
2016/0268

Applicant: Mr John Whitworth C/o Johnson Brook

Description: Residential development including means of access (Outline)

Site Address: Land off Green Road, Dodworth, Barnsley, S75 3RR

9 letters of objection received.

Site Location

Green Road is on the southern edge of Dodworth, beyond the site is open countryside. This 2.2 hectare site is situated between Dodworth Green Road, Chantry Orchards and Ratten Row to the west and Strafford Walk, Chatsworth Rise and Low View to the east.

Site Description

This site comprises three separate parcels of land associated with three existing houses all located within the application site boundary. These are Hillside, Fieldhouse and The Old Stables. The land generally slopes downwards in a southerly direction from Hillside and Fieldhouse in the north. The Old Stables are located in the centre of the site close to The Travellers Inn Public House, a Grade II Listed building. The southern boundary of the site coincides with the steep banks of a stream. There is footpath on the opposite side of the stream that gives access to open countryside beyond the site, which is designated as Green Belt.

On the western boundary of Hillside there is a high stone wall. Seen clearly behind the stone wall is a band of mature trees covered by a Tree Preservation Order (TPO). The stone wall forms the inside of a bend in Dodworth Green Road. Looking south along Dodworth Green Road views terminate at The Travellers Inn Public House. Beyond the site, as you go further south along Dodworth Green Road there is an increasingly semi-rural feel with a number of traditional stone buildings, stone boundary walls and mature trees.

Within the site TPO trees follow the line of a stream, which bisects the site in a south east direction. The character of the site varies from well maintained mature gardens with TPO trees in the northern part to less well tended open grassland in the southern part.

To the east and west of the site is existing housing including bungalows, some specifically for the elderly.

Proposed Development

This application is identical to the previous (now lapsed) permission 2012/0797. This is an outline application with all matters reserved, other than means of access, for up to 51 dwellings. There is an indicative layout and Design and Access Statement submitted that shows 51 houses but the layout would be a consideration for the reserved matters stage if outline permission was granted. The new access is shown off Dodworth Green Road between TPO trees and the estate road crosses a stream bounded by TPO trees. As the applicants are seeking the views of the Council on this proposed access the resultant impact on TPO trees is a key matter. There is a plan showing how the access and requisite visibility can be achieved without affecting any healthy TPO trees.

The application is supported by various supporting documents which have referenced, and updated where necessary, the reports submitted with the 2012 application. These include a Design and Access Statement, Ecology Report, Flood Risk Assessment and Noise Report.

Planning History

2008/1688 A similar proposal was refused and subsequently dismissed on appeal on the basis it was contrary to the former PAN 30 guidance on development of greenfield sites and that there was a 5 year supply of housing land. No other issues were identified to oppose the scheme. The inspector agreed with the Council that the whole site was not garden land and housing development was not needed at that time.

2012/0162 Similar application withdrawn in order to resolve highway and related tree issues.

2012/0797 Outline planning permission granted with means of access only, for an indicative 51 dwellings, on 28/03/2013 following redesign to satisfy highway concerns and to minimise effect on trees. This permission has now lapsed. An indicative layout accompanying the scheme showed 51 dwellings on the site. The application attracted 91 letters of objection and 5 letters of support.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the National Planning Policy Framework (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, saved Unitary Development Plan policies and 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.

Unitary Development Plan

The site is shown with a Housing Policy Area on the UDP and is also wholly within the Dodworth settlement boundary.

The site lies within a Coal Authority Referral Area

H8 & H8A - Existing Residential Areas

Core Strategy

CSP1 Climate Change
CSP2 Sustainable Construction
CSP3 Sustainable Drainage Systems
CSP 4 Flood Risk
CSP5 Including Renewable Energy in Developments
CSP8 Location of Growth

CSP13 The Release of Allocated Housing Land
CSP14 Housing Mix & Efficient Use of Land
CSP15 Affordable Housing
CSP25 New Development & Sustainable Travel
CSP26 New Development and Highway Improvement
CSP29 Design
CSP35 Green Space

SPD

Designing new housing development
Open space provision on new housing developments
Parking

PAN

30 Sustainable location of housing
33 Financial contributions to school places

National Guidance

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

Highways – No objections subject to conditions

Tree Officer – No objections subject to conditions

Ecology – Has acknowledged that an updated ecology report has been submitted and has recommended that adequate provisions are made for further bat surveys.

