

Public Document Pack



MEETING:	Planning Regulatory Board
DATE:	Tuesday, 17 March 2020
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

AGENDA

SITE VISITS:

1. Site Visit Details

Planning Application(s) No: 2019/0089 and 2019/0809

Please meet at the Town Hall for immediate departure at 10.15 a.m.

Plan Number	Site	Approx Time of Arrival
<u>2019/0809</u>	Reserved Matters Application for residential development of 357 dwellings (Phase 3) at Land North of Lingamore Leys, Thurnscoe	10.45 a.m.
<u>2019/0089</u>	Planning application for the demolition of existing bungalow and the development of 235 no. dwellings with formation of new access, car parking, landscaping and public open space (Amended Plans and Description) at 58 Lundhill Road, Wombwell (Wombwell High School site)	11.25 a.m.

Please note: Members of Planning Regulatory Board should not become involved in discussions with neither the applicant nor local residents when on site visits.

**The remainder of the agenda will be considered at
2.00 p.m. in the Council Chamber**

2. Declarations of Interest

To receive any declarations of pecuniary or non-pecuniary interest from Members in respect of the under mentioned planning application/s which is/are subject of a site visit.

MEETING:

3. Minutes (*Pages 3 - 4*)

To receive the minutes of the meeting held on 18th February 2020.

Planning Applications

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

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

4. 58 Lundhill Road, Wombwell - 2019/0089 - For Approval (*Pages 5 - 24*)
5. Land north of Lingamore Leys, Thurnscoe - 2019/0809 - For Approval (*Pages 25 - 36*)
6. Cannon Hall Museum and Grounds - 019/1429 and 2019/1457 - For Approval (*Pages 37 - 50*)
7. Former Lilac Garage, Lilac Farm, Chrch Street, Brierley - 2019/1273 - For Approval (*Pages 51 - 60*)

Planning Appeals

8. Planning Appeals - 1st to 29th February 2020 (*Pages 61 - 64*)
9. Cawthorne Conservation Area Appraisal (*Pages 65 - 68*)

To: Chair and Members of Planning Regulatory Board:-

Councillors D. Birkinshaw (Chair), T. Cave, Danforth, Eastwood, Fielding, Frost, Gillis, Gollick, Green, Greenhough, David Griffin, Hand-Davis, Hayward, Higginbottom, Leech, Makinson, Markham, McCarthy, Mitchell, Noble, Phillips, Richardson, Smith, Spence, Stowe and Wright

Matt Gladstone, Executive Director Place
David Shepherd, Service Director Regeneration and Culture
Paul Castle, Service Director Environment and Transport
Joe Jenkinson, Head of Planning and Building Control
Matthew Smith, Group Leader, Development Control
Andrew Burton, Group Leader (Inner Area), Development Management
Bob Power, Senior Legal Officer (Locum)

Parish Councils

Please contact Elizabeth Barnard on email governance@barnsley.gov.uk
Monday, 9 March 2020

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 18 February 2020
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

Councillors D. Birkinshaw (Chair), T. Cave, Danforth, Eastwood, Fielding, Frost, Gillis, Gollick, Green, Greenhough, Hand-Davis, Hayward, Leech, Makinson, McCarthy, Mitchell, Noble, Richardson, Smith, Spence and Wright

72. Declarations of Interest

There were no declarations of pecuniary or non-pecuniary interests with regard to any items on the agenda.

73. Minutes

The minutes of the meeting held on 21st January 2020 were taken as read and signed by the Chair as a correct record.

74. Garage Site, Martin Croft, Silkstone, Barnsley - 2019/1136

The Head of Planning and Building Control submitted a report on **Planning Application 2019/1136** (Residential development of 4 no. dwellings at Garage Site, Martin Croft, Silkstone, Barnsley, S75 4JS)

Mr Ian Turner addressed the Board and spoke against the Officer recommendation to approve the application.

In accordance with agreed protocol, a recorded vote was taken on this planning application with the amendment to REFUSE the application being:-
MOVED by Councillor Hand-Davis and SECONDED by Councillor Smith, with voting being as follows:-

In favour of the amendment to refuse the application:-

Councillors D. Birkinshaw (Chair), Cave, Danforth, Eastwood, Fielding, Frost, Gillis, Gollick, Green, Greenhough, Hand-Davis, Hayward, Leech, Makinson, McCarthy, Mitchell, Noble, Richardson, Smith, Spence and Wright.

All Members present at the time of the vote actually voted.

RESOLVED that the application be REFUSED, against the Officer recommendation, due to the concerns around the overdevelopment of the site and the associated implications for the amenity of existing and future residents.

75. St Helens Boulevard, Carlton Road, Barnsley - 2019/0902

The Head of Planning and Building Control submitted a report on **Planning Application 2019/0902** (residential development of 93 no. dwellings with provision of associated access, car parking and landscaping, St Helen's Boulevard, Carlton Road, Barnsley)

RESOLVED that the application be granted in accordance with the Officer recommendation subject to conditions and completion of a S106 Agreement or other legal instrument (including a contract with the developer) which secures the planning obligations in relation to affordable housing, public open space, compensation for loss of greenspace, sustainable travel and education contributions.

76. St Mary Magdelene Church, 254 Pontefract Road, Lundwood, Barnsley - 2019/1494

The Head of Planning and Building Control submitted a report on **Planning Application No. 2019/1494** (St Mary Magdelene Church, 254 Pontefract Road, Lundwood, Barnsley, S71 5HR)

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

77. Land to the South of Lee Lane, Royston - 2019/0239

The Head of Planning and Building Control submitted an update report on **Planning Application No. 2019/0239** (Land to the South of Lee Lane, Royston) in relation to the defence of appeal at the public inquiry.

RESOLVED that the contents of the update report, including the putative reasons for refusal and the need to enter into a S106 Agreement to secure a fall-back position be endorsed by the Board.

78. Planning Appeals - 1st to 31st January 2020

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2019/20.

The report indicated that 6 appeals were received in January 2020, no appeals were withdrawn and 2 appeals were decided in January 2020.

It was reported that 31 appeals have been decided since 1st April 2019, 24 of which (77%%) have been dismissed and 7 of which (23%%) have been allowed.

Chair

Item 4

2019/0089

Applicant: Premier Construction Group

Description: Demolition of existing bungalow and the development of 235 no. dwellings with formation of new access, car parking, landscaping and public open space

Site Address: 58 Lundhill Road, Wombwell, Barnsley, S73 0RJ (Former Wombwell High School Site)

The site is presented to Members as the application is subject to a S106. 130 representations have been received from residents over 3 separate consultation processes.

Site Description

The site consists of 58 Lundhill Road and the former high school site for Wombwell which was closed in 2012 when it merged with the former Darfield Foulstone School on a new site known as Netherwood ALC. The site is set over three platforms with the lower two being open and accessible. The top field, where the school building was located, is fenced off.

The land is generally flat with some significant changes in levels between fields and a slight change in level towards the south of the site as the land slopes downhill and away from the boundary. The three platforms are all grassed fields with trees and scrub focused around the edges; including on the banking areas. There is also a small woodland to the north east.

The north-west boundary is predominantly defined by the rear boundaries of existing residential development along Roebuck Street with the northern end of this edge abutting Wombwell Park Street Primary School. The north-eastern edge of the site abuts residential development. The eastern edge of the site is formed by Gypsy Lane. The south eastern edge is defined by rear boundaries of residential development along Lundhill Road. The south west boundary is open parkland, washed over as green belt with Lundhill Playing fields also being located here.

Proposed Development

The application proposed is for a mixed-use site with a residential scheme of 235 units and land set aside for a primary school. Levels across the site are broadly retained as they are now with some grading along the proposed highway routes.

The residential development is spread over the three platforms and made up of a mix of units as follows:

34 x two bedroom dwellings
126 x three bedroom dwellings
75 x four bedroom dwellings

Within this are 16 bungalows and 12 affordable properties (2 of which are bungalows).

