 37 of the M1 motorway. Of an elongated and irregular shape, and measuring circa 2.7Ha it shares a boarder to the north east by the M1 motorway and its associated cutting/landscaped verge. To the South West of the site is Capitol Close, and an associated roundabout with spurs into the site. To the North West are a number of smaller business/industrial units forming an earlier phase of the Capitol Park development. To the South East sits an 'L' shaped office block 'Capitol Court' with a hotel and pub beyond accessed of Whinby Road.

The site is comprised of scrubland grass with more mature vegetation to the boundaries. There is a verge which runs centrally across the site which supports a tree/hedge belt and effectively splits the site in two. The levels of the site to the East of the Verge are lower than those to the West.

The first phase of the Capitol Park development, comprising a hotel and pub/restaurant was built out in 2006. Those parts are located to the east at the Whinby Road roundabout. Later phases of Capitol Park comprising a mix of office and incubator units are located to the north and east beyond Capitol Close, which is the principal estate road. Higham Road marks the western boundary of Capitol Park beyond which there is a woodland and Whinby Road is located immediately to the south. Further phases of the park are currently underway to the South and two additional permissions have also recently been granted for further development. The site lies within the Sheffield City Region Enterprise Zone.

## **Planning History**

B/04/1998/DO – Outline employment development proposal comprising B1, B2 and B8 uses, Hotel, Park and Ride site and associated work. With Environmental Impact Statement. Approved 23<sup>rd</sup> February 2005.

B/04/2272/DO - Phase 1 employment development site – Reserved Matters details. Erection of Class B1/B2 hi-tech units, spine road, landscaping and levelling. Approved 23<sup>rd</sup> February 2005.

2005/2073 – Erection of industrial unit with office space (Reserved Matters). Approved 23<sup>rd</sup> April 2006.

2006/0334 – Variation of condition 1 of planning consent B/04/1998/DO relating to expiry dates for the Reserved Matters application. Approved 5<sup>th</sup> April 2006.

2016/0713 - Outline planning application including means of access for general industrial (B2) use and storage and distribution(B8) use with ancillary office (B1) use. Approved 7<sup>th</sup> October 2016.

2017/0248 - Proposed 7,225 sqm (gross external area) industrial unit at Plot A for general industrial (B2) and storage and distribution use (B8) with ancillary office (B1) (Reserved Matters pursuant to outline planning permission 2016/0713 - appearance, landscaping, layout and scale – Approved 20<sup>th</sup> April 2017.

2017/0987 – Erection of 7,200sqm NHS blood centre comprising laboratory and administrative/support functions – Approved at PRB on 24<sup>th</sup> October 2017.

2017/1109 – Reserved matters of 2016/0713 – erection of general industrial (B2) use and storage and distribution (B8) use with ancillary office (B1) use – Approved 25<sup>th</sup> October 2017.

### **Proposed Development**

The proposal consists of the construction of 15 industrial units which are intended for B1, B2 and B8 uses. These would be housed within 8 separate buildings. The units would range of sizes from 3,000sq.ft up to 10,500sq.ft. In addition the plans detail all associated external works including service yards, car parking, cycle areas and brick built bin stores.

The site layout has been dictated by the existing topography of the overall site in that there are two separate areas/plateaus separated by a substantial tree lined bank, a higher area to the West and a lower area to the East. The lower plateau would be accessed directly from the existing roundabout and spurs serving the existing road network (Capitol Close). The Higher plateau would have an internal access road up the banking accessed via the Western spur of the roundabout.

The two plateaus have also allowed the site to be separated for unit size, with the top plateau having the smaller units (3000-6275sq.ft) with combined service/parking yards. The bottom plateau would accommodate the larger units and afford them separate service/parking yards, albeit units 5 and 6 would have a shared access point.

As noted above a range of units are to be provided from 3,000sq.ft up to 10,500sq.ft, with the smaller units being sited on the top plateau, which are essentially single storey but are to be designed to allow possible first floor accommodation. Units 4 – 7 have a height to underside of steel frame haunch of 7.2m (dual pitched roof), with the other units having a height of 6.0m to underside of haunch (mono-pitched roof).

The main structure of the building is to be steel portal frames of either duo or mono pitch, depending on the size of the building. The buildings will also incorporate a brick plinth at low level to provide robustness in trafficked areas, as well as providing a material contrast. The roofs will be factory finished steel cladding.

### **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 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)

UDP Notation: Employment Proposal DO3

ED4 – Economic Development and Residential Amenity.

#### Core Strategy (CS):

CSP 1 – Climate Change

CSP 2 - Sustainable Construction

CSP 5 – Including Renewable Energy in Developments

CSP 8 - Location of growth

CSP11 – Providing strategic employment locations

CSP12 – Distribution of new employment sites

CSP19 – Protecting Existing Employment Land

CSP26 – New Development and Highway Improvement

CSP29 – Design

CSP36 - Biodiversity and Geodiversity

CSP40 – Pollution Control and Protection

#### 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:

Para 9 Sustainable Development – positive improvements

Para 17 Core Planning Principles

Para 32 Transport Assessment

Para 58 Good design – considerations

Para 123 Noise

Para 124 Air Quality

#### SPDs/SPGs

Parking

## Emerging Local Plan (Publication Draft 2016)

Identifies the site as part of Employment Policy Area UB8 and lies within the Sheffield City Region Enterprise Zone. Development on the greater site will be expected to retain the woodland planting on the sites northern embankment and the section of hedgerow and associated mature trees running adjacent to Higham Lane.

### **Consultations**

**Enterprising Barnsley** – support the proposal

**Highways England** – no significant impact to the safe operational functioning of the Strategic Road Network.

**Network Rail Property** – No objections

**South Yorkshire Police** – No objections subject to recommendations

**Yorkshire Water** – No objections subject to conditions

**Drainage** – no objections subject to conditions

**Pollution Control** – No objections subject to conditions

**Highways DC** – No objections subject to conditions

**SYMAS** – No objections

**Coal Authority** – No objection subject to condition

**Contaminated Land Officer** – No objections

**Forestry Officer** – No objections subject to conditions

**Ecology** – No objections subject to conditions

**Waste Management** – No comments

**Superfast Broadband programme** – No objections subject to additional provision

**Air Quality Officer** – No objection subject to the development being in accordance with the Air Quality Assessment

### **Representations**

The application has been advertised by way of a press and site notice. In addition, commercial and residential properties close by have been consulted in writing.

One representation has been received from the owner of one of the existing units on Capitol Close. The main points of concern are:-

- **Parking** – It is requested that the development does not result in additional parking within the existing parts of Capitol Park and Capitol Close both during the construction and operational phases.

- The proposed fencing around the perimeter provides reassurance that the effects of the development would be self contained. However it is requested that this fence is put in place from the outset of the construction works to contain the disturbance and prevent it from hindering the operations of existing company's.
- It was queried whether the elevations have been labelled correctly.

## **Assessment**

### Principle of Development

This is an important strategic employment land allocation site which is within the City Region Enterprise Zone. It was originally designated as an Employment Proposal in the Barnsley Unitary Development and this designation is proposed to be continued within the Local Plan. A previous outline planning permission was granted under B/04/1998/DO in 2005. This permission has now lapsed. However the site remains primed for employment development which is reflected in the land use allocation policies.

The Council recognises that there is at present a shortage in the supply/allocation of employment land within the Borough. This is recognised with in the emerging Local Plan which aims to allocate approximately 300ha of land for employment purposes to meet future industry and business needs. This site is in a prime location for such development being within Urban Barnsley and being so close to the M1 and the Trans Pennine road network.

The proposal is therefore fully supported in land use planning policy terms. Consideration however, needs to be given to details of the plans against the aforementioned policy requirements and material planning considerations. These are discussed in more detail below.

### Design, Scale and Layout

The site layout has been dictated by the existing topography of the overall site in that there are two separate areas/plateaus separated by a substantial tree lined bank but linked by an internal road. The two plateaus allow the site to be separated for unit size, with the top plateau having the small units (3,000sq.ft – 6,275sq.ft) with shared/combined service/parking yards. The bottom area has been divided up for the larger units (6,000sq.ft-10,500sq.ft) to allow them to have separate service/parking yards, although with combined access points.

The intention is that all buildings will have their main office entrance facing the car parking areas. This allows the building entrances to be readily seen, which will be reinforced by a canopy and distinctive wall finishes at these points.

Units 4 – 7 have a height to underside of steel frame haunch of 7.2m, while the other units have a height of 6.0m to the underside of lower haunch of the mono-pitched roof. These heights allow the buildings to have a usage to suit their overall size.

The existing industrial buildings to the north of the site are constructed of flat panel cladding with mono pitched roofs. The office buildings to the south also have flat panel cladding, with some rendered walls. The new buildings have been designed to complement the existing buildings but also to stand on their own elevationally, with a mixture of brickwork at low level. Factory finished steel cladding, both composite flat panel and trapezoidal, and contrasting boarding acting as the focal point for the office areas. These differing areas of cladding and boarding provide varying shadow lines to the buildings providing additional interest.

Each unit will have a factory finished loading door to the warehouse/workshop area or the unit, together with polyester coated double-glazed entrance doors and screens. Additional windows will be incorporated to the office areas.

The main structure of the building is to be steel portal frames of either duo or mono pitch, depending on the size of the building. The roofs will be factory finished steel cladding fully insulated to meet today's design standards.

The site is proposed to be enclosed by a 2.4m high galvanised steel palisade fencing to the rear, with the fencing to the front of the site to be 2.4m high green paladin fencing.

Overall it is considered the scale of the development, both in terms of size and height is appropriate to the local context. Especially given that the site sits within a business park and would be surrounded by business/industrial units which have either already been built out or recently granted permission.

Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver high quality buildings of modern design and layout appropriate for an employment use.

It is therefore, considered that the proposal adheres to the objectives of CSP Policy 29 which stresses the importance of achieving high quality design.

#### Residential Amenity

The closest residential property is located to the West of the site, some 60m from the red line boundary. The residential property in question is a standalone farmhouse (Lane Head Farm) which is located in far closer proximity to the existing units (35m) than the proposed ones.

The closest settlement is Dodworth which is located over 140m to the South of the site. The Outskirts of Pogmoor are also to the North of the site separated by the M1 motorway and a distance in excess of 180m. As a result of the above separation distances the proposed units would not lead to any direct harm affecting residential amenity. In addition, as the site sits within an existing park, surrounded by similar units the proposal would be generally compatible with neighbouring uses. The Ibis Hotel is located nearby to the south but this is severed from the site by the railway line. Regulatory Services have been consulted on the application and not raised objections subject to conditions that would limit the ability of the development to cause harm through noise during the construction and operational periods.

#### Highway Safety

The site is adjacent to junction 37 of the M1 with its cutting bordering the north-east of the site. Existing business units border the north-west and the south of the site as well as Capitol Close to the south-west. There is a rail line running immediately south of the entrance to the business park.

The site is currently accessed from a roundabout off the A628 Whinby Road where there is an existing junction into Capitol Court. The A628 connects the site with Penistone and the Woodhead Pass to the west. To the east the A635 connects Doncaster to Barnsley. Capitol Park and Capitol Court are private, two-way single carriageway roads.

Given the proximity of the site to junction 37 and the potential cumulative impact, combined with the previous approvals, Highways England was consulted on the application. They concluded '*in this instance the model results do not indicate levels of queuing along the M1*



*slip roads and on to the mainline that would be of concern, and it is not considered that remedying the issues identified in our review would alter this outcome, therefore we are satisfied the assessment demonstrates no severe impact to the operation and safety of the SRN in 2022 or 2027.*

*Given that the material impact will be minimal, it is not considered of significance to the safe operational functioning of the SRN'.*

The proposed units would be accessed via the existing roundabout and spurs on Capitol Close. The proposed development is supported by a Transport Statement, and an allowance for some development on this site was made when the VISSIM modelling was carried to assess the impact of development sites on both sides of the M1 Junction 37. Some of the highway network in the vicinity is at or approaching capacity which resulted in the model being created to inform how much development could be permitted prior to the need for off-site highway interventions.

The development currently proposed is less than that allowed for in the model. The specifics of this proposal have been assessed and fall within acceptable parameters before off site mitigation is required, although it will be necessary to control the number of vehicle trips on the network in both the am and pm peak hours. Consequently, there are no objections to the proposed development in a highway context, subject to conditions.

The site is located within acceptable walking and cycling distances of residential areas, and benefits from good pedestrian links. Further to this the site is located within walking distance of regular bus and rail services which provide a link between the site and residential areas further afield.

