
2017/0155

Applicant: Craig Hawley, Gleeson Regeneration Ltd

Description: Residential development of 49 no dwelling houses.

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

10 representations have been received from local residents. No comments have been received from Ward Councillors.

Background

B/03/1281/WW Residential Development (Outline)
2007/0533 Residential Development of 56 dwellings and 4 apartments, communal car park and landscaping (Reserved Matters).

Description

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

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

Proposed Development

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

Policy Context

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

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

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

Saved UDP Policies

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

Core Strategy

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

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

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

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

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

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

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

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

Local Plan

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

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

Policy H2 'Distribution of New Homes' states 10% of new homes to be built in Wombwell. Policy H3 'Housing Site Policies' all development will be expected to comply with policy GD1 and in accordance with the site specific policies for the individual site. In the case of Site 56, Land rear of Kings Oak Primary School the indicative number of dwellings identified is 45 and development will be expected to be accompanied by an appropriate archaeological appraisal of the site.

SPDs

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

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

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

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

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

NPPF

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

In respect of this application, relevant policies include:

General principles para's 17

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

Consultations

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

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

Ward Councillors – No comments

Drainage – Recommended conditions

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

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

Pollution – No objections

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

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

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

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

Representations

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

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

Assessment

Material Consideration

Principle of Development

Visual Amenity

Residential Amenity

Highway Safety

Principle of Development

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

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

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

Visual Amenity

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

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

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

Residential Amenity

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

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

Ecology and Greenspace

The site is a brownfield site which has been left undeveloped for 10 + years allowing existing vegetation and trees to continue to mature and new flora to establish itself. The Ecological

Impact Assessment provided with the application identifies that the overall habitat value is low, with negligible potential to support protected species other than breeding birds and only limited impact on these as a result of the development of the site. This assessment has been confirmed by the Council's Ecological Officer.

No mitigation or proposals to enhance the biodiversity have been provided (as required by Core Strategy Policy CSP 36); however, none was required when the previous application was approved. In addition no on site green space was provided. This sets a precedent in relation to this scheme and as the applicant, has agreed to a contribution of £80,162 towards green space improvements off site, it is considered that policies CSP 36 (biodiversity), green space policies CSP34, and CSP42 and the SPD Open Space Provision on New Housing Developments are met.

Highway Safety

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

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

Conclusion

The proposed is for the re-use of a brownfield site which is allocated in the emerging Local Plan for housing. It will deliver 49 new homes, helping to meet the identified need in the borough. Taking account of a number of precedents set by the extant planning permission for the development of this site; the proposed complies with Local and National Planning Policy and is recommended for approval.

Recommendation

Grant subject to conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos.2897-0-001 F, SD703 Rev B, SD701 Rev B, SD700 Rev A, 314/1-, 307/1B, 202/1F, 201/1F, 212/1-, 304/1E, 309/1E, 301/1G, and 401/1G) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.

- 3 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

- 4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP 29, Design.
- 5 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 6 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 7 Development shall not commence until details of the siting of the sales cabin, and parking for staff and customers visiting the site, have been submitted and approved in writing by the Local Planning Authority, and such facilities shall be retained for the entire construction period, in the interest of road safety.
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.
- 8 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.

- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The parking of vehicles of site operatives and visitors
 - Means of access for construction traffic
 - Loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - Wheel washing facilities
 - Measures to control the emission of dust and dirt during construction
 - Measures to control noise levels during construction

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

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

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

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

Tree protective barrier details

Tree protection plan

Arboricultural method statement

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

- 12 No development shall take place unless and until

(a) full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

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

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways are all approved in writing by the Local Planning Authority

Reason: To ensure the proper drainage of the area in accordance with Core Strategy Policy CSP3 and CSP 4.