There are 13 housetypes proposed and materials are mixed with both buff and red brick as well as stone being used with grey or red roof tiles. The properties range from single to 2 ½ stories in height but are predominantly 2 storey.

2 hectares of the site is retained for a new primary school. This is located towards the centre of the site in between the two main areas of housing. The detailed design of the school will be subject to a further planning application and delivered by a separate developer. Access into the school will be from Lundhill, via the proposed access into the wider site and traffic associated with this is included in the applicants Transport Assessment. The option to retain the previous access from Roebuck Street as a pedestrian and / or staff access will be explored as part of the detailed design of the new school.

Access into the site for all the development is from Lundhill Road and is aided by the demolition of no.58 Lundhill Road. There is no access from Gypsy Lane; this is an amendment from the scheme originally submitted. The alignment and width of Gypsy Lane is largely retained as it is, with an amendment at the junction to the site to restrict left in / right out manoeuvres.

At the entrance to the site, an area of greenspace is proposed with a play park. In addition, the woodland to the north east is retained with a circular footpath. A 3rd area of greenspace is located adjacent Gypsy Lane, on the northern platform of the site.

A new footpath access to and from the Green Belt and sports pitches to the south is also included.

History

2012/1007 – Demolition of Wombwell High School (prior notification)

2012/1226 – Formation of temporary haul road to facilitate demolition of school

Policy Context

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

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.

Site Allocation: MU6 Mixed Use

The policy seeks to secure 250 dwellings and 2 ha for a primary school. Development is expected to provide a new access and any necessary highway interventions at Lundhill Road and Park Street.

SD1 'Presumption in Favour of Sustainable Development'.

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.

LG2 'The Location of Growth'

H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546

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

H6 'Housing Mix and Efficient Use of Land' proposals for residential development are expected to include a broad mix of house size, type and tenure

Policy H7 'Affordable Housing' seeks 10% affordable housing in Wombwell.

Policy T3 'New Development and Sustainable Travel'

Policy T4 'New Development and Transport Safety'

Policy D1 'High Quality Design and Place Making'

Policy GS1 'Green Space' requires new development to provide or contribute towards green space in line with the Green Space Strategy.

Policy GS2 'Green Ways and Public Rights of Way' seeks to protect rights of way from development.

Policy BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

SPD's

- Design of Housing Development
- Parking
- Open Space Provision on New Housing Developments
- Sustainable Travel
- Financial Contributions for Schools
- Trees and Hedgerows
- Design of Housing Development
- Affordable Housing
- Biodiversity and Geodiversity
- Planning Obligations

Other

South Yorkshire Residential Design Guide

NPPF

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

Sections of relevance would be:

Section 5 – Delivering a sufficient supply of homes

Section 11 – Making effective use of land

Section 12 – Achieving well designed places

Consultations

Affordable Housing – In this case we have agreed with the developer to provide 5% of dwellings as affordable. We would therefore expect the proposed scheme to deliver 2x2 bed bungalows, 2x3 bed houses and 8x2 bed houses all for affordable rent, split across the site.

Biodiversity Officer – Approve subject to conditions and appropriate mitigation

Coal Authority – Does not fall within the defined Development High Risk Area.

Contaminated Land – No objections subject to a condition securing further investigation.

Drainage – No objections subject to conditions

PROW – There are no recorded public rights of way within the site. There is a public footpath running along south western boundary. There is potential for a link to the existing public footpath to the south west of the site.

Regulatory services – No objection subject to conditions.

Education – this development would have a significant impact on the supply of primary school places within the area. We would therefore request a contribution to provide primary school places for the additional pupils generated. There is, however, sufficient capacity to accommodate the additional secondary pupils.

Sport England – Objection to the loss of the pitches on the site. However, subject to suitable compensation being secured and further consultation between the Council and Sport England as to how these funds are spent, this objection can be lifted.

Highways – No objections subject to conditions.

South Yorkshire Police – No objections, detailed design comments only.

SYMAS – Have acknowledged that the applicant has provided a ground investigation report which indicates the site is free from mining legacy issues.

Trees – No objection subject to conditions

Waste – No objections

Yorkshire Water – No objections subject to conditions.

Representations

Consultation on the application was initially undertaken in February with a second round in August on an amended layout. It was advertised in the press, by neighbour notification letters and site notices in both cases. 83 comments were received from residents during the first rounds and 33 in the second round the following concerns:-

- The access is not acceptable; Gypsy Lane is a single track road with a blind bend;
- The roads are not suitable for construction traffic;
- Increased traffic on Lundhill Road which is unsuitable and there are already lots of cars parked on both sides;
- The traffic report submitted with the application is not suitable, based on poor surveys and the wrong traffic data;
- There is already 150 house proposed on Lundhill Road increasing traffic on this route;
- There should be traffic lights and a crossing at the bottom of Lundhill Road / Park Street;
- The bus stop on Park Street should be relocated;
- The school traffic and drop off parking associated with it will cause more problems;
- The route to Hemmingfield is a single tract road and unsafe;
- Alternative or additional access routes should be considered;
- Increased traffic will increase air quality issues;
- Don't want the bottom of Gypsy Lane blocked off;
- Gypsy Lane should be left as it is;
- Contractors, builders and deliveries will use Gypsy Lane for access and parking and residents will be disturbed by vehicle lights;
- The Wath Road / Lundhill Junction is a blind corner and dangerous already;
- Roads in the area are already used by people to cut through / avoid traffic signals;
- Beech House Road should be improved;
- Traffic report says people will walk or use bikes but this won't happen;
- It is already difficult to turn out of residential streets onto Lundhill because of parked cars;
- The road surface is already poor and will be damaged by construction vehicles and delivery;
- There should be more accesses;
- The bottom end of Gypsy Lane should be used as access;
- Why can't the old haulage road be used?
- An access road should be built onto the Parkway;
- Dove Road will become a cut through;
- The development is too large, too many houses proposed;
- The school should be on the bottom field;
- Loss of an important and well used greenspace and sports pitches;
- Sport England should be consulted and the loss of sports facilities is unacceptable based on their policies;
- The site is not truly mixed use as it is for a school and residential only;
- Impact on biodiversity;
- The sub-station will make a buzzing noise;
- There are no plans to build the primary schools or funds for it;
- The levels on the site are already artificially altered – impacts on drainage;

- There is no build programme or phasing and construction will impact on residents in relation to noise and dust;
- Where will the site compound be, this is likely to be on the greenspace and will impact on residents;
- Trees on Gypsy Lane are too high and need removing;
- 2.5 storey houses next to properties on Poplar Road where levels mean these will be overbearing;
- Concerns about drainage and flooding;
- Lack of schools and GPs and increased impact on services including waste collection;
- Affordable housing will cause problems with residents not looking after properties or the area;
- Residents shouldn't be asked to pay more council tax when they are getting less for their money;
- There is antisocial behaviour in the woodland on the site and it is not maintained;
- The bottom field (to the east of the site) should be kept as open space;
- Concerns about health and safety during building works;
- Safe access should be made to the golf course, adjacent greenspace and beyond to the west of the site;
- The Local Plan consultation, when the site was allocated, was insufficient;
- The planning application consultation has been insufficient / badly run;

One letter of support has been received from a resident on Roebuck Street.

In addition, a number of residents have raised the following concerns about the sale of the site by the Council. However, it should be noted that these issues sit outside of the planning process:

- The developer owns 58 Lundhill and is forcing the Council to use him for the site;
- The developer only has plans to build the middle part of the site, what happens to the rest;
- Is the Council working with any other developers or is the developer going to get the whole site;
- Concerns that the developer is not able to deliver the houses;

A further, final round of consultation was undertaken in February 2020 following receipt of an amended layout with no access from Gypsy Lane. This consultation was advertised by neighbour letters and site notices. 19 letters were received in response raising the following:

- Welcomed the change in access and that Gypsy Lane now won't be used or blocked.
- Concerns about the impact of additional traffic on Lundhill Road and at the junction of Lundhill with Park Street / Wath Road and Everill Gate Lane.
- School children cross Lundhill Road at the junction to get to the existing school on Park Street and it is not safe.
- Residents on Everill Gate Lane have not been considered, getting out of this junction is already dangerous.
- Lundhill Road is already too busy with a lot of on street parking.
- It is already difficult to exit side streets onto Lundhill Road because of traffic and parked cars.
- Traffic will route through Hemmingfield which is not safe.
- One single access point is not enough or safe. Other accesses should be considered such as onto Wentworth View or Roebuck Street.
- Loss of a widely used greenspace.