With regard to parking arrangements the car parking layout and scale is considered appropriate. The development will be self-contained, with each unit having allocated car parking spaces including disabled bays, 120no. in total. These will be designated to specific units. Cycle parking will be provided for the development, in 6 blocks spaced around the site providing approx. 30 stands.

Overall the proposal is considered to comply with Core Strategy Policy CSP 26 and para 9 of the NPPF.

### Ecology

A Phase 1 Habitat report has been submitted alongside the application and has also been revised during the course of the application at the request of the Councils Biodiversity Officer.

Habitats within the site are predominantly comprised of amenity grassland, species poor semi-natural grassland, rough/coarse grassland, marshy grassland, ornamental tree/shrub planting, scattered scrub, hardstanding, tree belts of mixed plantation woodland and sparsely vegetated bare earth. There are no statutory sites and four non-statutory sites within 2km of the proposals site, none of which are anticipated to be affected by the proposed development due to the nature/scale of the proposals, distance, intervening land uses and lack of complimentary habitats.

The main loss of habitat will be the scattered scrub and grassland, which is generally of low ecological value. Tree belts and shrub borders will be retained. The report sets out a number of recommendations that the Councils Biodiversity Officer is in agreement with. These recommendations include, but are not limited to, inclusions of areas of wildflower grassland, inclusion of a pond, clearance work to be undertaken outside nesting bird season, working

methods to minimise impacts on hedgehogs, badgers and amphibians and installation of bird and bat boxes. As such, the Biodiversity Officer has raised no objections to the proposal, subject to the full details of the mitigation measures being submitted and approved in writing prior to the commencement of the development.

## **Conclusion**

The principle of allowing the site to be development for employment purposes has already been established as a result of the allocations in the Unitary Development Plan Proposals Maps and the Local Plan allocations. Furthermore there has been a previous outline application for employment use on the site and there are numerous built out and approved Employment Sites within the immediate area.

The development would be set within part of the remaining Capitol Park employment area and the units are of high quality modern design and materials and fit into the quantum of development anticipated for Capitol Park.

It is considered that there are no other material considerations to indicate that a decision should be made at variance to the above policies. There are no significant or demonstrable adverse impacts associated with the development that would be sufficient to outweigh the planning policy merits in support of the application. Therefore it is recommended to the Board that the application is granted approval subject to the identified conditions.

## **Recommendation**

Grant planning 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 11548-(D)01-K, 11548-(D)02-C, 11548-(D)03-C, 11548-(D)04-D, 11548-(D)05-C, 11548-(D)06-C, 11548-(D)07-C, 11548-(D)08-C, 11548-(D)10-A, LL01-E & LL02-E) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 3 No development shall take place 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 the proper drainage of the area.**

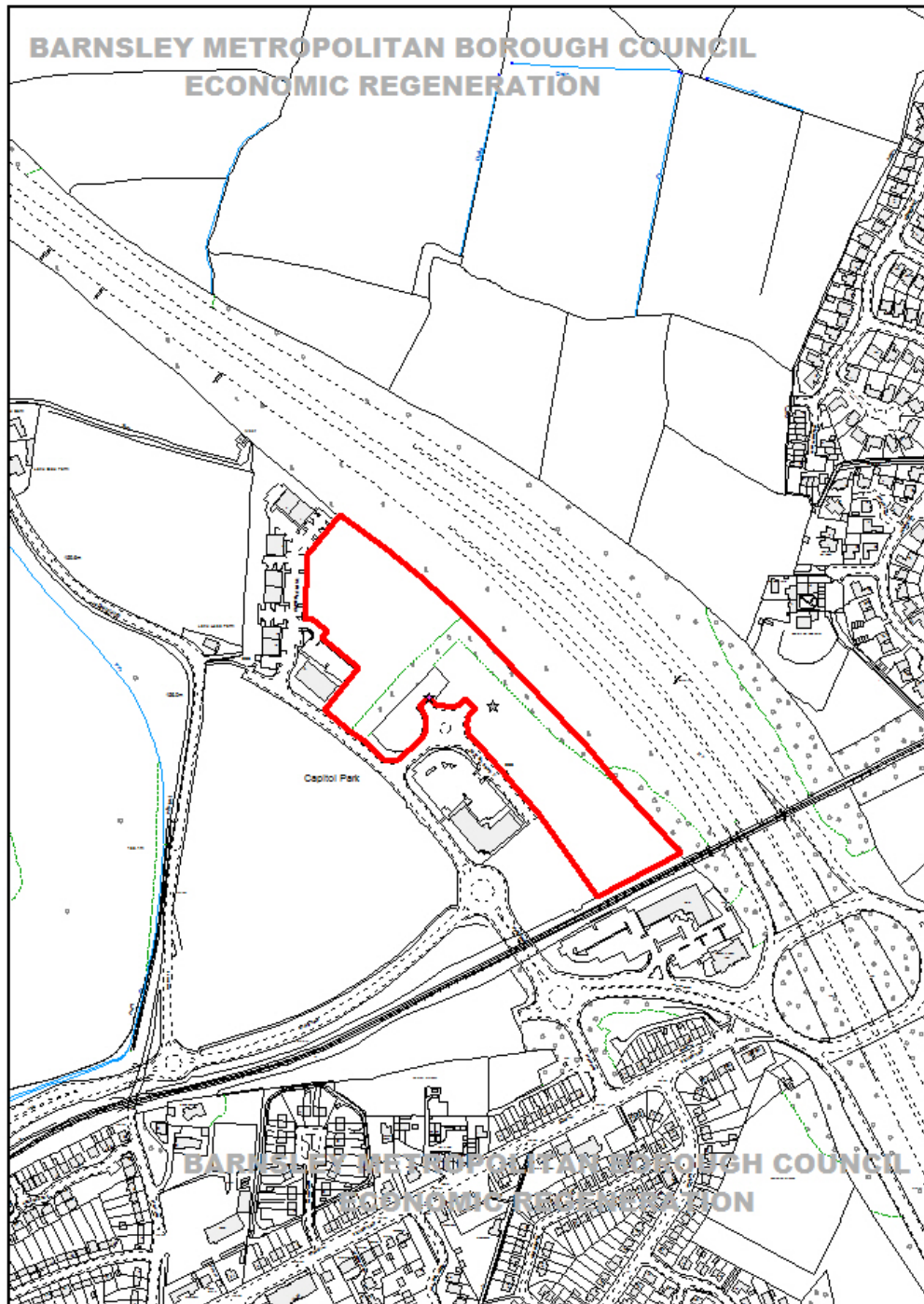
- 4 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning 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.**
- 5 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.**
- 6 The development shall incorporate and implement the air quality mitigations as detailed in paragraphs 5.3.19 and 5.3.20 of the supporting air quality assessment, and retain for the life of the development.
- Reason: In the interests of minimising the impact of the proposal on local air quality in accordance with Core Strategy policies CSP 40 (Pollution Control and Protection) and CSP25 (New Development and Sustainable Travel).**
- 7 Prior to the occupation of unit 6, full details of the proposed use and opening/operating hours shall be submitted to, and approved by, the Local Planning Authority. The approved details shall be adhered to throughout the life of that unit.
- Reason: In the interests of the amenities of hotel guests and in accordance with Core Strategy Policy CSP 40.**
- 8 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material ( ie 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 are provided, in the interests of highway safety and the free and safe flow of traffic and in accordance with Core Strategy Policy CSP26, New Development and Highway Improvement.**
- 9 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.**

- 10 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.**
- 11 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.**
- 12 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.**
- 13 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:-  
- The parking of vehicles of site operatives and visitors;  
- Means of access for construction traffic;  
- Loading and unloading of plant and materials;  
- Storage of plant and materials used in constructing the development;  
- Measures to prevent mud/debris being deposited on the public highway.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 14 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.**
- 15 The development will have a maximum floor area 7,477.81sq.m and must not result in greater than 34 and 31 two way vehicle trips in the weekday am peak hour (8.00-9.00) and the weekday pm peak hour (1700-1800) respectively.  
**Reason: To limit the effects of the development on the highway network in accordance with policy CSP26.**

- 16 Prior to the commencement of the development full details of the recommendations/mitigation measures set out in the Ecology Report - Phase 1 Habitat Survey and Protected Species Assessment - Revision B (SF2660), 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 and retained throughout the life of the development.  
**Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**
- 17 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.**
- 18 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the dwellings/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.**
- 19 Prior to the commencement of development further rotary borehole ground investigations shall be undertaken by a suitably qualified person as set out in the stage 2 Geo-environmental report undertaken by ARP Geotechnical Ref LYH/01r2. The investigation should be carried out in compliance with CIRIA publication 32 'Construction Over Abandoned Mine Workings'. A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.  
**Reason: In the interest of Land stability NPPF sections 120 & 121.**
- 20 Prior to occupation of the individual units, full details of any 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 residential amenity in accordance with Core Strategy Policy CSP 40.**
- 21 Prior to the development being brought into use a scheme shall be submitted to and approved by the Local Planning Authority which shall specify the provisions to be made for the control of noise emanating from the site. Thereafter the development shall be carried out in strict accordance with the approved scheme.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**

- 22 Prior to the occupation 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.**

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**BARNESLEY MBC - Economic Regeneration**



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**2017/1113**

**Applicant:** Mr Richard Weilding

**Description:** Reserved Matters application of 2016/0952 - Residential development of 56 dwellinghouses and access (Amended Plans).

**Site Address:** Land off New Road/Lidgett Lane, Tankersley, Barnsley, S75 3AE

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One representation from a local resident.

## **Introduction**

The initial application for the reserved matters relating to the development was approved by Councillors in March of this year (ref 2016/1027). This application is a resubmission of that application. In summary it proposes plot substitutions across the site to update the plans to the applicant's most up to date house type range. The proposal remains for 56 dwellings as per the existing reserved matters approval.

## **Site Location and Description**

The site is located towards Lower Pilley and measures approximately 2.6ha. It is rectangular in shape and extends from Lidgett Lane to the North and New Road to the South. The site is mainly grassed over and is open to New Road but separated from Lidgett lane by an established hedge. Levels fall to the South by approximately 10m.

The site borders detached properties to the East, with further residential properties opposite Lidgett Lane to the North, and a recreational ground to the West. Beyond New Road to the South is a wooded area.

## **Site History**

2013/1007 – Residential development for up to 41 dwellings including means of access (Outline) – Approved 02/12/2014

2016/0952 – Variation of condition 3 of outline planning application 2013/1007 (residential development of up to 41 dwellings including means of access) to increase the maximum number of residential properties to 56 units, details of which shall be submitted as part of a separate application for the approval of reserved matters –Approved 24/01/2017.

2016/1027 - Reserved matters of application 2013/1007 'Residential development for 56 dwellings including means of access (Outline)', as amended by application 2016/0952 – Approved 27/03/2017.

## **Proposed Development**

The layout remains largely as previously approved and the dwellings themselves retain the same product names and the same internal spacing. The new property styles incorporate minor design changes, fenestration amendments and internal alterations.

The only total plot change would be plot 32 to the South East of the site. Previously, given the proximity of the dwelling to the trees to the West, the dwelling was proposed to be a smaller detached H411 'Milford' house. However, following on from additional assessments

from the applicant's Tree Consultant, they now consider that a larger 'L' shaped H587 'Oulton' House could be accommodated on the plot with basic pruning.

The proposal remains for 56 dwellings. However the amended mix is for 43no x 4 bed detached properties, 10no x 5 bed detached and 3 x 2 bedroom terraced.

As per the previously approved plans, the layout of the development would still be based around a main access road into the site, off New Road, with 3no. branches off. Those branches would then in turn serve several private drives, providing access to no more than 5 dwellings each. There would be no vehicular access from Lidgett Lane and no individual accesses off New Road.

## **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).

### Saved UDP Policies

UDP notation: Safeguarded land

Policy GS10 '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'.

### Local Development Framework Core Strategy

CSP1 'Climate Change'  
CSP2 'Sustainable Construction'  
CSP4 'Flood Risk'  
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'  
CSO13 'The release of Allocated Housing Land'  
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'  
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'

#### 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

#### Local Plan

SAF33 – Safeguarded land

#### Other

South Yorkshire Residential Design Guide

#### 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**

Tankersley Parish Council – No objections

Yorkshire Water Services – No objections

Highways – No Objections

Forestry Officer – No objections subject to conditions

Drainage – No Objections

Waste Management – No objections

Ward Councillors – No comments

## **Representations**

The applications have been advertised by way of site and press notices. Properties which share a boundary to the site have been consulted in writing. One letter of objection has been received. The main points of concern are:-

- Pedestrian safety
- Reduced highway safety

## **Assessment**

### Principle of Development

The principle of the residential development on the site has been accepted with the previous outline and reserved matters approvals. This report will purely focus on an assessment of the proposed changes to the previously approved plans.