Affordable Housing Officer – No objections subject to securing the required 25% affordable housing.

Conservation – No objections but recommends the omission of 5 plots from the indicative layout as they would harm the setting of the listed building. An informative is proposed.

Contaminated Land Officer – No comments have been received, but previously, the contaminated land officer had no objections subject to conditions. Intrusive investigations will be required to assess the degree of any contamination and presence of shallow mine workings. However, these can be dealt with by suitable planning conditions.

Design – No comments received

Education – A financial contribution would be required for both primary and secondary schools

Yorkshire Water – No comments received

Highways Drainage – No objections subject to conditions.

Environment Agency – No comments received.

Coal Authority – No objections subject to conditions.

Public Rights of Way – No comments received.

SYAS - No comments received.

SYMAS – No objection subject to a condition.

SY Police – No objections, recommendations made to improve security, which can be incorporated into the detailed planning submission.

Waste Management – No comments received

Representations

The application was advertised in the local newspaper, by site notice and by letter to adjoining properties. 9 letters of objection were received, two were identical and from the same address. The letters of objection raised the following issues:

- Access not suitable
- Quiet estate
- 2/3 storey dwellings would be out of place
- New development would cause noise and disturbance during building and afterwards
- Too many houses estates are being granted in the Dodworth area,
- Drainage issues and sewage issues
- Pressure on public services including schools and GP's
- Effect on wildlife
- Change in character of the area
- Visual impact and loss of view
- Not previously developed land and undeliverable
- Site could be sold to a developer who could put many more houses on the site
- Mine shafts in the vicinity could cause problems
- Development of the site would cause devaluation in properties
- The development should be bungalows for the elderly and handicapped

Assessment

Principle of Development

The principle of development was established with the 2012/0797 permission which was identical to this application currently being considered. The current position remains that the Development Plan consists of the Local Development Framework Core Strategy and the saved Policies of the Unitary Development Plan.

The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision taking this means:-

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

The principle of residential development has been established with the previous (now lapsed) permission. There have been no significant changes in the characteristics of the site or policies to divert from the previous assessment on the principle of the development. Furthermore, the site is within Urban Barnsley which is the main focus for development in the Borough and to accommodate housing growth.

As such, planning permission should only be refused if the contents of the application would result in any significant and demonstrable adverse impacts as laid out in the NPPF presumption. A summary of the assessment carried out in relation to the contents of the application is detailed below.

Greenspace

Part of the application site is functioning as greenspace therefore policy CSP35 is applicable. Objectors raised the issue that the site has been a green space for many years. The area to the south of the site forms part of Ratten Row Woodland and there is an ecological corridor following the watercourse through the site that is also functioning as greenspace. These features currently serve an amenity function and provide a natural greenspace in the area. The indicative layout shows these features retained and in the event that outline permission is granted, it would be possible to enhance these features in accordance with CSP35 Greenspace and CSP36 Biodiversity.

There is also requirement for new greenspace in accordance with CSP35 and Supplementary Planning Document 'Open Space Provision on New Housing Developments'. This stipulates that 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. Where this is not possible either within or immediately adjacent to the site in a satisfactory and acceptable manner, or where the Council deem it appropriate, suitable off-site open space facilities, remote from the development land, may be acceptable either as new facilities or improvements to those existing.

In this case the site is awkwardly shaped, on a steep gradient in parts and it would be difficult to achieve a suitably located open space. It is therefore considered more appropriate to seek a mixture of on and off site provision. In terms of on site provision, the ecological corridor should be retained and enhanced and this is likely to fulfil the informal open space requirement.

Therefore, remaining provision would be best met via the developer paying a commuted sum to be spent on public open space projects that are used or likely to be used by those affected by the development or living in the new development. This has been accepted by the applicants in principle and would require a S106 Agreement at the outline stage, to ensure formal payment arrangements are in place. However, the exact contribution is dependent on the unit and bedroom numbers which cannot be determined until such details are submitted at reserved matters stage.