- When the high school was on the site the greenspace was properly maintained, and residents used it a lot including for sport. There are no suitable replacement facilities and the lack of maintenance has robbed residents of this facility.
- Impact on wildlife and loss of habitat.
- The substation will have a negative impact on properties.
- Air pollution from the additional traffic.
- There should be a separate exist onto Lundhill Road for Gypsy Lane.
- The levels are not clear, and the site has been artificially levelled / raised by the school.
- 2 and 2 ½ storey properties shouldn't be opposite bungalows.
- Will the s106 benefit residents in the area?
- The sewers cannot take the additional waste.
- Parking and traffic associated with the proposed school will cause additional issues.
- How will HGVs access the site?
- Services are already struggling, more houses will mean more people and a greater demand for doctors, schools, dentists etc.

Councillor Kitching has also objected to the application in relation to highway concerns and the lack of mitigation for the loss of playing field space.

Assessment

Principle of development

The site is allocated in the local plan for mixed use under site specific policy MU6 which states: *this site is proposed for mixed use for housing and a primary school. The indicative number of dwellings proposed for the site is 250. Two hectares of the site is proposed for a primary school. The development will be expected to provide a new access and any necessary highways interventions at Lundhill Road and Park Street.*

The proposed development complies with this policy being for a residential development accessed from Lundhill Road and with 2ha of land retained for a primary school.

The number of units, at 235, is below the 250 indicative number; and below the 40 dwellings per hectare (dph) as required by Local Plan Policy H6. However, the density and design of this development has been arrived at during the application process and taking account of the constraints on the site and wider context and character of the area it is acceptable in this case. These constraints and design considerations are covered in more detail in the following report.

The proposed development will lead to a loss of green space which includes some former sports pitches. In order to meet the requirements of Local Plan Policy GS1, there is a requirement to assess the wider greenspace in the area and provide appropriate replacement which can be secured through compensation in accordance with the Open Space Provision on New Housing Developments SPD. The former Wombwell High School closed in 2012 and the buildings were demolished that year. Set over three platforms, the school building was located to the west of the site, on the top platform, with a cricket pitch. The other two platforms were used as playing fields. The loss of these sports facilities was considered when the site was allocated in the Local Plan; Sport England was consulted as part of this process. The facilities on the former school site were, in part, replaced on the new Netherwood ALC when Wombwell High School and Foulstone school were merged. This new school includes a full size 3G floodlit Astro Turf football pitch, 3 grass football pitches, 2 full size rugby pitches and 5 multi use tennis / netball courts, all of which are available for community hire. An additional 3 ha of playing pitches are also required on the

Foulstone School Playing Field Site (Local Plan Policy HS79) when it is brought forward for development.

With regards to this application, paragraph 9.7 of the Local Plan confirms that on allocated sites currently functioning as Green Space, compensation is required in accordance with Local Plan Policy GS1 and the accompanying Open Spaces on New Housing Developments SPD. In addition, a contribution towards the improvement or provision of formal recreation is also required as none is provided on site. These funds will be used to improve formal recreation provision (sports pitches, courts, greens etc) in the area and / or provide new ones. Sport England have been consulted as part of this application process and have objected to the loss of the playing pitches; however, they have confirmed that subject to this compensation being secured, they will remove their objection to the development of this site. Members should be aware that where a local planning authority propose to approve an application which Sport England have objected to; the authority is required to refer the application to the Secretary of State as soon as practicable. Sport England have been clear in their response that the amount of money secured under GS1 is acceptable but that they wish to agree the details of how the funds secured will be spent and that their objection will only be lifted subject to these details being incorporated within the signed S106 Agreement. Officers have sought to commence this consultation process with Sport England with a view to agree these details. Should this not be possible, and Sport England do not lift their objection, then Officers will refer the application and detailed agreement to the Secretary of State, if Members are minded to approve the application, before formally issuing the decision.

It is Officers view that the proposed is acceptable in principle and should be determined in accordance with the Local Plan. An assessment of how the site accords with other policies in the Plan is below:

Visual amenity

As the site is open to the wider area with residents able to enjoy views and access to most of it (the top platform is fenced and gated) it has a high amenity value. Therefore, whilst Members will be aware that there is no right to a view, it is accepted that the development of this site has an impact on visual amenity. This is reflected in the comments received to this planning application. The impact is mitigated in part by the layout which includes three areas of greenspace all of which are located to the site boundaries, near existing properties. In addition, the proposed school site will retain large open areas when developed.

The design and layout of the residential scheme has been amended following consultation, taking account of resident's concerns; with input from the Council's Design Officer. This has resulted in the scheme presented to Members. The school has been relocated so that it occupies a prominent position within the site, giving a sense of arrival when entering the site and ensuring maximum accessibility. The greenspace at the entrance to the site, with a children's play park, adds to this sense of arrival. Whenever possible; large blocks of houses have been broken up and side parking provided. This allows permeability of views through the site, breaking up the bulk of the overall development. Landscaping along the frontages and at street edges further softens the street scene. The applicant has provided 13 different house types and proposes to use a pallet of materials to create interest and visual breaks. This has resulted in a development which will be of a high quality and will site well within the existing area.

The proposed will lead to the loss of several trees on the site however, a good number are retained, and this has increased following the various amendments to the scheme. Retained trees include the woodland area in the site (to the east) along with trees along the boundaries. A band of trees between the eastern two platforms is also retained along with some scattered trees on the proposed primary school site and to the western boundary. Nevertheless, trees are lost as a result of the development and whilst the quality of the trees being removed is not enough to warrant an objection, a detailed landscaping scheme with appropriate replacement planting is required. This can be secured by condition and the applicant has provided details regarding the protection of those trees retained, in accordance with local plan policy BIO1. It is worth noting that the wooded area and several trees on the boundaries of the site will be covered by a management scheme which will be beneficial in the longer term as effective management is likely to result in better quality trees.

A boundary treatment plan has been provided with the application. This includes railings to greenspaces with restrictive gates to ensure against motor vehicle access, walls and fences to residential boundaries and a low wall with railings above along the south western boundary with the green belt, softening the view of this boundary from the wider area.

Based therefore on this assessment and taking account of the benefits associated with delivering housing to meet local needs, the visual impact is acceptable in this case and the application complies with Local plan Policy D1.

Residential Amenity

The site is surrounded on 3 sides by existing residential properties, these largely back onto the site with only those on Gypsy Lane fronting onto it. The scheme layout mitigates the impact on existing residents through the location of green spaces to the boundaries and by meeting or exceeding the minimum spacing standards as set out in the Design of New Housing Development SPD. Nevertheless, the level changes on site and, in particular at the boundary with Poplar Road to the east, is such that it was requested the applicant relocate bungalows to this part of the site.

Properties on Gypsy Lane are for the most part either facing onto a green space of the side of dwellings with landscaping strips and existing trees retained, softening the impact. Distances are over 21m, well above the SPD guidelines and the properties are well spaced out. A resident has objected to one of these properties being 2 ½ storeys and the impact this will have on the street scene and residential amenity. However, as shown on the sections provided by the applicant, the 2 ½ storey properties are only marginally higher than 2 storey houses. Therefore, taking account of the distance and screening provided by the trees, this impact is considered acceptable. Residents raised concerns about the original layout which included access from Gypsy Lane, alterations along the majority of this road and bollards to restrict vehicles using it as a through route. This amended layout no longer uses Gypsy Lane as an access. The junction into Gypsy Lane is altered in alignment only, to discourage residents and users of the primary school from using this route. This addresses these concerns.