### Residential Amenity

The principle of 56 no.dwellings on the site was considered and approved as part of application 2016/0952 & 2016/1027. The proposed plot substitutions would not significantly affect residential amenity for existing or proposed residents compared to what has previously been approved. The only plot which would increase in size would be plot 32 which is located to the South West of the site and does not adjoin existing dwellings. The proposed amendments to that plot would also not significantly affect the amenity of the future residents of plot 31 as the front projection garage would be set away from the shared boundary.

As a result of the comments above, the residential amenity section of the report for application 2017/1027 is still valid and is outlined below;

*There are no neighbouring properties to the South of the site, opposite New Road, as it accommodates a wooded area/plantation. There are also no properties beyond the Western boundary as it is shared with a recreation ground.*

*The closest neighbouring property to the site is The Hawthorn to the East. Plot 1 in the South Eastern corner of the site would share a boundary with that property but they would be on a similar building line and side elevation to side elevation. There would also be a separation distance of approximately 13m. The detached double associated with plot one would be adjacent to the shared boundary and beyond the neighbouring rear elevation but would be a relatively modest structure and orientated to the North West.*

*Plot 8 would also share a boundary with The Hawthorn but would be over 12m away with the closest part being the 1.5 storey garage off shoot. As such, it would not result in an overbearing feature and, because of its orientation and separation distance, would not significantly increase overshadowing. There are also no habitable room windows directly overlooking the boundary.*

*The side elevations of the dwellings and rear elevations of the attached garages of plots 10 and 56 would share a boundary with a neighbouring garden/land. The plots would be a significant distance from the neighbouring dwelling and only 1no. habitable room window, serving bedroom 5/study would face the boundary. Although there would be some overlooking, views would be towards large mature trees and would not be significant.*

*There are properties beyond Lidgett Lane to the North of the site, known as Knoll Cottages. These are side on to the development and built on a higher level. There would also be a 15m side to side separation distance from the closest property. In addition, the existing hedge along Lidgett Lane would be retained as well as an additional landscaping strip between the hedge and the proposed dwellings. As such, residential amenity would be maintained to a reasonable degree.*

*With regards to the residential amenity of the future occupants of the scheme, the separation distances generally comply with the guidance set out in SPD 'Designing New Housing Development' and both the internal and external standards meet or exceed the requirements of the SPD and the South Yorkshire Residential Design Guide.*

### Design & Layout

Given the relatively minor changes to the design of the dwellings as a result of the proposed plot substitutions, the visual amenity section of application 2017/1027 is still relevant and is pasted below. Plot 32 would have a different house type compared to the previous application. However, it is a house type which is found elsewhere on the development and would therefore not be out of keeping.

*A number of the proposed dwellings front onto New Road, although they do not take direct individual access from it. As with the existing dwellings immediately adjacent to the East of the site, the proposed dwellings would be set back from the existing highway and a landscaping strip is proposed to the site frontage to soften the development and act as a buffer in order to retain the 'green' and 'countryside' feel to the area. Similarly there are dwellings which have their front elevations orientated to Lidgett Lane, although do not have direct access to it. The existing mature hedge would be retained to maintain the 'lane' feel and also a landscaping strip would be incorporated behind it to soften the development.*

*The development would also be softened by the tree belt which runs along the Western boundary of the site and would restrict views of the development when traveling from the West on New Road and Lidget Lane and also from public vantage points within the recreation ground.*

*It is acknowledged that there are fields to the West of the site and low density housing to the East, and as such the proposed development would obviously have a higher density than its immediate surroundings. However, as outlined above permission has already been granted for upto 56 dwellings on the site and the density is still relatively low compared with other parts of the borough at 21 dwellings per Hectare. Furthermore, the majority of the house types proposed are larger 4 and 5 bed detached properties which are more commonly found in rural areas. The dwellings are also a maximum of 2 stories in height which is representative of the dwellings in the surrounding area.*

*The proposed internal layout involves a main cul-de-sac with two smaller cul-de-sacs extending off to the East and West. The roads have a hierarchy with the main estate road being wider and incorporating grass verges. The cull de sacs are more intimate with just hard margins and the private drives more intimate still with shared surfaces. This hierarchy aids legibility through the estate and is in accordance with Building for Life 12.*

*The majority of dwellings will face onto the estate roads with some being served by shared private drives leading off them. As outlined above, dwellings adjacent to New Road and Lidgett Lane will face those roads but have no direct access. This will result in active elevations facing existing roads in order to make a positive contribution to the streetscene. In the case of corner plots, house types with active elevations to both roads have been proposed or the dwellings have been set at an angle to the corner.*

*All plots are set back from their respective roads, separated by garden/landscaping areas. In terms of car parking, the majority of the spaces are provided to the side elevations which reduces the dominance of the car on the streetscene and also aids to separate the dwellings giving a more open and spacious feel.*

*In terms of the house types themselves, they are considered acceptable for the site and appear of a higher quality befitting of the rural surroundings. There are 7 house types proposed which adds to the mix and interest throughout the development, in accordance with CSP 14 and aids to provide an attractive streetscene. There are also a mixture of materials proposed which again adds interest and variety.*

### Affordable Housing

The affordable housing provision would remain as previously approved (see below).

*The site falls within Penistone East which is part of the Rural West whereby a 25% affordable housing requirement is needed in accordance with policy CSP15. The subtext of the policy alludes to the fact that this need can also be met offsite. Indeed Members will be aware that offsite contributions have been considered on recent developments elsewhere in the Borough including the previous permissions on this site.*

*The previous application (2013/1007) was considered alongside a further outline residential development at land off Pilley Green/Lidgett Lane for 31 units which was also by the previous applicant. The previous applicants committed to the delivery of a combined 18 offsite affordable units which would have been constructed at the former Rockingham Colliery site which was owned by the applicants and obtained planning permission under application B/02/0986/WB for the construction of 41 dwellings. With the exception of the 18 units the site has been constructed, being developed in the mid 2000's by Ben Bailey Homes. The planning permission therefore remains extant. The delivery of the affordable units was included within a s106 agreement.*

*Application 2016/0952 which was approved to increase the maximum number of residential properties to 56 units, was subject to a further s106 agreement. However, at that stage this site was being considered on its own and not in conjunction with the Pilley Green Site. As such, the Affordable Housing requirement needed to be site specific and be representative of the 56 units being proposed. A new Section 106 was therefore agreed under 2016/0952 which, in accordance with CSP 15, calculated that 14no affordable units are required for this site. There would still be 10 units provided off site on the Rockingham Colliery development and 3no. 2 bed units would also be accommodated on site. However, this would leave a deficit of 1no. affordable unit, therefore, a contribution of £38,352.07 is also required. The above requirements have therefore been incorporated as part of the signed s106 agreement relating to the outline application (2016/0952).*

### Education

The Education would remain as previously approved:-

*The Education Officer was consulted on application 2016/0952 and calculated that there is a surplus at primary schools but a deficit of places at secondary schools, as such, compensation would be required for the additional 9 secondary school places generated by the development. The contribution per place for secondary schools equates to £14,102, therefore, an overall contribution of £126,918 (9 x £14,102) is required as a result of the development. As with the Affordable housing contribution above, this has been included within the signed s106 agreement which followed on from the approval of 2016/0952.*

## Green Space

The contribution would remain as previously approved (see below):-

*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 offsite facilities*

*General open space requirements require a minimum of 15% of the gross site area of new housing development must be open space of a type appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses as per 'SPD: Open Space Provision on New Housing Development' standards. An initial green space assessment states that an off-site contribution would be required, in connection with the requirement for new green space as per policy requirements. Condition 6 of outline application 2016/0952 requires a scheme for provision of or enhancement to off-site public open space.*

*As details of the properties are now available as part of this application, the contribution calculation for off-site provision, as part of appendix 2 of SPD 'Open Space provision on New Housing Developments Consultation', can now be utilised. There are 53 no. dwellings with 4+ bedrooms which generate a contribution of £2013.13 per dwelling (£106,695.89) and 3no. 2 bedroom properties which generate a contribution of £1436.82 (£4310.16). As such, a total off site contribution of £111,006.35 is required. This can be secured through a legal agreement.*

## Highways Safety

There are no proposed changes to the road layout or parking provision. Plot 32 would accord with SPD 'Parking', as such, the previous comments are still relevant (see below):-

*Highway safety issues have been a prevalent concern expressed within the many representations received on the previous applications and also form part of the representation received for this application. Principle concerns relate to the volume of traffic on local roads, inadequacy of Lidgett Lane and annual Flooding along New Road. 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 crux of resident's highways objections remains one of safety and capacity for the highway infrastructure to accommodate the proposed scale of growth. In response to this, the previous applications were accompanied with an independent Transport Assessment, and associated addendums, despite falling below the relevant threshold. The conclusion reached was that the site can be accessed safely and would not have a detrimental impact on the local highway network. As such, the previous outline application was approved and included access. As such, access onto the site from New Road has been approved and this application will not revisit that, but, aims to consider the internal road layout and parking provision.*

*Highways DC have been involved with the application from an early stage and the initial layout has been revised on the back of their recommendations. The proposed internal layout is considered acceptable and provides adequate visibility splays, turning heads and pedestrian areas. It is noted that some of the garages would fall short of the dimensions set out in the 'South Yorkshire Residential Design Guide', however; in any case, each property would have at least 2no. parking spaces, in accordance with SPD 'Parking'. In terms of the internal layout therefore, Highways have raised no objections to the scheme*

## Trees

As mentioned above, the proposed house type at plot 32 would be closer to the tree belt to the West than the previously approved, smaller plot. The applicant states 'the tree itself is not a high quality specimen in that has been identified as a retention category C tree in accordance with BS 5837:2012. Pruning could be achieved without this being detrimental to future health of T1 and without affecting the appearance of the boundary vegetation as a whole'.

On submission of full pruning details the Tree Officer has agreed that the proposed house type could be accommodated on the site without significant damage to the tree or potential future problems to the house as a result of the tree. In addition the substitution of plot types across the rest of the site would not significantly impact the trees in comparison to the previous approval.

## Landscaping

A detailed landscaping plan, showing species, heights etc. has not been submitted alongside the application. However, a landscaping condition is included on the outline and full details would be required to be submitted prior to commencement.

An indicative landscaping layout is provided showing the retention of the trees and hedges to the boundaries of the site, additional planting/buffer zones adjacent to Lidgett Lane and New Road, as well as areas of planting throughout the site, including grass verges along the main access route through the site. As such, adequate areas have been set aside for landscaping to aid soften the development and allow it to sit comfortably within its semi-rural setting.

## Ecology

Ecology would not be impacted any further as a result of the plot substitutions, the previous comments are still relevant (see below):-

*As mentioned above, the principle of residential development of upto 56 dwellings has previously been set. A Biodiversity Mitigation and Enhancement Plan has been submitted alongside this planning application. However, the Councils Ecologist has assessed the details contained in this report and requires further information. Condition 23 of the outline permission required information mitigation and enhancement details to be submitted with the reserved matters application, this has been done but not to a satisfactory standard, in addition, since that report was submitted additional amendments have been made to the layout within close proximity to the trees and hedgerows. Therefore, an additional condition will be recommended to ensure appropriate mitigation measures are in place.*

## Conclusions

The acceptance of the housing development has been set with the approval of applications 2013/1107, 2016/0952 and 2016/1027. The proposed plot substitutions would not significantly alter the scheme previously approved and therefore remains satisfactory with regards to visual amenity, residential amenity, highway safety and all other material considerations. Once again therefore the application is recommended for approval.

## **Recommendation:**

Members resolve to grant approval subject to the conditions listed and a deed of variation to the existing Section 106 agreement (education, open space and affordable housing).