Visual Amenity

The site is located within a part of Dodworth where the character begins to change from a high density urban to a lower density semi-rural area characterised by large walled gardens and mature trees. It is also adjacent to the Travellers Inn, which is grade II listed and as such its setting and the adjacent wall that runs along Dodworth Road are important considerations. The application is in outline so the layout provided is indicative but it would see the gardens developed with the loss of some TPO trees. The visual impact of removing features that contribute positively to the area would inevitably have some impact on its character and appearance. However, views into the site from Dodworth Green Road and the other nearby highways are limited by existing built form and the protected trees, somewhat reducing the prominence of the site in the context of the wider settlement.

Policy CSP 14 indicates that a minimum density of 40 dwellings per hectare would be required but in this case it is of greater importance to ensure the scheme complies with policy CSP29, which states that high quality development will be expected that respects local character and appearance. The prepared indicative layout shows a density of approximately 23 dwellings per hectare which to some extent reflects the topography and other physical constraints such as the TPO trees, the location next to a grade II listed building and proximity to existing houses. However, it is likely that some changes may be required to further safeguard the setting of the Travellers Inn but, subject to retaining a similar density at the reserved matters stage, it is considered that a scheme can be provided that reflects the site constraints.

Objections have been raised about the change in character of the area and the potential height of dwellings that may be built. However, this is an outline application and details of the dwellings would be the subject of a further application. Overall, the scheme will inevitably have some impact on the character and appearance of the area as a result of the loss of large walled gardens and some mature trees. However, this needs to be balanced against the benefits the scheme would bring in terms of housing delivery within a sustainable location that accords with the spatial approach set out in the Core Strategy. On this basis, it is considered that the scheme can be supported at outline stage subject to a planning condition limiting the number of dwellings submitted at the reserved matters stage.

Trees

The Forestry Officer advises that the two key areas on this site as far as trees are concerned are the new entrance from Green Road and the access across the small ditch which runs through the site. In terms of the access off Green Road then the necessary removal of the Horse Chestnuts due to the presence of Bleeding Canker means that the amount of RPA affected for the remaining trees is relatively minor and manageable. The boundary wall which requires removal is to be built on a pile and beam foundation to prevent root severance and ensure that the highly visible and aesthetically important TPO trees are safely retained.

The access across the small ditch originally would have led to the removal of a significant TPO tree, however this has been addressed and the access moved across meaning that only a few insignificant specimens will need to be removed to facilitate this.

For the remainder of the site only occasional small specimens will need to be removed to facilitate the proposed development. The majority of the trees on the site are shown to be retained and integrated into the proposed development which is a good thing. There is one Category B tree and part of one category B group to be removed with the remainder being category C. Given the constraints of the site and the level of tree cover they have managed

to retain then this is acceptable. A landscaping scheme to mitigate the loss of the trees will be required however.

The tree survey provided is out of date, however for the purposes of determining the suitability of the site for development and the location of the access roads it is fit for purpose. When the reserved matters application comes in relating to the layout etc. then a new updated survey will be required and this will need to be used to inform the scheme layout.

Providing adequate protection measures are put in place along with appropriate construction methodologies, there should be no issues with the retained trees. The documents provided will need to be specific to the site and the methodologies very detailed given the close proximity to some of the trees the works are taking place.

Residential Amenity

Whilst objectors have raised concerns regarding loss of residential amenity, the indicative layout demonstrates that it would be possible to design a scheme that complies with the required separation distances sets out in the Designing New Housing Development SPD and the South Yorkshire Residential Design Guide. On this basis, at the reserved matters stage, it would be possible to ensure existing residents and occupants of the proposed dwellings would be afforded adequate levels of amenity, particularly in respect of levels of overlooking, overshadowing and loss of outlook, in accordance with saved UDP policy H8A and the Designing New Housing Development SPD. A condition could also be attached to control the hours of operations during the construction period, in order to safeguard amenity.