The substation for the site is located at the site entrance, close to the boundary of existing residential properties. The building is 2.4m to the eaves with a very shallow pitched roof. It is 10m from the nearest elevation of no.56 Lundhill Road (as extended) and the boundary treatment along here is already strong, with a dense hedge planted and maintained by the homeowner. Therefore, the impact on the residential amenity for this property is limited. The applicant has also provided further landscaping detail which will screen the substation from other residents to the north and west as well as you enter the site.

Residents along Lundhill Road, to the south west boundary of the site, raised concerns about the two storey terraces and semidetached houses to the rear of their properties and the impact this would have on residential amenity. This has been addressed in this new layout with additional bungalows added to the scheme here.

The loss of the site as a locally accessible greenspace will also impact on residential amenity. This is in part mitigated through the retention and management of publicly accessible greenspace on site. Over and above this, the compensation and greenspace contributions will be used to improve and potentially provide greenspace in the wider area. Finally, access to the existing fields to the south west of this site is provided through the development. Therefore, taking account of the benefits associated with housing delivery, it is considered that this impact is acceptable.

Internally, the layout provides a good mix of properties with interspaced greenspaces and achieves the various distances set out in the Design of New Housing Development SPD and South Yorkshire Residential Design Guidance, in accordance with Local Plan Policy D1. Therefore, it is acceptable in residential amenity terms. Permitted development right will be removed from plots 110-131 to ensure any future extensions are fully assessed.

Highway Safety

Whilst the application is for full planning approval, there are no detailed plans provided for the school within the site, as this is not included within the red line boundary of this application. However, the applicant has included the traffic requirements of a school within both the Transport Assessment and Framework Travel Plan documents.

The application takes access off Lundhill Road at a similar location to the current Gypsy Lane junction. The proposals are to create a replacement junction providing more direct access to the site and relocate the Gypsy Lane junction from the new access road within the site, rather than direct from Lundhill Road. The assessment demonstrates a suitable access junction can be created in line with technical details within Manual for Streets.

The current layout takes account of consultation comments and provides for limited changes to Gypsy Lane. An arrangement is provided at the junction with the proposed site access road that aims to deter use of Gypsy Lane by development generated traffic. As such, the only changes to Gypsy Lane are proposed to be the relocated and realigned southern junction, currently with Lundhill Road.

Further to a review of the updated transport assessment it is the Highway Officers view that there is merit in considering minor modifications to the junction of Lundhill Road/Wath Road to ensure safe, secure and convenient access for all users within and surrounding the development in accordance with Local Plan Policy T4. Whilst collisions statistics show only one collision in the vicinity of the junction, details show that this may have involved turning movements from Lundhill Road. The detail and full design of this improvement can be secured via a condition and will be secured prior to development commencing on site.

A suitable Framework Travel Plan has been provided with the application. This will form the basis of future travel planning requirements of the site and will assist in reducing trips to/from the site by private car.

The Transport Assessment provided with the application takes account of nearby committed housing developments and demonstrates that the highway network can accommodate any additional development trips without presenting significant detrimental impact. The assessment also provides a bespoke assessment of the site access junction, where sensitivity testing is provided to demonstrate a minimal queue within the site should all school arrivals occur within a 15 minute period, instead of linear hourly spread of traffic demand in the standardised junction modelling test. The modelled queue within the site and the proposed junction design for Gypsy Lane provide sufficient information to suggest that any impact from the proposed application can be wholly accommodated at the new site access junction.

The application contains a layout that conforms to the requirements of the South Yorkshire Residential Design Guide. Parking is in line with the recently adopted supplementary planning document and swept path assessments have been provided at all key internal junctions and turning areas. Although details of the school use within the site are not available, the application provides indicative bus swept path analysis to indicate a vehicle that could be used for school trips can access the site. Horizontal deflection in the form of pinch points are provided at key points within the internal highways and will act as a speed reducing measure. Noting the gradient of the site, details have been made available confirming that all roads and footpaths will be no greater than a 1:12 ratio.

In accordance with the above, the Council's Highways Section have confirmed that there are no highways objections in its current form

Drainage/Flood Risk

The site is located outside of flood zones 2 and 3 and therefore the part of policy CC4 and national policy requiring developments to be steered towards areas of low risk is complied with. The applicant has provided a flood risk assessment and Drainage Strategy. Two attenuation tanks are provided onsite to allow the rate of release of surface water into the network on Gypsy Lane and Lundhill Road to be controlled. Yorkshire Water and the Council's drainage officer have confirmed this is acceptable in principle, subject to further detail being secured through conditions. Overall therefore the proposal is regarded as being acceptable with regards to flood risk and drainage considerations.

Biodiversity

A Preliminary Ecology Appraisal has been submitted with the planning application which identifies that habitats across the site are largely of a low value. The previous use of the site, the manmade origin of the playing fields and ongoing mowing regime, in conjunctions with the poor-quality soil, is such that the majority of the grassland is species poor. The more sensitive habitats include: the woodland areas, belts of trees around the site and associated scrub and some scattered areas of taller, unmanaged grassland. These are, in part, retained. Further survey work has been provided following initial concerns regarding the impact on foraging bats and nesting birds. These have been agreed by the Council's Ecologist and mitigation measures including landscaping works and bird and bat boxes conditioned to offset the loss of habitat. Therefore, the requirements of Local Plan Policy BIO1 are met.

S106 – Affordable housing, off-site public open space, greenspace compensation, education and sustainable travel

The application proposes to provide the following provisions required on major housing developments by Local Plan policies and the relevant adopted Supplementary Planning Documents:-

- Affordable Housing - Local Plan Policy H7 states that housing developments of 15 or more dwellings will be expected to provide affordable housing. This scheme will deliver 5%, less than the 10% affordable housing provision expected in the Wombwell area. This has been agreed based on the Council's own viability assessment work undertaken to support the adoption of the SPDs, which demonstrated that the Wombwell site could not viably deliver against all the policy requirements. The applicant has included bungalows in the affordable housing offer and all the units will be provided on site
- Education contributions - This development would have a pupil yield of 50 primary and 36 secondary pupils. There is enough capacity to accommodate the secondary school pupils but a S106 contribution would be required as follows:
Primary – 50 pupils at £16,000 = £800,000
Total £800,000
- Compensation for loss of greenspace is calculated at £125,640 per hectare of green space that will be lost to development. The contribution has been calculated using the Council's current land valuation for amenity land which equates to £29,640 per hectare, and the cost of providing 1 hectare of informal open space including 15 years maintenance which equates £96,000. In this case, the area of loss greenspace land comprises 6.23 ha equating to a Contribution of £787,737.20
- Contribution towards off site open space based on the unit split shown on the submitted planning layout plan, and in accordance with the figures in Appendix 2 of the SPD the total off-site contribution for this application would be £239,270.24 which is calculated as follows:

Formal recreation
2 bed dwellings x 34 x £824.41 = £28,029.94
3 bed dwellings x 126 x £989.01 = £124,615.30
4 bed dwellings x 75 x £1155.00 = £86,625
- Sustainable Travel
235 units x daily person trip rate (10) x £ per trip (100) x 25% reduction =
Contribution of £176,250

Total contributions = £2,003,257.44 plus 5% affordable housing

An EV charging point will be provided for each dwelling as would cycle storage for each dwelling without a garage. Overall the proposal is compliant with the requirements of Policy I1 Infrastructure and Planning Obligations which states that development must contribute as necessary to meet all onsite and off-site infrastructure requirements to enable development to take place satisfactorily.

Conclusion

The former Wombwell High School site is allocated in the adopted Local Plan as a mixed-use site for housing and a new primary school. The proposed planning application is in accordance with this allocation, delivering a high-quality residential development of 235 dwellings whilst retaining 2ha of the site for a new primary school. The access to the site and highway impact has also been assessed based on the Primary School being operational.