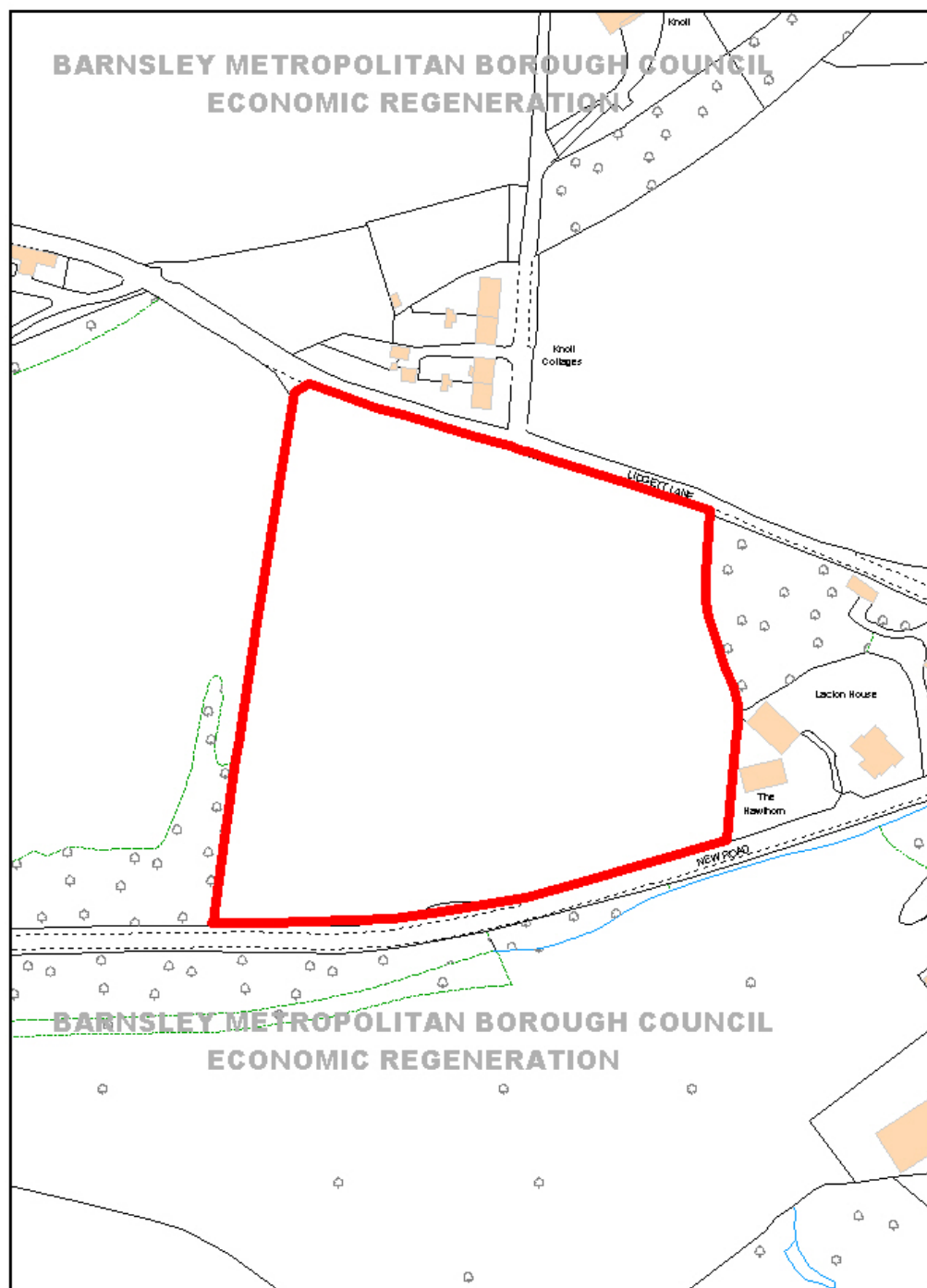
- 1 The development hereby approved shall be carried out strictly in accordance with the plans (Nos 2235-TL01-H, 2235-ML01-C, H411---7 'Milford', H436--X7 'Layton', H497--7 'Chelworth', H469--X7 'Holden, H587---7 'Oulton' & N200TE-5) and specifications as approved unless required by any other conditions 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.**
- 2 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.**
- 3 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.**
- 4 The development shall proceed in accordance with the Biodiversity Mitigation and Enhancement Plan (Ref - R-2806-01.1) dated January 2017 and retained as such thereafter.  
**Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**

PA reference :-

2017/1113

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### BARNSELY MBC - Economic Regeneration

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



Scale 1:2500

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**2015/0895**

**Applicant:** Mr W Cooke, C/o Reshape Architecture and Design Ltd

**Description:** Erection of 5 no. detached and semi-detached residential dwellings (Amended Plans).

**Site Address:** Former Garage Site at Kirk Cross Crescent/Pinfold Lane, Royston, Barnsley, S71 4PJ

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Councillors may recall that the application was approved by the Planning Regulatory Board in December 2016, subject to the completion of a S106 legal agreement requiring compensatory Green Space provision. The application is referred back to the Board due to amended plans being submitted prior to the completion of the S106 Agreement.

5 letters of objection were reported previously. However no further objections have been received in response to the amended plans re-consultation exercise.

## **Site Location & Description**

The application relates to a triangular shaped former garage site, measuring approximately 0.27ha, which sits to the rear of several semi-detached properties fronting Kirk Cross Crescent and West Pinfold.

The site is largely vacant and generally laid to grass, apart from a gravel access track serving a small number of access points to the rear amenity spaces of the neighbouring dwellings. The site was previously accessed via a long diagonal track known as Pinfold Lane that connects with Kirk Cross Crescent to the south of the site. However this has since been introduced as a Safe Route to Carlton Community College from West Royston, although it does continue to serve a small number of properties along Pinfold Lane.

Residential properties boarder the site to the North and East and a row of trees/hedges separate the site from Pinfold Lane to the South West. Beyond Pinfold Lane are open fields designated as Green Belt.

## **Proposed Development**

The previously approved scheme was described as follows;

*The applicant seeks permission to erect 5 two storey dwellings. 3 would be detached and remaining 2 semi-detached. Those would house 2 x 3 bed and 2 x 4 bed houses.*

*Parking provision would be achieved via a mixture of in curtilage parking and integral garages. 2 spaces per dwelling would be provided and a visitor space adjacent to plot 5.*

*Access would be taken from Kirkcross Crescent adjacent to number 52 via a newly constructed private drive. This would pass over a grassed area which is registered as Green Space on the Council's register of Green Space sites.*

*There is an existing area of vegetation to the South West of the site which separates it from Pinfold Lane. This would be retained as part of the proposal.*

The applicant now seeks to add a single storey lean to extension on each of the 3no. detached properties. The new addition would project 2.9m, measure 4.5m wide and would have a height of 3.2m. It would be open plan to the previous dining kitchen to create a seating/family area.

## **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 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.

### The Core Strategy

CSP1 Climate Change  
CSP3 Sustainable Drainage Systems  
CSP 4 Flood Risk  
CSP8 The Location of Growth  
CSP9 The Number of New Homes  
CSP10 The Distribution of New Homes  
CSP14 Housing Mix and Efficient Use of Land  
CSP25 New Development and Sustainable Travel  
CSP26 New Development and Highway Improvement  
CSP29 Design  
CSP35 Green Space  
CSP36 Biodiversity and Geodiversity  
CSP39 Contaminated and Unstable Land  
CSP40 Pollution Control and Protection

### Unitary Development Plan

The UDP designation is Housing Policy Area

### Saved UDP Policies

UDP notation: Housing Policy Area

Policy H8 – Areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use. Other uses will only be permitted where they are compatible with a residential area and other policies of the plan.

Policy 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.

#### Relevant Supplementary Planning Documents and Advice Notes

SPD Designing New Housing  
SPD Parking

#### NPPF

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

#### **Consultations**

Drainage – No objections subject to conditions

Yorkshire Water – No objections subject to conditions

Highways DC – No objections to revised plan

Waste Management- No comments have been received.

Public Rights of Way – No objections

Ward Councillors – Cllr Clements requested that the application was determined by Councillors.

Tree Officer – No objection subject to conditions and further details

#### **Representations**

The applications have been advertised by way of site and press notices. Properties which share a boundary to the site have been consulted in writing. Neighbours were also re-consulted following an amendment of the access from Pinfold Lane to the new driveway off Kirk Cross Crescent and again following the latest revision for the additional rear projections.

As a result of the consultations, 5 letters of objection were received prior to the December 2016 PRB. The main points of concern are:-

- Increase in noise and disturbance
- Loss of privacy/overlooking
- Overbearing impact
- Overshadowing
- Reduced enjoyment of home & garden

- Access issues
- Pressure on drainage
- Historic flooding issues
- Reduced highway safety

There have been no additional objections received following the latest rounds of consultation on 09/11/2017 which offered residents a further 14 days to make comments.

## **Assessment**

### Principle of Development

The principle of the development was set out in the previous report as follows:-

*The site is allocated as Housing Policy Area in the currently adopted UDP proposals maps. In addition the site is located in an established residential area which is a priority to accommodate new housing growth. Furthermore the development would contribute towards the recycling of derelict land located within urban areas. These are all sustainable development credentials in favour of the proposal.*

*It should be noted that the site is on the Council's Green Space register and is also proposed to be designated as Green Space in the Local Plans Maps. However, due to its limited function, size and location it is considered that its loss would not affect the existing and potential green space needs of the Borough, especially as the majority of the site previously functioned as a garage site. As a result, the proposed development would not be in conflict with policy CSP35 'Green Space, subject to a compensation contribution being paid.*

*Furthermore, it is also important to note that the Council cannot demonstrate a deliverable five year supply of housing land and as such the presumption in favour of sustainable development in the National Planning Policy Framework (NPPF) applies. This means that permission should be granted unless the adverse impacts of the development significantly and demonstrably outweigh the benefits.*

*Notwithstanding, new dwellings proposed within existing residential areas 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, infill development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.*

The minor nature of the changes does not alter this previous assessment position in land use planning policy terms, subject to residential and visual amenity levels being maintained for both existing and future residents. These themes will be explored below under the following headings:-

### Highway Safety

The proposed amendments would not affect the previous access and parking arrangements that were approved by Councillors. As such the comments on the previous report are still relevant as outlined below:-

*Originally the applicant proposed access to the site along Pinfold Lane which is where the garage site currently takes access. However, Pinfold Lane has in recent years been resurfaced and used as a 'Safer Route to School' linking Royston to the North with the*

*Carlton Academy School to the South East. As such, there would likely be a conflict between vehicles and pedestrians.*

*As a result, and, as the Council were selling the garage site and also owned the triangular Green Space to the South east, between Pinfold Lane and Kirk Cross Crescent, it was considered a better option to separate the access from Pinfold Lane and create a new one off Kirk Cross Crescent, along the side boundary of number 52. As such, the proposed access would only adjoin Pinfold Lane at the entrance to the former garage and minimise conflict between the two, in accordance with CSP 26.*

*Councillors and residents did raise concern with regards to the potential of vehicles deviating from the access drive over the neighbouring Green Space or using the drive as a shortcut to Pinfold Lane. To address these concerns the applicant has agreed to a physical barrier along the length of the access road to prevent this from happening. Details of the barrier will be requested as a condition.*

*Highways have been consulted on the revised access and have raised no objections and are satisfied that adequate visibility exists at the junction of the new access and Kirk Cross Crescent. Furthermore, within the site itself the properties would be allocated 2no. parking space each in accordance with SPD 'Parking'. There would also be a visitor parking space adjacent to the site entrance.*

*The proposed access road would serve as a private drive which is acceptable given it would serve the maximum number of 5 properties, in accordance with the South Yorkshire Residential Design Guide. The first few metres of the access would be 4.5m wide to allow vehicles to pass and also avoid vehicles waiting on the highway to turn into the site. Turning facilities are also provided with the site adjacent to plot 1 so that vehicles which enter the site could exist in a forward gear.*

*As the drive would be private refuse vehicles would not enter the site. However, the applicant has proposed a bin collection area adjacent to Kirk Cross Crescent so that on collection days the bins could be collected from adjacent to the adopted highway but no cause an obstruction to the footpath or the access road.*

*As Councillors will recall, the application was deferred from the November PRB following the site visit which raised concerns regarding the turn into the site which is proposed to be located between the rear boundary of number 52 and Pinfold Lane. The site plan has been slightly amended and the access road is entirely within the land being bought by the applicant, as shown on the submitted legal plan. As such, the applicant has demonstrated that the development can be accommodated within land under their control/ownership.*

*If there are any discrepancies on the ground this would result in a boundary dispute between the applicant and the owner of number 52 Kirk Cross Crescent which is separate to planning. The applicant also proposes to replace the side and rear boundaries for the owners of number 52 in order to maintain privacy levels. Any amendments to boundary lines, in accordance with the legal plans, could be done at that stage to accommodate the development.*

#### Residential Amenity

The proposed extensions would reduce the separation distances between neighbouring rear elevations and shared boundaries compared with the previously approved plans. However, plots 2 and 3 would still be in excess of the distances set out in SPD 'Designing New Housing Development' from the existing properties. It is acknowledged that due to the angle of the site and the neighbouring properties, the proposed projection on plot 1 would fall short

of the recommended separation distances, but, given the projection is single storey, overlooking would be avoided due to the boundary treatments. That would also be the case for the side elevation windows. Furthermore, given the modest nature of the projections they would not significantly increase overshadowing or result in overbearing features compared to what was previously approved.