Highway Safety

The application is outline but the means of access, which is proposed off Dodworth Green Road, is to be determined at this stage. The application is supported by two reports on access issues; one prepared in 2012, for the last permission, which recommended improvements to the radii of the junction of Dodworth Green Road and Baslow Crescent. An dated August 2016 does not raise any further issues

The Highways Officer comments that the footway along the Dodworth Green Road frontage is below the minimum footway width of 2m and would therefore need to be widened to accommodate the needs of pedestrians and statutory undertakers equipment. A 5.5m carriageway and 2no 2m footways are proposed within the site, ideally the carriageway width should be increased to 6.5m due to the single point of access and the length of the cul-de-sac to ensure access for the emergency services, otherwise extensive parking restrictions may be required.

Within the site, the proposed highway layout is indicative but in order to safeguard the tree belt and facilitate the culverting of the watercourse, the highway may have to be narrowed. Highways have confirmed that there are no objections in principle to the highway narrowing, subject to appropriate visibility and requirements relating to location of statutory undertakers equipment. It would also be possible to ensure each dwelling was afforded with the required level of off street parking.

Whilst objections have been raised regarding the safety of children visiting houses close to the access, the site should offer no greater hazard than other highway accesses. Subject to the junction improvements at the junction of Dodworth Green Road and Baslow Crescent and the widening of the footway Highway do not object to the proposed means of access even taking into account the other applications in the area 2012/0861 (Bamford Close) and 2012/1054 (Higham Close) and the potential cumulative impacts. It is therefore considered that no grounds exist to recommend refusal based on highway safety grounds.

Whilst concerns have been raised by objectors regarding the impact on the highway system, in terms of the impact on the wider highway network, paragraph 32 of the NPPF states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. As explained above, none of the impacts are considered as severe.

Accordingly, subject to the imposition of the recommended planning conditions, the scheme complies with the requirements of Core Strategy policies CSP 25 and CSP 26.

Affordable Housing

Affordable housing provision at 25% has been agreed in principle with the applicants subject to a S106 legal agreement but further negotiations will need to be carried out regarding the details and this would normally be carried out at the reserved matter stage when the numbers and type of dwellings are known.

Education

The local primary schools are Keresforth Primary and Dodworth St John's and the local secondary schools are Horizon and Penistone. Following the completion of other developments in the area (2012/0861 – 39 dwellings, land off Land off Bamford Close, Dodworth and 2012/1054 – 41 dwellings, land off Higham Lane), data on available education spaces in the locality have been updated.

Both primary and secondary schools now have a projected deficit in available spaces. As such figures provided by the Education Officer require a contribution towards Primary Education of £77,264 for primary school pupils and £81,600 for secondary places to offset the shortage of spaces as a result of a projected 51 dwelling development on this site. This is based on a projected additional 11 primary pupils and an additional 8 secondary pupils. Exact costs depend on the reserved matters application but the principle would be secured under a S106 legal agreement.

Impact on Heritage Assets

The Conservation and Design Officer considers that the impact on the southern elevation of the Listed Travellers Inn would be more significant than the heritage statement suggests. On visiting site it is clear the south elevation, whilst altered, was once relatively well detailed and had a degree of scale and grandeur, evidenced by the presence of an number of features including the altered but surviving Venetian windows.

Moreover, standing at the rear (south) of the property and well within the historic curtilage an appreciation of the historic landscape setting is gained due to the views that are possible across the valley to the south and the east. Despite recent developments these views still preserve a flavour of the open and historic landscape with views of the listed Saville Hall Farm to the south east and the landscape of Stainborough and Hood Green beyond.

The Conservation Officer considers that the indicative layout comes so close to the south edge of the curtilage of the Travellers Inn that it would have a negative impact on elements of the setting that contribute positively, even though the land drops away to the south the gradient is not severe.

In particular he considers that there are a number of dwellings and their roofs which are likely to harm the setting of the Listed travellers Inn and suggests that these plots are omitted from a reserved matters application. These are the 5 plots located closest to the

Inn, (three immediately to the south, and two to the southeast). However, this would be a matter to be considered in more detail at the Reserved Matters stage.