The proposed scheme has been amended, following consultation, to address various issues raised with the final layout conforming to Local Plan Policies and mitigation of the impacts of the scheme, along with an appropriate s106 package, has been agreed.

Therefore, the proposed is recommended to Members for approval.

Recommendation

Grant subject to S106

- 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 and specifications as approved

Location Plan 1876.02 Rev B
Planning Layout 1876.01 Rev X
Materials Plan 1876.03 Rev F
Boundary Treatment 1876.06 Rev F
Boundary Treatments 1876.B.01 Rev A
Cross Sections 1876.21
Cross Sections 1876.11 Rev D
Management Company Plan 1876.10 Rev C
Tree Protection Plan 1 GLW 07 Rev E
Tree Protection Plan 2 GLW 08 Rev E
Tree Protection Plan 3 GLW 09 Rev E
Tree Survey, Arboricultural Impact Assessment and Method Statement Rev E
House Type E2
House Type B 1876.TB.01 Rev A
House Type A 1876.TA.01 Rev A
House Type B 1876.TB.01 Rev A
House Type B Affordable 1876.TB.02 Rev A
House Type C 1876.TC.01 Rev A
House Type D 1876.TD.01 Rev A
House Type E 1876.TE.01 Rev A
House Type E2 1876.E2.01 Rev A
House Type F 1876.TF.01 Rev A
House Type G 1876.TG.01 Rev B
House Type H 1876.TH.01 Rev A
House Type J 1876.TJ.01 Rev A
House Type L 1876.TL.01 Rev B
House Type Q 1876.TQ.01
House Type U 1876.TU.01
Garages 1876.G.01
Air Quality Assessment LDT2312
Landscape Detail Sub Station R/2195/2
General Arrangement / Plan & Elevations C993899 Rev B
unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality

in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policy D, High Quality Design and Place Making.

- 4 Prior to any construction being undertaken the applicant shall submit to the LPA, for approval, a dust management plan which details how dust will be controlled during the construction stage of the site. Once approved the applicant shall strictly adhere to the dust management plan. Prior to work commencing the applicant shall ensure that there is an adequate supply of water at the site and shall provide the LPA of details of this.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

- 5 Prior to any construction being undertaken the applicant shall submit to the LPA, for approval, a noise management plan which details how noise will be controlled during the construction stage of the site. The noise management plan should be based on the provisions provided in BS 5228-1 2009. Once approved the applicant shall strictly adhere to the plan.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

- 6 No works shall commence on site until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.
Reason: In interests of encouraging use of sustainable modes of transport.

- 7 No development shall be commenced until full engineering, drainage and street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.
Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety.

8 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of a scheme of works to improve visibility at the junction of Lundhill Road with Park Street / Wath Road. 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 safe, secure and convenient access and movement, in accordance with Local Plan Policy T4.

9 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- i. A plan to a scale of 1:1250 showing the location of all defects identified
- ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety.

10 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

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

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways.

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

Reason: To ensure proper drainage of the area in accordance with Local Plan Policy POLL1 Pollution Control and Protection.

- 11 Prior to the commencement of any development works, a remediation scheme, endorsed by a competent engineer experienced in ground contamination, shall be submitted to the local Planning Authority for approval. This report shall, amongst other matters, include the following:-
1. Methodology to identify and remove any contaminated material.
 2. Measures to test and evaluate any imported soils onto the site to ensure they are suitable for the intended use.
 3. Chemical testing suite, frequencies and threshold levels.
 4. Procedures to confirm capping levels have been achieved on plots.
 5. The subsequent validation that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied.
- The development shall thereafter be undertaken in full accordance with the submitted reports.
- Reason - to protect the environment and ensure the site is suitable for the proposed end use.**
- 12 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.**
- 13 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 Local Plan Policy T4 New Development and Transport Safety.**
- 14 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 Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.**
- 15 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 Local Plan Policy T4 New Development and Transport Safety.**

- 16 Prior to first occupation of the development hereby permitted the on-site car parking and paths shall be laid out in accordance with the approved plan, surfaced in a bound material that is permeable or drained into the site and retained thereafter available for that specific use.
Reason: To ensure the permanent availability of the parking and pedestrian areas in interests of highway safety in accordance with Policy T4.
- 17 Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at Lundhill Road in accordance with details of a completion plan to be submitted and approved in writing by the LPA.
Reason: To ensure streets are completed prior to occupation and satisfactory development of the site.
- 18 Prior to first occupation of the development hereby permitted, details for the provision of electric vehicle charging points (Mode 3) shall be submitted to and approved in writing by the LPA. These EVCP's shall be installed in accordance with the approved details prior to first occupation of the development and retained thereafter available for that specific use.
Reason: In interests of promoting sustainable travel opportunities in accordance with Policy T3.
- 19 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 Statement shall be adhered to throughout the construction period. The Statement shall provide for:
"The parking of vehicles of site operatives and visitors.
"Means of access for construction traffic.
"Loading and unloading of plant and materials.
"Storage of plant and materials used in constructing the development.
"Measures to prevent mud/debris from being deposited on the public highway.
Reason - In the interests of retaining highway efficiency and safety in accordance with Policy T4.
- 20 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 Local Plan Policy BIO1 Biodiversity.

- 21 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 Local Plan Policy BIO1 Biodiversity.
- 22 Upon commencement of development details of measures to facilitate the provision of gigabit-capable full fibre 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 with Local Plan Policy I1.
- 23 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.
- 24 No construction works in the relevant area (s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken .
Reason: In the interest of public health and maintaining the public water supply.
- 25 No construction works in the relevant area (s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all

times. If the required protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

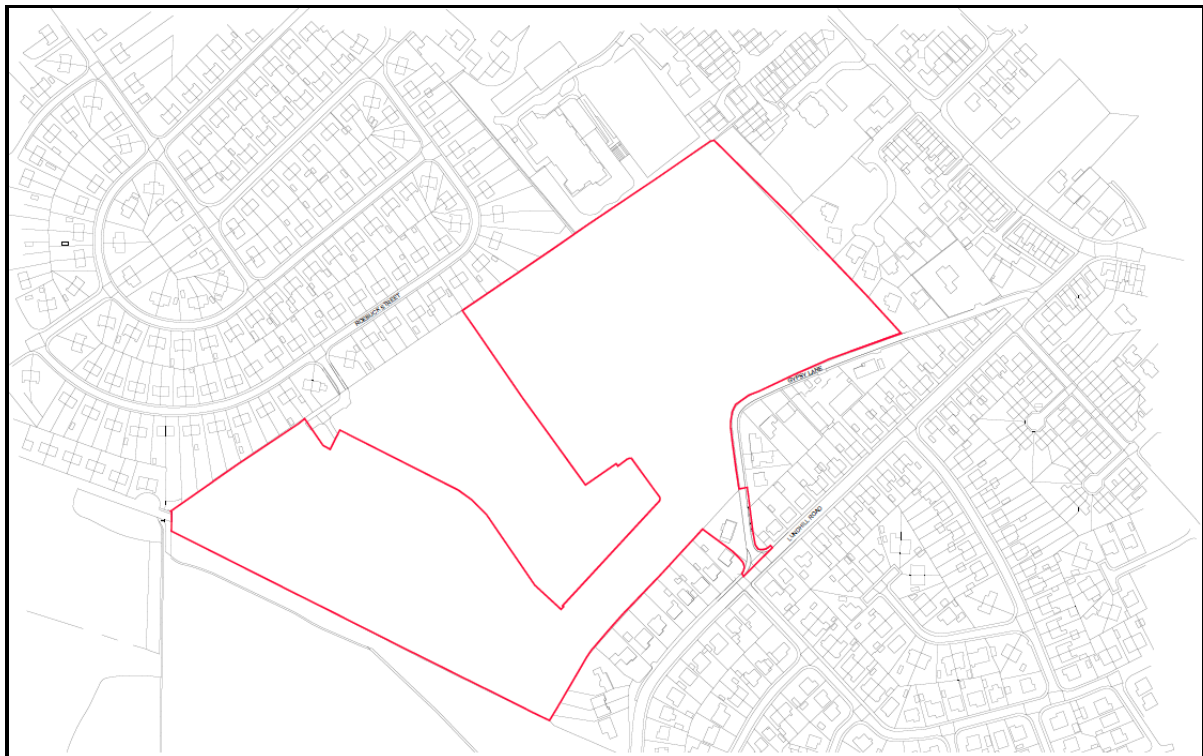
Reason: In the interest of public health and maintaining the public sewer network in accordance with Policy CC3

- 26 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 110-131 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 allow the impact on residential amenity to be fully assessed in accordance with Local Plan Policy D1.