### Design & Visual Amenity

The proposed extensions would be to the rear of the 3no. detached properties and would be in non-prominent positions with limited views from public vantage points. In any case, the projections are of a scale and design which would harmonise with the previously approved dwellings. As such, visual amenity would be maintained to a reasonable degree, in accordance with CSP 29.

### Footpath

The footpath would not be further affected by the proposed projections and as such the comments in the previous report are still relevant:-

*There is an existing footpath which crosses the site from Pinfold Lane to West Pinfold which is currently blocked off physically but not legally. As the proposed dwellings would not interfere with the line of the footpath the applicant would have to apply through the Highways act, not the Planning Act, to stop up the right of way. The Footpath Officer has no objection to this given the footpath has not been used for a number of years; however, the applicant would need to go through the proper channels to achieve this.*

### Trees

The proposed projections do not further affect trees and as such the previous comments are still relevant:-

*The majority of the existing trees/hedges/vegetation on the site would be retained as shown on the proposed layout plan. This would be a benefit to visual amenity and also maintain a physical barrier between the development and Pinfold Lane.*

*As mentioned above, by repositioning the access from Pinfold Lane to Kirk Cross Crescent, a mature tree alongside Pinfold Lane can be retained as widening works are no longer necessary.*

### Green Space

The Green Space comments and contributions remain as follows;

*As mentioned previously both the former garage site and the site of the proposed access are on the Green Space Register. The greenspace value of the site to the wider area has been assessed and it has been concluded that its loss would not affect the existing and potential green space needs of the borough, especially as the majority of the site previously functioned as a garage site. As a result, the proposal would be in accordance with policy CSP35 'Green Space, subject to a compensation contribution being paid. The contribution required is £10,000 in total and would be subject to S106 agreement.*



## Conclusion

In conclusion it is considered that the revised proposal is still considered a sustainable development which accords with the objectives and principles of the UDP policies H8A, H8D, core strategy policies CSP 26 and 29 and SPD 'Designing New Housing Development' in that it will successfully integrate into the existing residential environment without harming the amenity of existing residents. Approval is therefore recommended subject to the payment of a commuted sum of £10,000 as compensation for loss of Green Space.

## Recommendation

**Grant** planning permission with conditions subject to s106 agreement

- 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. 17-Royston-2, 17-Royston-3, 1-Royston-4 & 15-Royston-6) 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 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 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.**
- 5 Upon commencement of the development, full 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.**

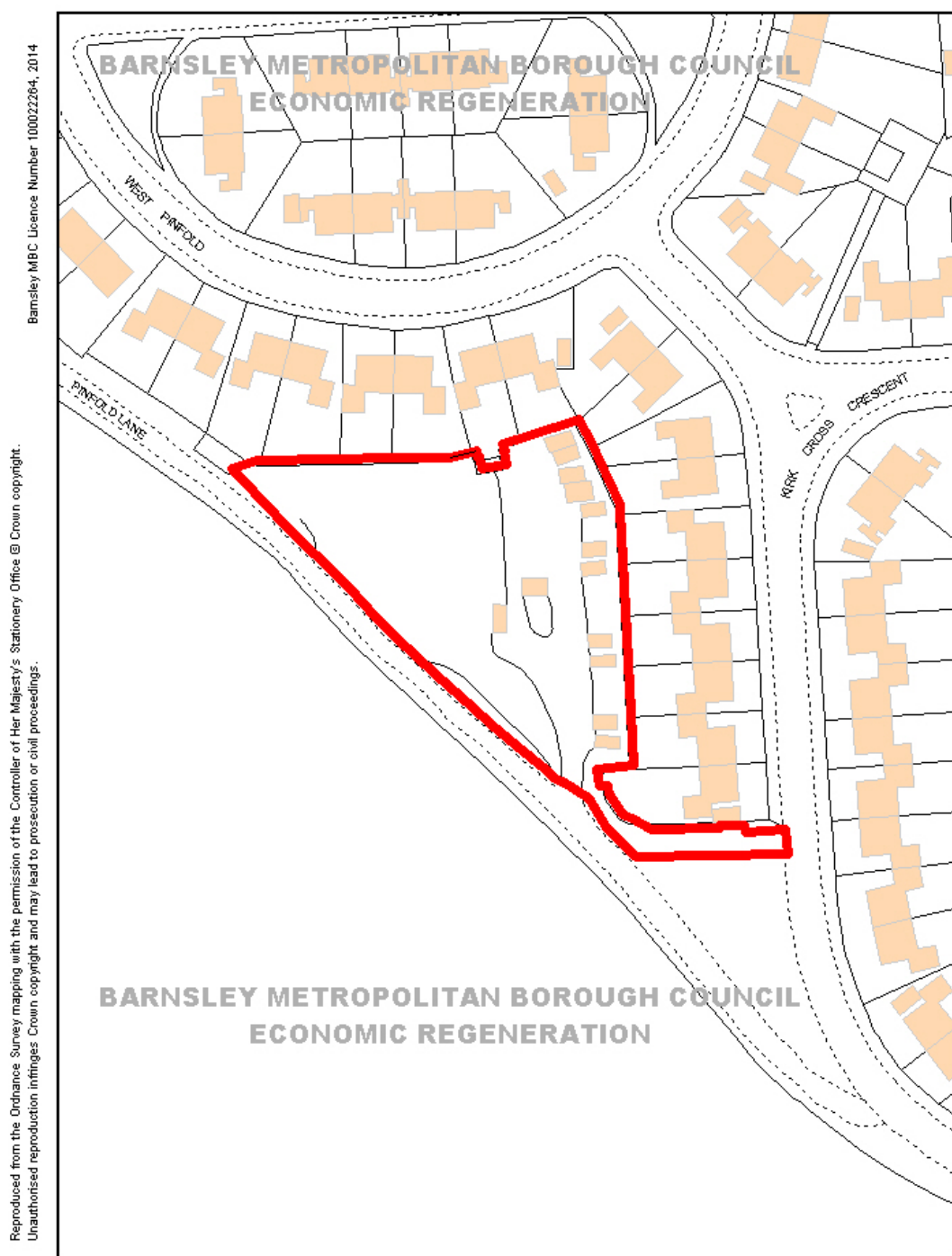
- 6 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of the highway barrier to run alongside the proposed access road running from Kirk Cross Crescent to the site.
- The works shall be completed in accordance with the approved details and prior to the occupation of any dwelling hereby approved and thereafter retained as such.  
**Reason: In the interests of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 7 The parking/manoeuvring facilities indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the dwellings being occupied, and shall be retained for that sole purpose at all times.  
**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 8 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.**
- 9 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.**
- 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 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 10 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.**

- 12 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.**
- 13 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:
- Tree protective barrier details  
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.**
- 14 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.**
- 15 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.**
- 16 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.**

- 17 The 1800mm high wall proposed along the Southern and Western boundaries of number 52 Kirk Cross Crescent shall be completed prior to the occupation of any dwelling hereby approved and thereafter retained as such.  
**Reason: In the interest of residential amenity in accordance with CSP29 and CSP40.**
- 18 The first floor side windows on plot 5, facing No.46 Kirkcross Crescent, shall be obscure glazed and shall be retained as such thereafter.  
**Reason: In the interests of neighbouring amenities in accordance with CSP29.**

PA reference :-

2015/0895



**BARNSELEY MBC - Economic Regeneration**

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

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**2017/1400**

**Applicant:** Berneslai Homes, C/o NPS Barnsley

**Description:** Erection of 2 pairs of semi-detached bungalows with associated access works.

**Site Address:** Manor Grove and West End Avenue, Royston, Barnsley.

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The application is referred to the Board for determination as Berneslai Homes are the applicants. No representations have been received from members of the public.

## **Site Description**

The application relates to a 0.1 hectare site which is located off Manor Grove in a predominantly residential area located to the west of Royston Centre. The site was previously used for residential purposes, although no dwellings have been on the site for around 10 years. To the north of the site is a small shopping parade, comprising of 4 units with residential flats above. Adjacent to the shops is a garage site which previously served the dwellings on the site.

The area is predominantly residential and is mainly characterised by bungalows that were originally built by the Local Authority. The dwellings are of similar design, with either hipped or gable roofs and materials include buff and red brick, render and concrete roof tiles.

An application for a development of 7 bungalows on land located further along Meadstead Drive was approved by Councillors at the November Planning Board meeting (ref 2017/1203).

## **Planning History**

Permission was granted in 2013 (Ref. 2013/0169) for the erection of one pair of semi-detached bungalows, accessed from Manor Grove. However, this permission was not implemented and has subsequently lapsed.

## **Proposed Development**

The applicant, Berneslai Homes, is seeking permission for the erection of 2 no. pairs of semi-detached bungalows on the site, with a private access drive to one of the pairs of bungalows also being created. All the bungalows will be managed by Berneslai Homes. All 4 bungalows will be 2 bed/3 person dwellings, with off street parking and rear gardens provided. The properties would be uniformly designed, both having hipped roofs with small front gables. Timber fencing would serve as boundary treatments between the two properties, with metal railings in front of plots 3 & 4, with plots 1 & 2 having a low brick wall along the boundary with the highway.

Materials of red brick elevations and dark grey modern roof tiles are proposed for all properties.

**N.B:** On 5/12/17, the 900mm brick wall adjacent to the driveway for Plot 2 was replaced with 1m high metal railings, following comments from highways.

## Policy Context

### UDP Notation: Housing Policy Area

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise and the recently introduced NPPF does not change the statutory status of the development plan as the starting point for decision making.

The Council has submitted its emerging Local Plan to the Secretary of State it is 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).

The emergent policies of the Local Plan that are attributable to this development are GD1 and D1. In general they resonate with the requirements of Core Strategy Policy 29.

### Saved UDP Policies

Saved UDP Policy H8 (Existing Residential Areas) states that areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use.

Saved UDP Policy 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.

### Core Strategy Policies

CSP10 'The Distribution of New Homes' commits 5% of the Boroughs Housing to be built within Royston (1000 properties).

CSP14 'Housing Mix and Efficient Use of Land' states that proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and sustainable communities. It also states that a minimum development density of 40 dwellings per hectare will be expected. In addition 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.

CSP 26 – 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.



CSP 29 sets out the overarching design principles for the borough to ensure that development is appropriate to its context. The policy is to be applied to new development and to the extension and conversion of existing buildings.

Relevant Supplementary Planning Documents (SPD) and Guidance

SPD – Designing New Housing Development sets out the principles that will apply to the consideration of planning applications for new housing development; including infill and backland development.

SPD – Parking supplements Core Strategy Policy CSP 25 New Development and Sustainable Travel and sets out the parking standards that the Council will apply to all new development.

South Yorkshire Residential Design Guide –Technical Requirements section 4A.2 sets out the internal space requirements for new development.

NPPF

The National Planning Policy Framework set 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
- Design para’s 58 – 65

These policies 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.

**Consultations**

Highways DC – No objections, subject to conditions

Highways Drainage – No objections, subject to conditions

SYMAS – No objections to proposal. Requested that Coal Authority Standing Advice should be included with any decision granted

Ward Councillors – All 3 Ward Councillors have expressed support for the proposal.

**Representations**

Notification letters were sent to surrounding properties and a site notice was posted at Manor Grove on 3/11/17. No comments or representations were received.

## **Assessment**

### Principle of Development

The site is located within an established residential area which is well connected in terms of access and services. Planning policy has for a long time been committed to the principles of sustainable development. In this instance it is considered that the reinstatement of residential use to the site represents a highly sustainable re-use of a brownfield site.

The housing needs assessment for the Royston area identifies there to be a high demand for bungalow accommodation to meet the needs of an aging population and those with mobility issues. The proposals contribute to providing much sought after affordable housing which will help to address local needs which is in accordance with policy CSP14.

The development proposals are therefore acceptable in principle subject to appropriate consideration being given to the, relationship to existing properties and suitability of the access arrangements.

### Residential Amenity

It is acknowledged that the site is currently undeveloped and the creation of 4 dwellings would increase noise and disturbance through residential activity and vehicular movements. However, site is surrounded on all sides by residential development and the addition of 4 modestly sized properties within the area would not increase noise and disturbance to an unreasonable degree.

Plots 1 and 2 are located 7-10m from No.5 Manor Court to the west and 12m from the first floor flats above the shops at Nos 21, 23 and 25 Manor Drive. However as the proposed dwellings are bungalows with hipped roofs sloping away from each of the existing properties in question no significant harm to living conditions would occur through either overlooking or overshadowing. In addition the proposed new 1.8m fence on the western boundary would screen a large proportion of the development from No.5 Manor Court. Plots 1 and 2 face the garden of No.7 Manor Grove which is to the south. However the separation distance of nearly 15m is a more than adequate distance away. Overall therefore I am satisfied that the development would not harm residential amenity to any significant degree.