Energy/Sustainable Construction

An energy statement has been prepared that indicates that between 10 and 15% reduction in energy demand can be achieved. Core Strategy policy CSP5 requires a 15% reduction and this can be secured by a planning condition.

Archaeology

An Archaeological Assessment has been carried out that recommends that no further archaeological work is required.

Land stability

The site lies within a Coal Authority Referral Area where there may be possible presence of shallow coal and coal mine workings. As such, a condition is proposed to require intrusive site investigation.

Drainage

Core Strategy Policy CSP 4 requires development on Greenfield sites to reduce or maintain existing run off rates. A flood risk assessment has been prepared, and proposals to deal with surface water, which include a combination of the installation of a balancing facility and the use of the existing watercourse, which would be culverted under the proposed estate road.

Whilst objectors have raised concerns about potential drainage issues and impact on the existing sewers, no objections have been received from Yorkshire Water or the Council's own drainage section subject to the imposition of conditions identical to those on the previous permission.

Other issues

Objectors raised other issues not covered elsewhere in the report:

- Site allocations - the number of sites allocated for housing round Dodworth are based on adopted UDP Policies, and adopted Core Strategy policies. Specific sites are currently being considered in the Public Consultation draft Local Plan and sets out the Council land use proposals for land use allocations in line with Government requirements for a period up to 2033
- not brownfield land – Para 111 of the NPPF states that “Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield) land. This site would be effectively an infill site and is considered to be an efficient use of land in a sustainable location.
- The site is not deliverable – No evidence has been provided to suggest the scheme will not be implemented within 5 years in accordance with the footnote to para 47 of the NPPF and there is no evidence to indicate the proposal is undeliverable.
- Loss of view – there is no legal right to a view and cannot be taken into account
- The development would lead to a devaluation of existing properties - this is not a material planning consideration and cannot be taken into account

Conclusion

Dodworth is designated as an area for growth in policy CSP8 of the Core Strategy and the site is within a Housing Policy area in the UDP. The principle of residential development has already been established with the previous permission and the NPPF sets out a strong presumption in favour of allowing sustainable development. The impact of the development on highway safety, the character and appearance of the area and in respect of other material considerations are considered acceptable. Therefore it is recommended that the application is granted planning permission subject to the conditions listed below, and subject to a S106 legal agreement which will include the need for the development to provide a contribution towards off-site public open space, the provision of affordable housing, and a contribution towards education, in accordance with planning policy requirements.

Recommendation

Grant subject to the conditions and a Section 106 legal agreement for public open space, affordable housing, and education

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
 - (a) the layout of the proposed development.
 - (b) scale of building(s)
 - (c) the design and external appearance of the proposed development.
 - (d) landscaping**Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.**
- 3 The layout submitted as part of the reserved matters shall have a maximum of 51 units.
Reason: To reflect the site constraints (protected trees, topography, proximity to listed building and stand off distances from culvert) in order to safeguard character and appearance of the area and to safeguard the amenity of existing residents and residents of the proposed dwellings in accordance with Core Strategy policies CSP 29, CSP 30 and CSP 33 as well as Saved UDP policy H8A and the Designing New Housing Developments SPD.

- 4 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission:

P05:3544:02 REV D Planning Layout

P05:3544:03 Rev B Location Plan

Appendix 6 Tree Plan

6751--001 REV A Proposed highway improvements

6751/002 Proposed watercourse diversion and culvert

6751/003 Proposed stone wall re-alignment and typical foundation details

E08/4378/01 Main road sewer plan and long sections

E08/4378/02 Road 1 and 2 Long Sections

BM2005/01 Topographical Survey

Addendum Heritage Statement by Johnson Mowat dated May 2016

Archaeological Desk Based Assessment by Archaeological Research Services Ltd dated November 2008

Flood Risk Assessment E16/6705/FR001 by Haigh Huddleston & Associates, dated August 2016

Noise Assessment on behalf of John R Paley Associates

Arboricultural Report dated August 2012 by JCA Ltd

Ecology Survey dated 26 February 2016 by Whitcher Wildlife Ltd

Protected FAuna Survey dated November 2008 by Whitcher Wildlife Consultants

Access Report dated August 2016 by Bryan G Hall

Report on Access Issues dated October 2008 by Bryan G Hill

Appendix 2 Statement of Community Involvement

Preliminary Investigation report C1185 dated January 2006

Energy Statement

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

- 5 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Core Strategy Policy CSP 29, Design.