PA Reference:-

2019/0089



BARNSELY MBC - Regeneration & Property



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Item 5

2019/0809

Applicant: Keepmoat

Description: Reserved Matters Application for residential development of 360 dwellings (Phase 3)

Location: Land North of Lingamore Leys, Thurnscoe, Rotherham S63 0PG

4 letters of objection have been received.

Background

The site was safeguarded land in the UDP and formed part of the area that was the subject of a previous outline planning application for residential development (2009/1408). Reserved Matters for Phase 1 was approved in 2010 (2010/0178) and has been delivered on site.

Following the expiry of the original outline application, a hybrid application was submitted (2017/1051) for phase 2 in full and outline for this site (phase 3). Phase 2 is currently being built on site.

This current application is therefore seeking to agree detailed planning matters for phase 3.

Site Description

The site is 11 hectares of agricultural land, located on the northern side of Thurnscoe which is situated between Barnsley and Doncaster with Doncaster being approximately 8 miles to the east and Barnsley 9 miles to the west. The main road through the village is the B6411 and there is a link to the A635 to the south. There is also a railway station within the village which is within walking distance from the site.

Phases 1 and 2 of the development are to the south of the site and the existing residential area of Thurnscoe extends along the western boundary. A railway line that links Sheffield and Rotherham to the south, with Pontefract, Wakefield and Leeds to the north, runs along the eastern boundary of the site; this effectively severs Thurnscoe with more residential areas located beyond it to the east. To the north is open Green Belt.

The housing in the vicinity of the site is predominantly modern in character dating from the mid to late 20th century. The first phase of the redevelopment of the Reema homes site, is complete with houses constructed of a mixed palette of materials including brick, stone, wood cladding and render. Phase 2 is simpler in design and materials reflecting the wider area. The surrounding housing is mixed in character with detached, semi-detached and terraced housing comprising of bungalows, two storey housing and a few three storey blocks. The majority are constructed in red or a dark buff brick with red or grey roof tiles. All are set back from the road with small front gardens with a mixture of front boundary treatments and small, enclosed rear garden areas.

The site is currently open fields which rise to the north east from Lingamore Leys. The rail line along the eastern boundary is located in a steep cut with an existing pedestrian bridge linking this to residential areas to the east. A public footpath runs along the southern boundary before crossing in a north easterly direction to meet this footbridge.

Proposed Development

The site layout has been amended several times from the initial submission and is presented to Members as a residential development of 360 dwellings comprising:

93 x 2 bed dwellings
209 x 3 bed dwellings
58 x 4 bed dwellings

All the properties have off street parking and gardens and there is a large area of open space running north south through the site which includes a MUGA and children's play area. There is a green corridor along the eastern boundary between the houses and rail line.

The site is accessed from two points along Lingamore Leys with the internal road layout forming a broadly grid pattern across the site. Several footpaths are created through the site to maximise permeability and the pedestrian link access the railway line is retained.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan

Site Allocation: The site is located within the Dearne and forms part of a Housing Allocation.

Site specific policy HS 43:

Former Reema Estate and adjoining land, off School Street, Thurnscoe with an indicative yield of 480. Development is expected to provide a bridge for people and vehicles to use across the railway line connecting the site with Thurnscoe East Estate, and retain, enhance and manage a wildlife corridor on the eastern boundary alongside the rail line. In addition, archaeological remains may be present on the site and an appropriate investigation is required.

SD1 'Presumption in Favour of Sustainable Development'.

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.

LG2 'The Location of Growth'

H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546

H2 'Distribution of New Homes' states 14% of new homes to be built in the Dearne

H6 'Housing Mix and Efficient Use of Land' proposals for residential development are expected to include a broad mix of house size, type and tenure and a density of 40 dwellings per hectare is expected

H7 'Affordable Housing' seeks 10% affordable housing in this area

H8 'Housing Regeneration Areas' supports housing market regeneration programmes in lower value submarket areas including Thurnscoe.

T3 'New Development and Sustainable Travel' The site is located in the Accessibility Improvement Zone

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

GS1 'Green Space' requires new development to provide or contribute towards green space in line with the Green Space Strategy.

GS2 'Green Ways and Public Rights of Way' seeks to protect rights of way from development.

BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

SPD's

- Design of Housing Development
- Parking
- Open Space Provision on New Housing Developments
- Sustainable Travel
- Financial Contributions for Schools
- Trees and Hedgerows
- Design of Housing Development
- Affordable Housing
- Biodiversity and Geodiversity
- Planning Obligations

Other

South Yorkshire Residential Design Guide

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.

Sections of relevance would be:

Section 5 – Delivering a sufficient supply of homes
Section 11 – Making effective use of land
Section 12 – Achieving well designed places

Consultations

Air Quality – A travel plan has been provided with the development and includes a recommendation for connections compatible with electric vehicle charging points be provided with each dwelling. On this basis an operational phase air quality assessment is not required.

Affordable Housing Officer: Support, subject to 5% affordable housing only on this phase. The previous phases delivered in excess of the 10% required by Local Planning Policy H7 therefore this site should deliver a reduced amount to support a rebalance of the market in this area.

Biodiversity Officer: No objections, the Ecology Appraisal and Landscape Strategy Plan are acceptable.

Broadband: No Comments, condition already on the outline approval.

Coal Authority: No comments, standing advice only.

Contaminated Land: I have read through the site investigation report (ref Sirius C8023) that has been submitted to support this application. This investigation has shown there are no elevated levels of contamination on the site. I do not require any further information regarding contamination issues, or require any conditions attaching.

Drainage: I would confirm that in my opinion the conditions regarding drainage applied to the original application referenced above should be applied to this resubmission.

Environment Agency: No comments received

Education: Due to the size of this development both a primary and secondary contribution would be required due to the impact on schools within the area.

Highways: No objections subject to conditions

Natural England: No comments, standing advice only.

National Grid: No comments received

Network Rail: No objections but applicants should be aware of various requirements to protect Network Rail land.. Advice issued to the applicant.

Pollution Control: No objections subject to conditions requiring a scheme of sound insulation.

Public Rights of Way: No objections as existing public rights of way are retained with diverted and or new routes and connections.

Regulatory Services – No objections subject to condition

South Yorkshire Police: No immediate concerns, detailed design out crime comments only.

South Yorkshire Passenger Transport Executive: No objections subject to the delivery of bus stop improvements as conditioned at outline.

South Yorkshire Mining Advisory Service: The site is not located in a Coal Authority Planning Referral area and therefore a coal mining risk assessment is not required. The Geo environmental report (Sirius November 2018) submitted with the application adequately considered the geotechnical and mining legacy for the site along with providing suitable recommendations for safe development.

Tree Officer: The level of impacts on the trees is as expected and with odd exceptions the trees to be removed are poor specimens and none would be considered worthy of individual protection to ensure retention within the scheme. The plan does note protective barriers will be required for the retained trees but does not show where they are to be utilised and as such this additional information will need to be provided prior to commencement, in accordance with the condition on the Outline Approval.

The level of tree planting shown on the landscape plan is acceptable, however it is not specified what species of trees etc. are to be used or where and as such full details of the proposed landscaping will also need to be provided.