The proposed dwellings would have an internal floor area of circa 67m<sup>2</sup> which exceeds the 62m<sup>2</sup> set out in the South Yorkshire Residential Design Guide for 2 bedroom properties. The dwellings would also have adequate outdoor amenity space consisting of a front garden and private rear garden containing patio and lawn. As such, residential amenity levels for future residents would be provided.

### Visual Amenity

The land previously had dwellings sited on it, however since their demolition, the plot has remained undeveloped. The derelict site is at odds with its immediate surrounding given that it is an area of land within a relatively densely developed residential area.

Plots 1 & 2 of the development would have a frontage onto Manor Drive and continue a similar front building line as the existing properties in the area, effectively in filling the gap in the current street scene. The development would reflect the street scene, which is characterised predominantly by bungalows.

Plots 3 & 4 would be partially visible from the street scene, given that the level of the site rises from South to North. However, views would be limited given the position of the neighbouring properties and, as mentioned above, the development would be reflective of the street scene.

The dwellings themselves are relatively simple in design and would be constructed from brick and tile to reflect the local palette of materials. Interest would be added to the front elevations of the dwellings through the front projecting gables.

Parking would be provided to the front of the properties in the case of plots 1 and 2 and at the sides of 3 and 4 providing a mixture of parking solutions. The hardstanding would be balanced out well by the soft landscaped front gardens.

There is a number of differing boundary treatments proposed across the site, including a number in relatively prominent positions. Full details have been submitted with the application which shows more robust and better quality treatments in the more prominent areas. The proposed mix of treatments would also be reflective of the area and not result in dominant features on the street scene.

### Highway Safety

Plots 1 & 2 would be accessed directly from Manor Grove, with a new private driveway installed to serve Plots 3 & 4. Plots 1 & 2 will have 2 no. off-street parking spaces per dwelling, Plots 3 & 4 will have 1 no. parking space each with a further 2 no. visitor parking spaces located on the new private drive.

Turning facilities for Plots 1 & 2 would be contained within the private drive avoiding reversing manoeuvres within Manor Grove itself. The road is not classified and the addition of 2 no. additional driveways would not reduce highway safety to an unreasonable degree. In order to improve visibility for vehicles entering and exiting the driveway to Plot 2, the low brick wall has been replaced with railings adjacent to the new private drive to Plots 3 & 4.

### **Conclusion**

In conclusion, it is considered that the proposal represents a sustainable development which accords with the objectives and principles of the UDP policies H8A, H8D, core strategy policies CSP 26 and 29 and SPD 'Designing New Housing Development' in that it will successfully integrate into the existing residential environment without harming the amenity of existing residents.

### **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 (Drawing Nos. NPS-XX-00-DR-A-(00)-211 Rev. P2, NPS-XX-XX-DR-A-(00)-212 Rev. P1, NPS-XX-00-DR-A-(00)-213 Rev. P3, NPS-XX-XX-DR-A-(00)-214 Rev. P1, NPS-DR-A-(00)-220 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 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.**

- 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 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 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.**

- 7 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.**

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

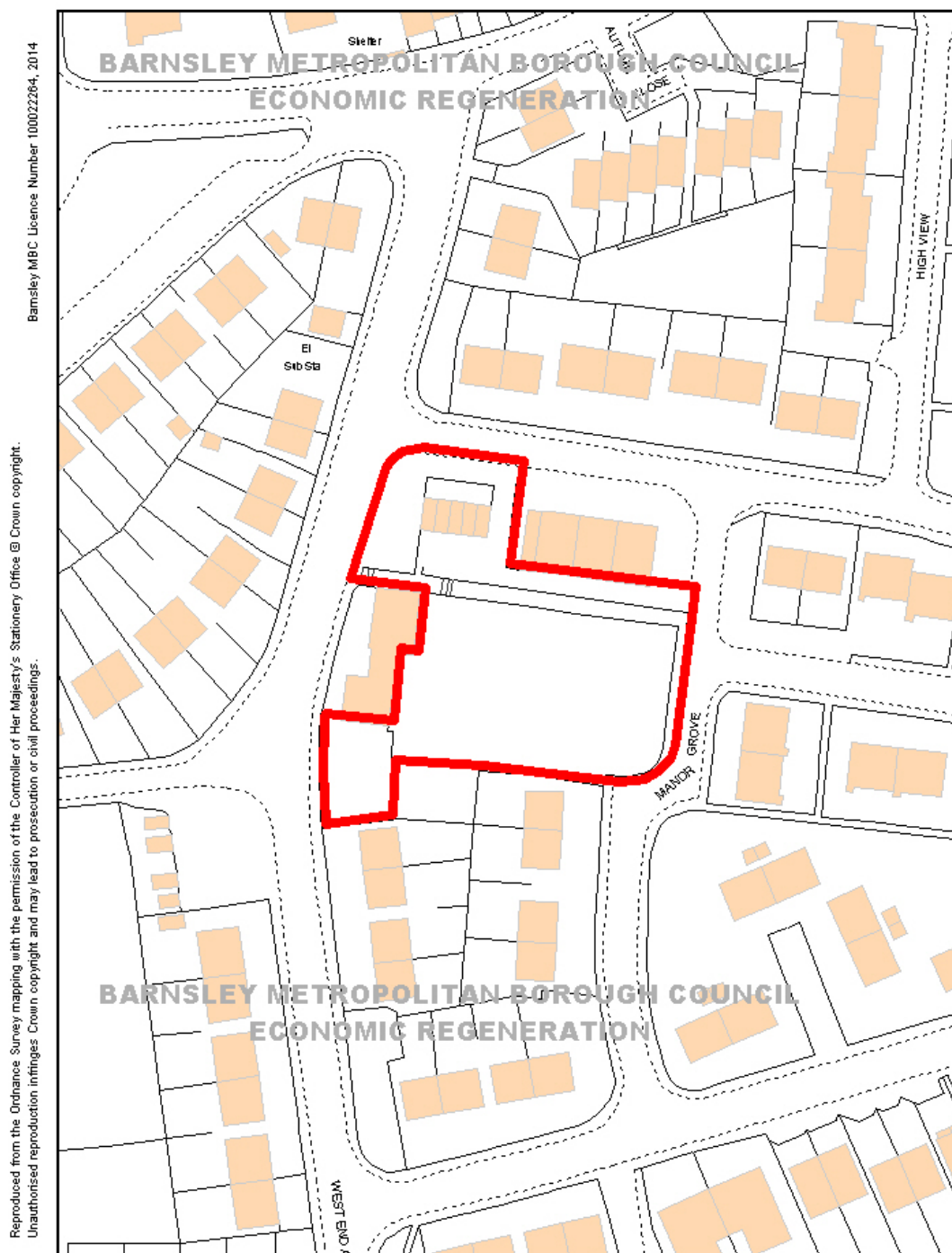
- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction
- Measures to prevent mud/debris from being deposited on the public highway

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

- 9 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.**
- 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 Sightlines, having the dimensions 2.4m x site frontage shall be safeguarded at the drive/entrance/exit such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

PA reference :-

2017/1400



**BARNESLEY MBC - Economic Regeneration**

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



Scale 1:1250

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**2017/1426**

**Applicant:** Berneslai Homes, C/o NPS Barnsley Ltd

**Description:** Erection of 1 pair of semi-detached bungalows.

**Site Address:** West End Avenue, Royston, Barnsley

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The application is referred to the Planning Regulatory Board as Berneslai Homes are the applicants. No representations have been received from local residents.

## **Site Description**

The application relates to 600m<sup>2</sup> of land located at the junction of West End Avenue and West End Crescent in Royston. The site is currently used as a garage site, with 3 no. pre-fabricated garages located to the rear of the site. The land backs onto a row of allotment gardens to the rear and to the south is a row of semi-detached bungalows. Two storey semi-detached houses are located to the north and further bungalows are located to the east. The area is predominantly residential and is characterised by a mixture of bungalows and two storey semi-detached houses that were originally built by the Local Authority. The dwellings are of similar design, with either hipped or gable roofs and materials include buff and red brick, render and concrete roof tiles.

Planning permission was granted by Councillors at November Planning Board for a development of 7 bungalows on land located nearby on Meadstead Drive (Ref. 2017/1203).

## **Proposed Development**

The applicant, Berneslai Homes, is seeking permission for the erection of 1 pair of semi-detached bungalows on the site. Both bungalows will be 2 bed/3 person dwellings, with off street parking and rear gardens provided. The properties would be of matching design, both having hipped roofs with small front gables. Timber fencing would serve as boundary treatments between the two properties, with metal railings dividing the plots at the front and a low brick wall along the boundary with the highway.

Materials of red brick elevations and dark grey modern roof tiles are proposed for all properties.

## **Policy Context**

UDP Notation: Housing Policy Area

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise and the recently introduced NPPF does not change the statutory status of the development plan as the starting point for decision making.

The Council has submitted its emerging Local Plan to the Secretary of State it is 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).

The emergent policies of the Local Plan that are attributable to this development are GD1 and D1. In general they resonate with the requirements of Core Strategy Policy 29.

#### Core Strategy Policies

CSP10 'The Distribution of New Homes' commits 5% of the Boroughs Housing to be built within Royston (1000 properties).

CSP14 'Housing Mix and Efficient Use of Land' states that proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and sustainable communities. It also states that a minimum development density of 40 dwellings per hectare will be expected. In addition 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.

CSP 26 – 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.

CSP 29 sets out the overarching design principles for the borough to ensure that development is appropriate to its context. The policy is to be applied to new development and to the extension and conversion of existing buildings.

#### Saved UDP Policies

Saved UDP Policy H8 (Existing Residential Areas) states that areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use. Saved UDP Policy 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.

#### Relevant Supplementary Planning Documents (SPD) and Guidance

SPD – Designing New Housing Development sets out the principles that will apply to the consideration of planning applications for new housing development; including infill and backland development.

SPD – Parking supplements Core Strategy Policy CSP 25 New Development and Sustainable Travel and sets out the parking standards that the Council will apply to all new development.

South Yorkshire Residential Design Guide –Technical Requirements section 4A.2 sets out the internal space requirements for new development.



## NPPF

The National Planning Policy Framework set 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
- Design para's 58 – 65

These policies 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.

### **Consultations**

Highways DC – No objections to proposal, subject to conditions  
Highways Drainage – No objections, subject to conditions  
Ward Councillors – Cllr Clements supports the application  
Yorkshire Water Services Ltd. – No comments have been received

### **Representations**

Notification letters were sent to surrounding properties and a site notice was posted at West End Avenue on 3/11/17. No comments or representations have been received.

### **Assessment**

#### Principle of Development

The site is located within an established residential area which is well connected in terms of access and services. Planning policy has for a long time been committed to the principles of sustainable development. In this instance it is considered that the reinstatement of residential use to the site represents a highly sustainable re-use of a brownfield site.

The housing needs assessment for the Royston area identifies there to be a high demand for bungalow accommodation to meet the needs of an aging population and those with mobility issues. The proposals contribute to providing much sought after affordable housing which will help to address local needs which is in accordance with policy CSP14.

The development proposals are therefore acceptable in principle subject to appropriate consideration being given to the, relationship to existing properties and suitability of the access arrangements.

### Residential Amenity

The proposed new properties would be on a similar level and are modest bungalows with modest eaves heights and hipped roofs which slope away from the shared boundaries, with a 6m separation distance between the proposed and existing properties. Given the absence of any windows on the side elevation of the existing bungalow there are no concerns that any harm would occur through overshadowing or over dominance.

The proposed dwellings would have an internal floor area of circa 64m<sup>2</sup> which exceeds the 62m<sup>2</sup> set out in the South Yorkshire Residential Design Guide for 2 bedroom properties.

The dwellings would also have adequate outdoor amenity space consisting of a front garden and private rear garden containing patio and lawn. As such, residential amenity provisions for future residents would be acceptable.

### Visual Amenity

The development would have a frontage onto West End Avenue and continue a similar front building line as the existing properties in the area, effectively in filling the gap in the current street scene. The development would reflect the street scene, which is characterised predominantly by bungalows.

The dwellings themselves are relatively simple in design and would be constructed from brick and tile to reflect the local palette of materials. Interest would be added to the front elevations of the dwellings through the front projecting gables. Given the sloping nature of the site there is a slight difference in levels and as such, the dwellings will have a split ridge line.

Parking would be provided to the front of the properties. As a result, vehicles would be visible from the street scene. However, this is a common parking solution in the area and the hardstanding would be mixed in with soft landscaped front gardens. The garden areas would also aid to soften the dwellings themselves.