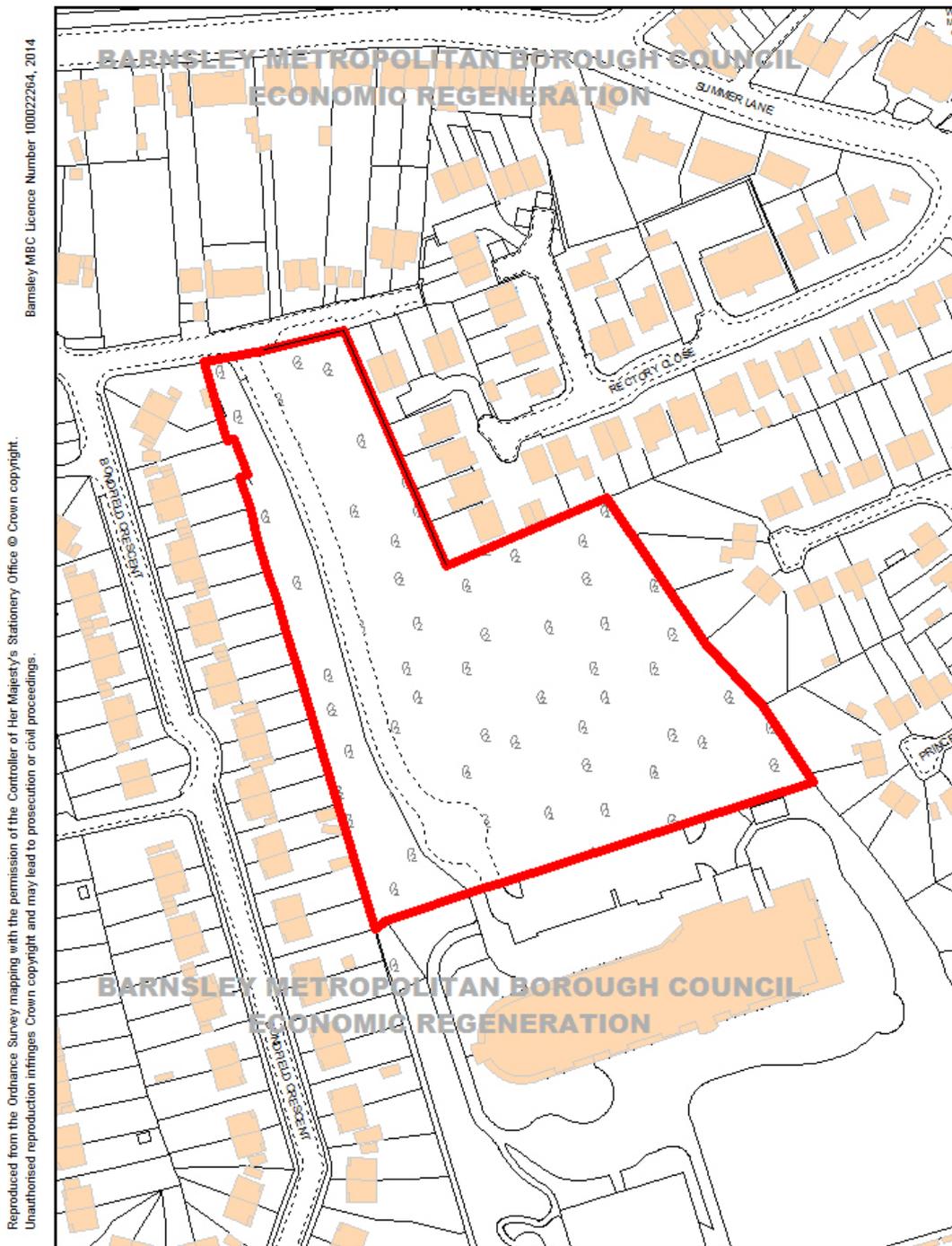
- 13 Prior to the commencement of any development works, a remediation scheme, endorsed by a competent engineer experienced in ground contamination, shall be submitted to the local Planning Authority for approval. This report shall, amongst other matters, include the following:-
1. Methodology to identify and remove any contaminated material.
 2. Measures to test and evaluate any imported soils onto the site to ensure they are suitable for the intended use.
 3. Chemical testing suite, frequencies and threshold levels.
 4. Procedures to confirm capping levels have been achieved on plots.
 5. The subsequent validation that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied.
- The development shall thereafter be undertaken in full accordance with the submitted reports.
- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.**
- 14 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.
- Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Core Strategy Policy CSP 29, Design.**
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of the sewer which crosses the site.
- Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 16 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**
- 17 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
- Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**

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

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

PA reference :-

2017/0155



BARNESLEY MBC - Economic Regeneration

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



Scale 1:1250