Waste: Objected to the original layout as this included several dead ends / cul de sacs which require waste vehicles to undertake reversing manoeuvres. This has been addressed in the revised layout to provide a layout that provides more ease of movement for waste vehicles.

Ward Councillors: No comments

Yorkshire Water: No objections subject to conditions.

Representations

The application has been advertised by neighbour letters, site notices and a press advert. Four letters of objection have been received raising the following concerns:

- Loss of privacy and overshadowing of garden by new houses;
- Unacceptable disturbance from the existing development already (phase 2)
- Impact on services including doctors, school and roads which are already full.
- Loss of greenspace and loss of a view
- The greenspace on phase 1 has been vandalised and the same will happen on phase 3.
- There needs to be more homes for sale and less rented or social houses in the area.
- Impact on roads from so many cars and a lack of parking.

Assessment

Principle of Development

The principle of residential development has been established on the site for a number of years, most recently through approval of planning application 2017/1051 and the adoption of the Local Plan which includes the site as a housing allocation. As such, the principle of residential development on this site is acceptable, subject to assessment against other local plan policies and any material considerations.

Planning application 2017/1051 included the whole of housing allocation HS43, phase 2 being in full and delivering 129 houses. This reserved matters application is for phase 3, the remaining portion of the site and proposes 360 dwellings. This will bring the total for the site to 489 which is slightly over the yield identified in the site-specific policy. The proposed is considered to comply with the site-specific policy and Local Plan policy H6, housing mix and efficient use of land.

Local Plan Policy H8 supports housing market renewal in lower value submarket areas such as Thurnscoe. This scheme is part funded by a Homes England grant and includes a reduced

affordable housing provision to support the creation of a more balanced housing market in this area. In addition, the site includes extensive areas of greenspace with a MUGA and green corridor as well as improved public rights of way and a potential road link to East Thurnscoe, over the railway line.

Visual Amenity

The site layout has been amended to address various concerns including permeability across what is a large residential area. This has informed the layout which now broadly follows a grid pattern. There is a large greenspace running north south through the site which acts to break up the form of development and provides an attractive visual feature. This is proposed to be landscaped with tree planting, grassed areas and a MUGA and natural play park. Several landscaped footpaths are also included, increasing access across the site and to the greenspace and providing attractive features within the development. There is a green corridor along the eastern boundary of the site, providing a buffer to the rail line and creating wildlife corridor with native hedgerows and wildflower meadows.

The housing mix comprises detached and semi-detached dwellings of two and two and a half storeys and following detailed discussions with officers the parking of the site has been designed to provide more tandem parking to frontages which enables more soft landscaping to be more prominent to the entrance of the site and along the spine road. Design and materials are simple with a choice of two brick colours of multi buff and red, with grey or red concrete tile roof with grey doors windows and black rainwater goods.

In terms of other visual amenity considerations, the majority of the site is relatively open and clear of features. Tree protection details and an arboricultural method statement have been provided Overall the amendments to the submitted plan would result in an attractive open layout with plentiful soft landscaping to frontages, green areas to the entrance along Lingamore Leys and running northwards through the site. As such the proposal acceptable in visual amenity terms, complying with local Plan Policy D1.

Residential Amenity

The application has not generated significant objections; however, residential amenity considerations are a sensitive issue with the application overall given that existing dwellings are orientated to overlook the site at present in its open and green form. Separation distances either meet or exceed the requirements at site boundaries and the significant areas of greenspace across the site retain some of the openness with the advantage that this is accessible greenspaces whereas previously the site was an agricultural field. The existing footpath links with East Thurnscoe are also retained and improved with new links across the site added.

Overall Officers are satisfied that residential amenity of existing dwellings is maintained to a satisfactory level, in accordance with Local Plan Policy D1 and in accordance with adopted SPD Design of housing development.

Internally, following protracted negotiations and substitution of house types, the house types proposals now meet with the minimum room sizes set out in the South Yorkshire Residential Design Guide in the majority of cases with only a small percentage of 3 bed dwellings just being below the minimum

Overall the proposal is considered acceptable in accordance with Local Plan Policy D1 and the adopted guidance in the South Yorkshire Residential Design Guide.

Noise

Given the proximity of the site to the railway line a noise impact assessment has been submitted by the applicant . The report concludes that noise from the railway is the dominant noise source and has suggested a scheme of works to mitigate this including suitable glazing and the use of acoustic trickle vents. This has been assessed by the Council's Regulatory Services section who are satisfied with the assessment and, subject to a suitable condition, have raised no objections to the scheme.

Highways

The application has been amended since its first submission to enable a road network that connects well within the existing highways and also internally works for all vehicular traffic including waste and emergency vehicles. This does result in some long lengths of road but these are broken up by 'pinch point's to slow traffic down.

Site specific policy HS43 requires a bridge for vehicles and people to use across the railway line, connecting to East Thurnscoe. Whilst this is not viable to deliver as part of this development, the application layout includes a road link through the site suitable for buses. This can be extended in the future should funding for the bridge be secured. It is therefore accepted that this aspect of the Policy is complied with.

PROW

There are 2 public rights of way running through this site, a public footpath for pedestrians from School Street to the railway bridge and a public bridleway for pedestrians, cyclists and horse riders from the south eastern corner of the site to the railway bridge.

The bridleway connects to Thurnscoe village centre and railway station. The route has a tarmac surface further south, which was surfaced as part of an earlier phase of development. This tarmac surface will be extended through to the railway bridge as part of development works to provide an all-weather through route from the development to Thurnscoe village.

An additional spur has been provided from the bridleway to the estate road and public footpath. This creates a right of way for cyclists from the estate road to the village centre.

The development will therefore improve existing public rights of way and provide new links, in accordance with Local Plan Policy GS2 Greenways and Public Rights of Way and T3 Sustainable Travel.

Drainage

The site is located within Flood Zone 1 (low risk). A condition was imposed at outline stage stating that drainage details need to be agreed prior to the commencement of development. The developer has indicated that foul water will be discharged to the public combined sewer network and has indicated that an underground attenuation tank will be utilised to help deal with surface water drainage. A basin is also shown on the plans close to the MUGA but the applicants have confirmed that this is a dry basin and is only there as a cover for overflow for a 1 in 100 year event. Yorkshire Water and the Council's drainage Section are happy with the principles of the scheme and, subject to detailed designs being worked up as part of compliance with the relevant condition, they have raised no objections to the scheme. Overall therefore the proposal is regarded as being acceptable with regards to flood risk and drainage considerations.

Archaeology

Condition 18 of the outline consent (2017/1051) required an archaeological evaluation to be undertaken and the results submitted with any reserved matters application. This has been fulfilled with the submission of the 'Geophysical Survey Report. Phase 3, Willow Heights, Thurnscoe, South Yorkshire' by Sumo Survey. No certain anomalies of archaeological interest were identified but several anomalies of uncertain origin (which may be archaeological in nature) were recorded. Overall, the results of the survey are sufficient to establish that there are not widespread and extensive archaeological remains across the site that would preclude development, but some further work will still be required to test the 'uncertain anomalies'.

A WSI for trial trenching by MAP Archaeological Practice has also been submitted. This is sufficient as a mitigation strategy for the site. However, as the works detailed in this WSI have yet to be implemented, condition 18 should not be fully discharged at this time.

SYAS advise that an informative be added to the decision notice, should consent be granted, to remind the applicant that the archaeological mitigation secured by condition 18 on the outline consent and detailed within the WSI by MAP Archaeological Practice needs to be completed prior to the commencement of development on the site.