There is a number of differing boundary treatments proposed across the site, including a number in relatively prominent positions. Full details have been submitted with the application which shows more robust and better quality treatments in the more prominent areas. The proposed mix of treatments would also be reflective of the area and not result in dominant features on the street scene.

### Highway Safety

The application land was a former garage site on the corner of West End Avenue and West End Crescent, adjacent the access to the allotment site. The properties would each be accessed directly from West End Avenue. Each property would have 1no parking space, in accordance with SPD 'Parking'. It is acknowledged that there is no on site turning facilities and cars would likely reverse onto the highway. However, this is the current situation at numerous properties within the immediate area which have a frontage onto West End Avenue. The road is not classified and the addition of 2 no. additional driveways would not reduce highway safety to an unreasonable degree.

Highways DC have not raised any objection to the proposal, subject to the imposition of conditions to any permission granted. The proposal is therefore considered to be acceptable.

## Conclusion

In conclusion, the proposal represents a sustainable development which accords with the objectives and principles of the UDP policies H8A, H8D, core strategy policies CSP 26 and 29 and SPD 'Designing New Housing Development' in that it will successfully integrate into the existing residential environment without harming the amenity of existing residents.

## 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 (Drawing Nos. NPS-DR-A-(00)-311 Rev. P1, NPS-DR-A-(00)-312 Rev. P1, NPS-DR-A-(00)-313 Rev. P1, NPS-DR-A-(00)-330 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 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.**
- 4 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;

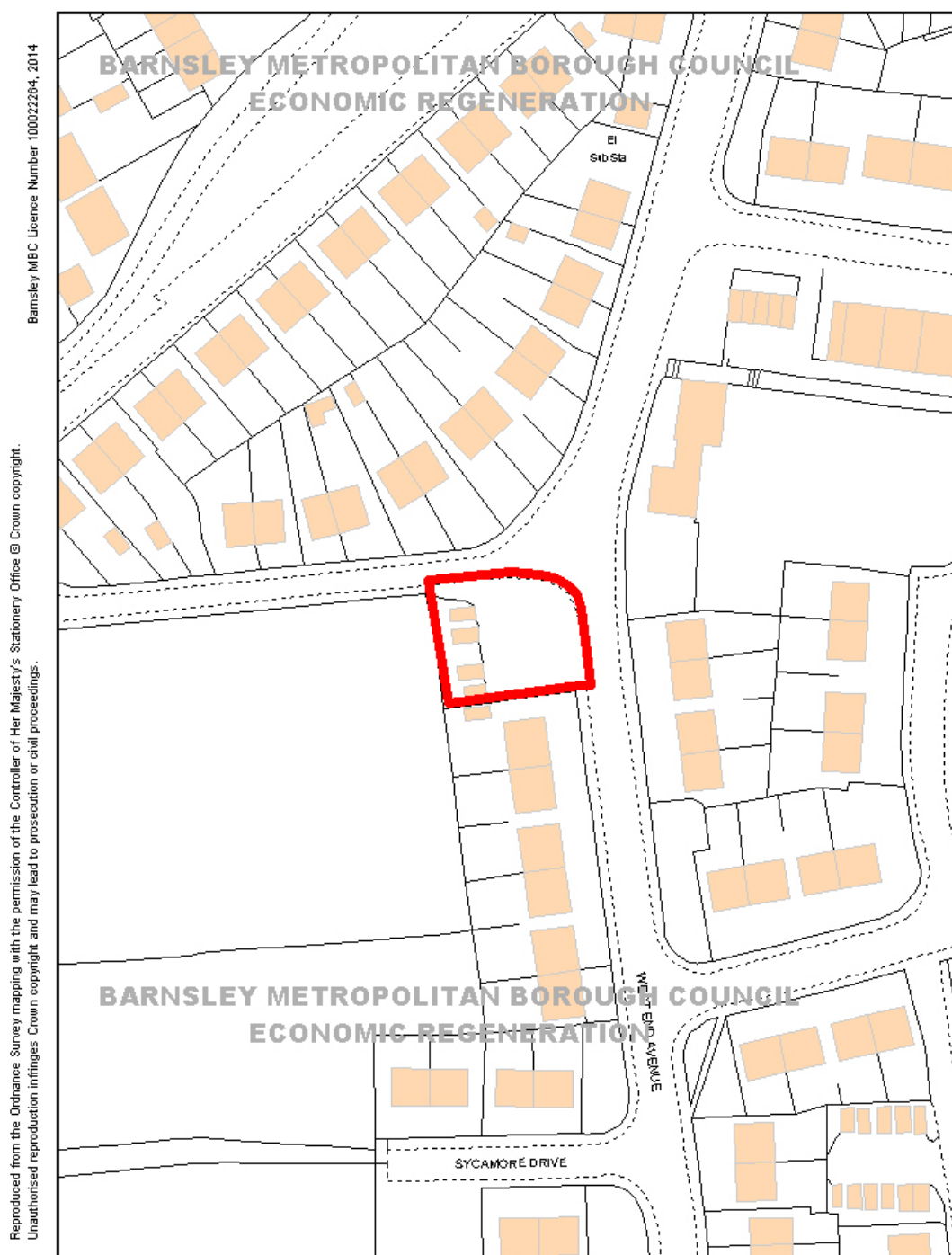
Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

**Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 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 Sight lines having the dimensions 2.4m x site frontage shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway, in the interests of road safety.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 8 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.**
- 9 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:
- Construction of a 2m wide footway around the West End Avenue and West End Crescent frontages of the site.
  - Relocation of the street lighting column.
  - Relocation of the street name plate (West End Avenue).
  - Formation of a dropped crossing.
  - Any necessary lining and signing.
- 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 CSP26 - New Development and Highway Improvement.**
- 10 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved in writing by the Local Planning Authority and such measures shall be retained for the entire construction period.  
**Reason: in the interests of highway safety and the free flow of traffic in accordance with Core Strategy Policy CSP26 - New Development and Highway Improvement.**
- 11 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.**

PA reference :-

2017/1426



**BARNSELY MBC - Economic Regeneration**

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



Scale 1:1250

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**2017/1431**

**Applicant:** Berneslai Homes, C/o NPS Barnsley Ltd

**Description:** Erection of 1 no. bungalow.

**Site Address:** Land adjacent to 54 Doles Crescent, Royston, Barnsley, S71 4LA

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The application is referred to the Planning Regulatory Board as Berneslai Homes are the applicants. 3 representations have been received from local residents.

## **Site Description**

The application relates to a 464m<sup>2</sup> garage site which is located on Doles Crescent in Royston. The site currently houses 4 detached concrete pre-fabricated garages with the remainder of the land being open. Most of the land is covered in hard surfacing with grass verges on the remainder.

The site is centrally positioned within a Local Authority estate that is surrounded by dwellings on all sides. Bungalows are located to the north, west and north east of the site. To the south, south west and south east are two storey semi-detached houses. The dwellings in the area are all of similar appearance, with either hipped or gable roofs and materials include buff and red brick, render and concrete roof tiles.

Planning permission was granted by Councillors at November Planning Board for a development of 7 bungalows on land located nearby on Meadstead Drive (Ref. 2017/1203).

## **Proposed Development**

The applicant, Berneslai Homes, is seeking permission for the erection of a single detached bungalow on the site. It would be predominately rectangular in shape with a gable roof on either end and with a small front extension. Materials of red brick elevations and dark grey modern roof tiles are proposed. The bungalow would have 3 bedrooms. It would have provision of 2 off street parking spaces and a private rear garden.

A 1.8m closed boarded timber fence would be erected on the two side boundaries and at the rear. A low level brick wall would be built on the front boundary.

## **Policy Context**

UDP Notation: Housing Policy Area

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise and the recently introduced NPPF does not change the statutory status of the development plan as the starting point for decision making.

The Council has submitted its emerging Local Plan to the Secretary of State it is 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).

The emergent policies of the Local Plan that are attributable to this development are GD1 and D1. In general they resonate with the requirements of Core Strategy Policy 29.

#### Core Strategy Policies

CSP10 'The Distribution of New Homes' commits 5% of the Boroughs Housing to be built within Royston (1000 properties).

CSP14 'Housing Mix and Efficient Use of Land' states that proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and sustainable communities. It also states that a minimum development density of 40 dwellings per hectare will be expected. In addition 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.

CSP 26 – 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.

CSP 29 sets out the overarching design principles for the borough to ensure that development is appropriate to its context. The policy is to be applied to new development and to the extension and conversion of existing buildings.

#### Saved UDP Policies

Saved UDP Policy H8 (Existing Residential Areas) states that areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use. Saved UDP Policy 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.

#### Relevant Supplementary Planning Documents (SPD) and Guidance

SPD – Designing New Housing Development sets out the principles that will apply to the consideration of planning applications for new housing development; including infill and backland development.

SPD – Parking supplements Core Strategy Policy CSP 25 New Development and Sustainable Travel and sets out the parking standards that the Council will apply to all new development.



South Yorkshire Residential Design Guide –Technical Requirements section 4A.2 sets out the internal space requirements for new development.

## NPPF

The National Planning Policy Framework set 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
- Design para's 58 – 65

These policies 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.

## **Consultations**

Highways DC – No objections to proposal, subject to conditions  
Highways Drainage – No objections, subject to conditions  
Ward Councillors – Cllr Clements supports the application.

## **Representations**

Notification letters were sent to surrounding properties and a site notice was posted at Doles Crescent on 3/11/17. Three letters of representation have been received. The issues raised were in regards to parking on Doles Crescent:

- Residents at 45 & 47 Meadstead Drive are concerned about the area to the rear of their properties being used by contractors' vehicles for parking. The residents have disabled children and are concerned that highway safety could be affected.
- Concerns that the loss of parking on the garage site would have a detrimental effect on highway safety and parking along Doles Crescent
- Concerns that the development would remove the only parking provision which is available for No.54 Doles Crescent taking into account that the section of road in front of the property is narrow and does not allow for on street parking. It is queried whether a pedestrian access could be created from within the application site into No.54 to enable an off street parking space to be created in the existing front garden belonging to the property.

## **Assessment**

### Principle of Development

The site is located within an established residential area which is well connected in terms of access and services. Planning policy has for a long time been committed to the principles of sustainable development. In this instance it is considered that the reinstatement of residential use to the site represents a sustainable re-use of a brownfield site.

The housing needs assessment for the Royston area identifies there to be a high demand for bungalow accommodation to meet the needs of an aging population and those with mobility issues. The proposals contribute to providing much sought after affordable housing which will help to address local needs which is in accordance with policy CSP14.

The development proposals are therefore acceptable in principle subject to appropriate consideration being given to the, relationship to existing properties and suitability of the access arrangements.

### Residential Amenity

The proposed bungalow would be positioned on the same building line as the existing two storey dwellings immediately to the south of the site. It would sit on a similar land level and would also be lower in height being a bungalow. The existing properties located on the other side are also bungalows but are located further away. There are no overlooking or overshadowing considerations concerning these properties.

It is acknowledged that the separation distance between the rear elevations of the proposed dwelling and the neighbouring rear property is 18m, which is below the 21m usually required by the SPD guidance. However overlooking and overshadowing would be avoided due to the properties at the rear also being bungalows and because of the proposed 1.8m closed boarded fence.

The bungalow would have an internal floor area of circa 85m<sup>2</sup> which exceeds the 77m<sup>2</sup> set out in the South Yorkshire Residential Design Guide for 3 bedroom properties. In addition dwelling would also have adequate outdoor amenity space consisting of a front garden and private rear garden containing patio and lawn. As such, residential amenity provisions for future residents would be acceptable.

### Visual Amenity

The development would have a frontage onto Doles Crescent and continue a similar front building line as the existing properties in the area, effectively in filling the gap in the current street scene. There are a number of bungalows within the immediate area, which are juxtaposed with 2 storey dwellings. As such, the development would reflect the street scene.

The elevations are of conventional design and would be constructed from brick and tile to reflect the local palette of materials. Interest would be added to the front elevations of the dwellings through the front projecting gables. Given the sloping nature of the site there is a slight difference in levels and as such, the property would have a split ridge line.

Parking would be provided to the side of the bungalow, making it less visible within the street scene. Suitable hard and soft landscaping and boundary treatments are proposed.