- 6 All on-site vehicular areas, 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 Visibility splays, having the dimensions 2.4m x 90m, shall be safeguarded at the site entrance/exit, 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.
- 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:
- a) Alteration of the existing kerbed junction radii at the junction of Baslow Crescent and Green Road
 - b) Any necessary alteration to/provision of existing highway drainage;
 - c) Any necessary alteration to/provision of road markings & signage;
 - d) Any necessary alteration to/provision of street lighting;
 - e) Any necessary carriageway or footway resurfacing/reconstruction to complete the works
 - f) Provision of a 2m wide footway along the entire site frontage

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.

- 10 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.
- 11 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.

- 12 The submitted travel plan shall be implemented in accordance with the measures and timescales set out. The results shall be monitored and submitted to the Local Planning Authority within 12 months of the travel plan becoming operational. The final Travel Plan shall thereafter be submitted to and approved in writing by the Local Planning Authority and it shall be implemented in accordance with the approved details.
Reason: In the interests of sustainable travel in accordance with Core Strategy Policy CSP25.

- 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
 - 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.**
- 14 The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) submitted by T Haigh, Ref No E08/4378/FR001 dated October 2008 and the assessment E16/6705/FR001 dated August 2016 by Haigh Huddleston & Associates and the following mitigation measures detailed within the FRA:
- Finished floor levels are set no lower than 300mm above Ordnance Datum (AOD) as stated in Item 2 of the submitted Flood Risk Assessment.
- Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Core Strategy Policy CSP4.**
- 15 The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal system has been submitted to, and approved in writing by, the Local Planning Authority.
- The scheme shall be implemented and fully maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
- Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Core Strategy Policy CSP4.**
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any watercourse.
- Reason: To prevent damage to the existing culverted watercourse in accordance with Core Strategy Policy CSP4.**
- 17 No development shall commence until full details of structural condition including CCTV survey and exact route of the watercourse have been submitted to and approved in writing by the Local planning Authority to demonstrate its adequacy and clearance is maintained.
- Reason: To maintain the structural integrity and proper functioning of the existing culverted watercourse in accordance with Core Strategy Policy CSP4.**

18 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 and any features/conditions that could impact on ground stability.
2. An assessment of the potential risks to human health, property, adjoining land, ground waters 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).

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 protect the environment and ensure the site is suitable for the proposed use in accordance with Core Strategy Policy CSP39.

19 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 1300 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.

20 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.

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

- 21 No development or other operations being undertaken on site in connection with the development shall commence until the following documents prepared in accordance with BS5837: 2012 have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details
Tree protection plan
Arboricultural method statement

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

Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality and in accordance with Core Strategy Policy CSP29.

- 22 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 unless agreed in writing by the Local Planning Authority. 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 Core Strategy policy CSP29.

- 23 Prior to any work commencing on site, the applicant shall submit to the Local Planning Authority for their approval, a noise management plan detailing how noise will be controlled during construction. Once approved the noise management plan shall be implemented in full and shall be adhered to at all times

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

- 24 Prior to any work commencing on site, the applicant shall submit to the Local Planning Authority for their approval, a dust management plan detailing how dust will be controlled during construction. Once approved the dust management plan shall be implemented in full and shall be adhered to at all times

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

- 25 The erection of fencing 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.

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

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

27 Prior to the commencement of the development, an intrusive site investigation shall be undertaken to evaluate the ground conditions and evaluate the potential mining legacy risks. The site investigation and subsequent development shall be undertaken in compliance with Construction Industry research and Information Association publication 32 "Construction over abandoned mineworkings" where applicable. A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing to the Local Planning Authority. Thereafter the approved document the development shall be carried out in accordance with the approved details.

Reason: To ensure safe development and in accordance with CSP 39 Contaminated and Unstable NPPF Paras 120 and 121.

