
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

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 disposed 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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