## Highway Safety

The dwelling would be accessed directly from a section of Doles Crescent which is off the main part of the road and provides a link to Meadstead Drive. Each property would have 2 no. parking spaces, in accordance with SPD 'Parking'. It is acknowledged that there is no on site turning facilities and cars would likely reverse onto the highway. However this is not expected to cause a safety issue given the low key nature of the estate road. In addition the provision of a new footway along the site frontage would be a safety benefit. It is acknowledged that the occupants of 54 Doles Crescent would not be able to park on street in front of their property at present due the narrow width of the road. Potentially this could be resolved through the creation of an off street parking space using the land to the side of their property. However they would then need a new pedestrian access to the rear of the property from within the application site to enable bins to be stored at the rear. Berneslai Homes have been informed of this request.

The concerns about the potential for disruption to occur during the construction period are noted. However Highways have requested that a Construction Method Statement is submitted prior to commencement, which would details where contractor vehicles would be parked. Currently, there are no parking restrictions along Doles Crescent or surrounding streets; whilst this could cause temporary disruption during the construction process, the development is not considered to have a substantial impact on parking provision in the area. A recent improvement scheme to provide driveways to surrounding properties was recently carried out which should mitigate some of the loss of garages on the site.

Highways DC have not raised any objection to the proposal, subject to the imposition of conditions to any permission granted. The proposal is therefore considered to be acceptable.

## **Conclusion**

In conclusion, the proposal represents a sustainable development which accords with the objectives and principles of the UDP policies H8A, H8D, core strategy policies CSP 26 and 29 and SPD 'Designing New Housing Development' in that it would successfully integrate into the existing residential environment without harming the amenity of existing residents.

## **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 (Drawing Nos. NPS-DR-A-(00)-111 Rev. P1, NPS-DR-A-(00)-112 Rev. P1, NPS-DR-A-(00)-113 Rev. P1, NPS-DR-A-(00)-120 Rev. P1 & NPS-DR-A-(00)-121 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 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.**
- 4 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.**
- 5 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.

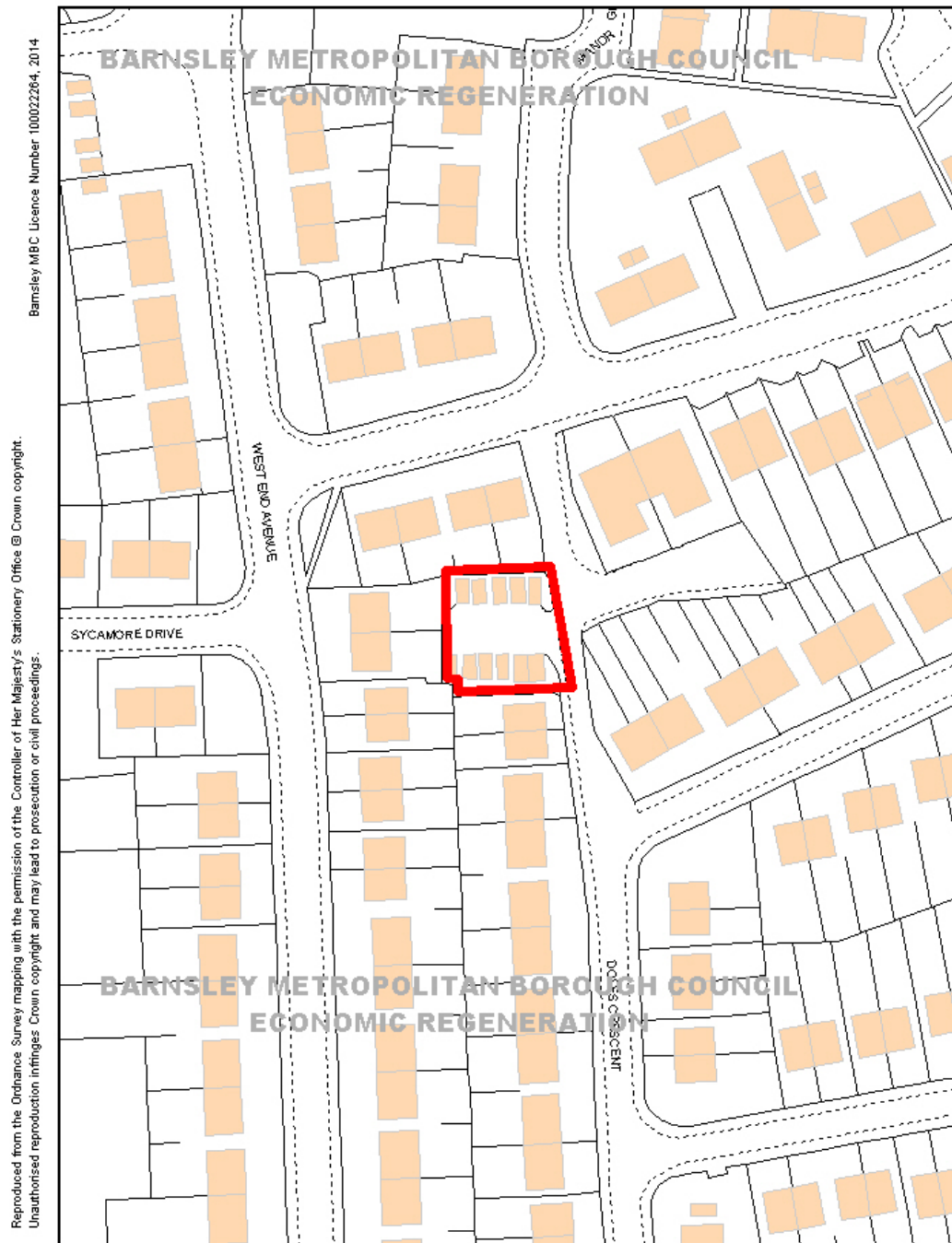
**Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 6 No development shall take place including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:-
  1. The parking of vehicles of site operatives and visitors.
  2. Means of access for construction traffic.
  3. Loading and unloading of plant and materials.
  4. Storage of plant and materials used in constructing the development.
  5. Measures to prevent mud/debris from being deposited on the public highway.

**Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**
- 7 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**

- 8 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 9 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.**
- 10 Sight lines having the dimensions 2.4m x site frontage shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 11 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.**

PA reference :-

2017/1431



**BARNESLEY MBC - Economic Regeneration**

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



Scale 1:1250

## BARNSELY METROPOLITAN BOROUGH COUNCIL

### PLANNING APPEALS

01 November 2017 to 30 November 2017

#### APPEALS RECEIVED

2 appeals were received in November 2017.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
2017/0088	Residential development of 21 dwellings (Outline including means of access) <b>Land south of New Smithy Avenue, Thurlstone, Sheffield, S36 9QZ</b>	Written Representations	
20170345	Erection of 1 no dwelling (Outline) <b>Stonehaven, Higham Lane, Higham, Barnsley, S75 3LA</b>	Written Representations	

#### APPEALS WITHDRAWN

0 appeals were withdrawn in November 2017.

#### APPEALS DECIDED

7 appeals were decided in November 2017.

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2016/1041	Variation of wording of condition 4 of application 2013/0960 (Residential development of 58 dwellings) in relation to surfacing of parking/manoeuvring facilities <b>Development off Lowfield Road, Bolton on Dearne, Barnsley, S63 2TF</b>	Dismissed 27/11/2017	Delegated
2016/0848	Variation of condition 4 of app 2015/1198 - (Erection of 61 dwellings with garages and/or parking spaces together with the provision of open space and associated roads and sewers) in relation to surfacing to parking manoeuvring areas <b>Phase 2 Development, Off Barnburgh Lane, Goldthorpe, Rotherham</b>	Dismissed 27/11/2017	Delegated
2016/0631	Variation of condition 4 of app 2015/1302 in relation to surfacing to parking/manoeuvring areas (Residential development - Erection of 43 no. dwellings with associated works) <b>Former Highfield Grange Care Home, Blythe Street, Wombwell, Barnsley, S73 8LH</b>	Dismissed 27/11/2017	Delegated

2016/0630	Removal of condition 6 of app 2015/0436 - Variation of Conditions 18 and 22 of application 2014/1219 - Erection of 97 no. dwellings with garages including parking spaces together with the provision of associated roads, sewers and infrastructure. <b>Land at Ellwood, Off Wilson Grove, Lundwood, Barnsley, S71 5JF</b>	Dismissed 27/11/2017	Delegated
2017/0171	Erection of detached dwelling house <b>Courtland, Halifax Road, Thurgoland, Sheffield, S35 7AL</b>	Allowed 13/11/2017	Delegated
2017/0027	Demolition of existing house and erection of 3 new houses (Outline with all matters reserved) <b>The Laurels, 24 Viewlands, Silkstone Common, S75 4QP</b>	Allowed 08/11/2017	Committee
2017/0700	Erection of a detached double garage with first floor games room <b>62 Church Street, Gawber, Barnsley, S75 2RJ</b>	Dismissed 30/11/2017	Delegated

### **2017/2018 Cumulative Appeal Totals**

- 19 appeals have been decided in since 01 April 2017
- 12.5 appeal (65.7%) have been dismissed since 01 April 2017
- 6.5 appeal (34.3%) have been allowed since 01 April 2017

<b>Audit</b>	<b>Details</b>	<b>Decision</b>	<b>Committee/ Delegated</b>
2016/0744	Remove and replace Lime tree (T1) within TPO no. 3/2000. <b>2 Ladyroyd, Silkstone Common, Barnsley, S75 4SF</b>	Allowed 05/07/2017	Delegated
2016/1402	Felling of Oak Tree (T2 within TPO 3/1980) and replacement. <b>73 Martin Croft, Silkstone, Barnsley, S75 4JS</b>	Allowed 02/05/2017	Delegated
2016/1035	Erection of 1 no. detached dwelling with detached garage <b>Knowles Street, Spring Vale, Barnsley</b>	Dismissed 24/07/2017	Delegated
2016/1478	Formation of vehicular access. <b>18 Roper Lane, Thurgoland, Barnsley, S35 7AA</b>	Dismissed 31/07/2017	Delegated
2016/1338	Erection of two storey side and single storey extension to rear <b>179b King Street, Hoyland, Barnsley, S74 9LL</b>	Split Decision 13/07/2017	Delegated
2016/1340	Erection of two storey side extension and a single storey front extension to dwelling <b>101 Genn Lane, Ward Green, Barnsley</b>	Dismissed 10/08/2017	Delegated
2016/1080	Conversion of existing garage to bungalow. <b>102 Sackville Street, Barnsley</b>	Allowed 15/08/2017	Delegated
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. <b>Ivy Cottage, 108 Upper Hoyland Road, Hoyland, Barnsley</b>	Allowed 24/08/2017	Delegated
2016/1367	Conversion of loft and erection of elevation to side dormer <b>Chrisholme, 4 Wath Road, Elsecar, Barnsley, S74 8HJ</b>	Dismissed 30/08/2017	Delegated



2017/0010	Painting of 9no window frames. (Listed Building Consent). <b>30 Market Hill, Barnsley, S70 2QE</b>	Dismissed 13/09/2017	Delegated
2014/1570	Demolition of existing bakery and erection of 23 no. dwellings. <b>A &amp; E White Bakers, Charles Street, Worsbrough Bridge, Barnsley, S70 5AF</b>	Dismissed 25/10/2017	Delegated
2015/0725	Erection of 97 no. dwelling with garages and/or parking spaces together with the provision of open space and associated roads and sewers <b>Land off Lowfield Road, Lowfield Road, Bolton Upon Dearne, Rotherham</b>	Dismissed 23/10/2017	Committee
2016/1041	Variation of wording of condition 4 of application 2013/0960 (Residential development of 58 dwellings) in relation to surfacing of parking/manoeuvring facilities <b>Development off Lowfield Road, Bolton on Dearne, Barnsley, S63 2TF</b>	Dismissed 27/11/2017	Delegated
2016/0848	Variation of condition 4 of app 2015/1198 - (Erection of 61 dwellings with garages and/or parking spaces together with the provision of open space and associated roads and sewers) in relation to surfacing to parking manoeuvring areas <b>Phase 2 Development, Off Barnburgh Lane, Goldthorpe, Rotherham</b>	Dismissed 27/11/2017	Delegated
2016/0631	Variation of condition 4 of app 2015/1302 in relation to surfacing to parking/manoeuvring areas (Residential development - Erection of 43 no. dwellings with associated works) <b>Former Highfield Grange Care Home, Blythe Street, Wombwell, Barnsley, S73 8LH</b>	Dismissed 27/11/2017	Delegated
2016/0630	Removal of condition 6 of app 2015/0436 - Variation of Conditions 18 and 22 of application 2014/1219 - Erection of 97 no. dwellings with garages including parking spaces together with the provision of associated roads, sewers and infrastructure. <b>Land at Ellwood, Off Wilson Grove, Lundwood, Barnsley, S71 5JF</b>	Dismissed 27/11/2017	Delegated
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