28 Prior to commencement of development full details of the recommendations and mitigation measures identified in the Ecological Survey, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

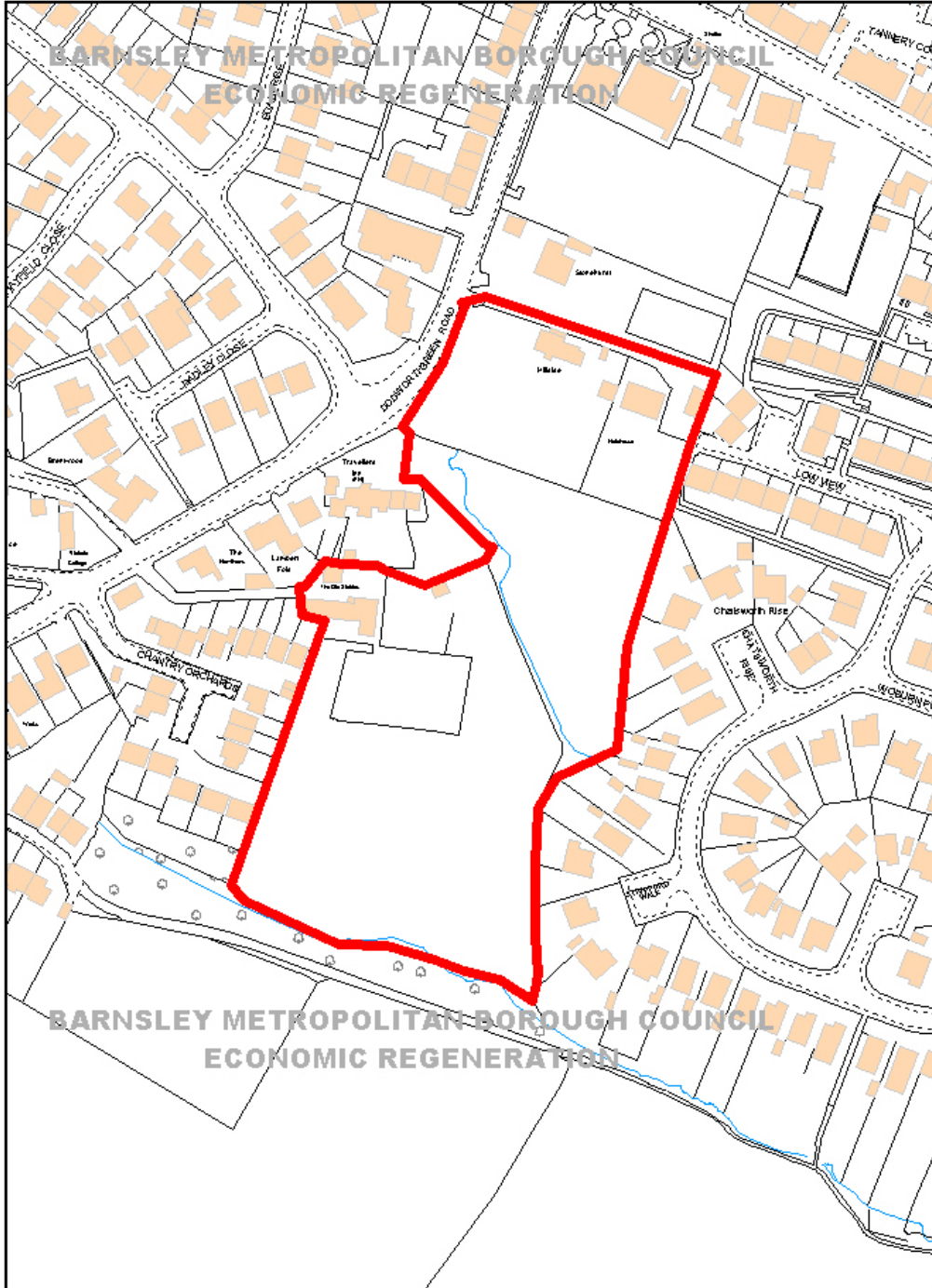
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

PA reference :-

2016/0268

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BARNESLEY MBC - Economic Regeneration

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



Scale 1:2500