S106 – Affordable housing, off-site public open space, greenspace compensation, education and sustainable travel

This is a reserved matters application therefore s106 requirements are limited to those matters raised at the time the outline planning permission was granted and secured through appropriate condition in accordance with Local Plan policies and the relevant adopted Supplementary Planning Documents. As this was before the adoption of the Sustainable Travel SPD there is no requirement for a contribution under this SPD, albeit improvements to bus stops have been conditioned. The agreed provisions are therefore summarised as follows:-

- Affordable Housing - Local Plan Policy H7 states that housing developments of 15 or more dwellings will be expected to provide affordable housing, with 10% affordable housing provision expected in the Dearne area. However, as the site provided in excess of this on previous phases, it has been agreed that only 5% will be included as part of this development. This is to address existing imbalances in the local market. These will be provided on site
- Education contributions - This development would have a pupil yield of 75 primary and 54 secondary pupils and a S106 contribution would be required as follows:
Primary – 75 pupils at £16,000 = £1,200,000
Secondary - 54 pupils at £16,000 = £864,000
Total £2,064,000

Bus Stop Improvements – Condition 21 of the Outline approval requires improvements to bus stops on Lingamore Leys and Merril Road to be agreed at the time of submitting the reserved matters application. SYPTE have been consulted and confirmed the cost for these improvements as £67,400.

Total contributions = £2,131,400 plus 5% affordable housing

An EV charging point will be provided for each dwelling as would cycle storage for each dwelling without a garage. Overall the proposal is wholly compliant with the requirements of Policy I1 Infrastructure and Planning Obligations which states that development must contribute as necessary to meet all onsite and off-site infrastructure requirements to enable development to take place satisfactorily.

Conclusions

The proposed development will deliver 360 houses, 95% of which are for market sale, in a housing regeneration area where there is a high proportion of rented properties. The scheme also includes a high proportion of family housing in the form of 209 three bedroom and 54 four bedroom properties. A generous proportion of greenspace is included with a NEAP; including MUGA and children's play area and ecological enhancements on site and along the green corridor which also provides a buffer to the railway line.

Existing footpath links are retained and improved, and the site has been laid out to maximise access and permeability across the area. Further the S106 includes funds to improve bus stops on Lingamore Leys and Merril Road.

The proposed is therefore recommended to Members for approval.

Recommendation

Grant subject to conditions and S106

- 1 The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved:

Planning Layout K 1926.01 Rev M
Abbey Working Drawing Pack 1060 Rev 1
Bamburgh Working Drawing Pack 1200 Rev 1
Caddington Plu Housetype H51-CR-001 Rev A
Danbury Working Drawing Pack 1080 Rev 1
Hadley Working Drawing Pack 1350 Rev 1
Hardwick Working Drawing Pack 1260 Rev 1
Lawton Working Drawing Pack 2010 Rev 1
Mawlow Working Drawing Pack 2030 Rev 1
Turton Working Drawing Pack 5260 Rev 1
Planning Drawing Twin Garage 1926.G.02
Planning Drawing Single Garage 1926.G.01
Various Boundary Treatments 1926.B.01
Geophysical Survey Report 16831 (MAP Archaeology Ltd January 2020)
unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 2 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 Local Plan Policy D, High Quality Design and Place Making.

- 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 Local Plan Policy D1 High Quality Design and Place Making.

- 4 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.

- 5 The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. The scheme of sound insulation works installed shall be based on the findings of the noise assessment report, reference NIA/8582/19/8511/v1/Thurnscoe, Phase 3, dated the 26th June 2019, submitted with the application.

The scheme of works shall;

a) Be based on the findings of the noise assessment report, reference NIA/8582/19/8511/v1/Thurnscoe, Phase 3, dated the 26th June 2019, submitted with the application.

b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Reason: In the interests of residential amenity in accordance with Local Plan Policy Pol1.

- 6 No development shall be commenced until full engineering, drainage and street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.

Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety in accordance with Local Plan Policy T4.

- 7 Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at School Street in accordance with details of a completion plan to be submitted and approved in writing by the LPA.

Reason: To ensure streets are completed prior to occupation and satisfactory development of the site in accordance with Local Plan Policy T4.

- 8 Prior to the commencement of construction works, details of EVCP's shall be submitted to and approved in writing by the LPA. The works shall be installed in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details.

Reason: In interests of promoting sustainable travel opportunities in accordance with Local Plan Policy T3.

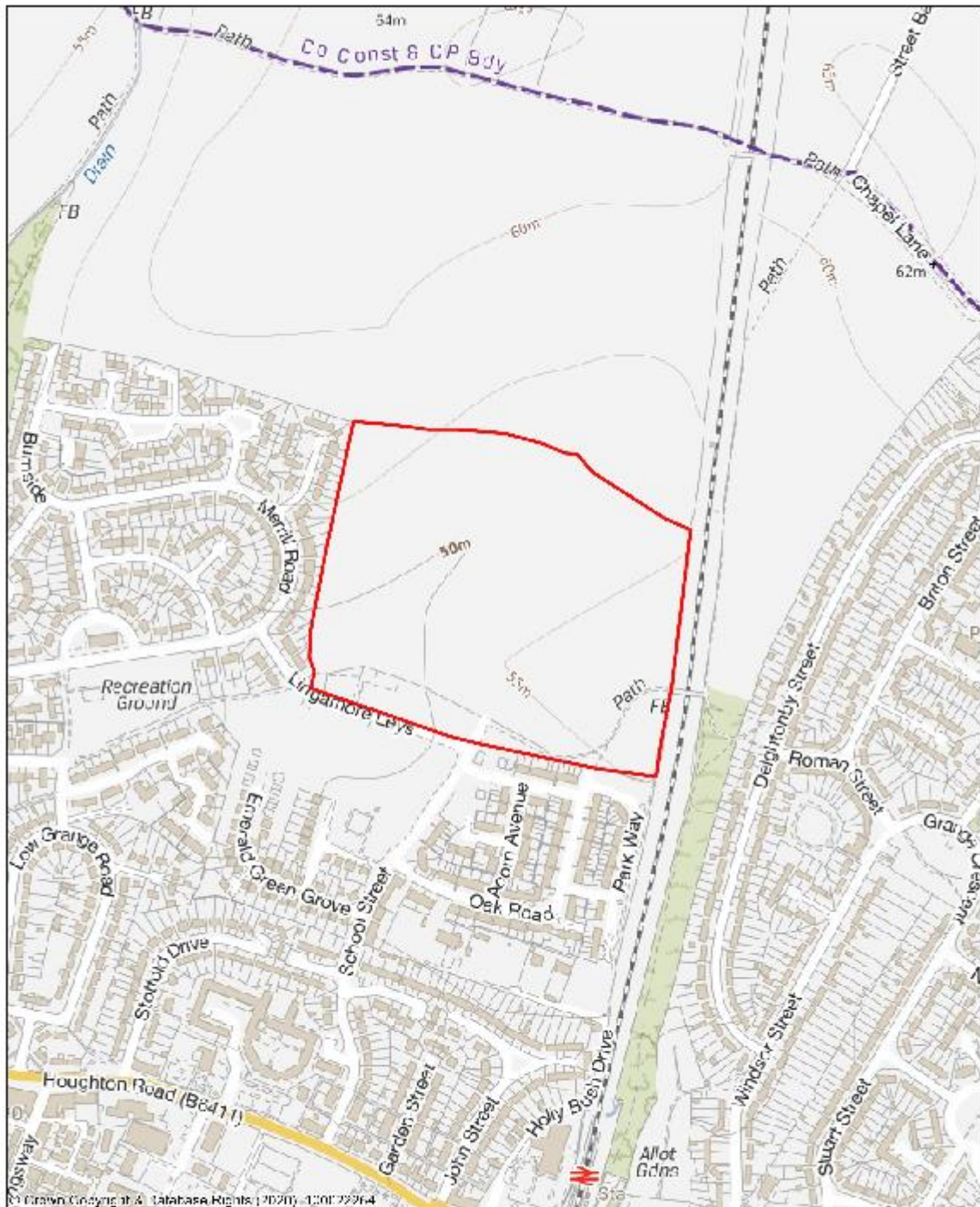
- 9 Notwithstanding the Landscaping Masterplan (C-1787-01 Rev A) submitted with this

planning application, full details of soft landscaping works, including details of the species, positions and planted heights of proposed trees; 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.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

PA Reference:-

2019/0809



BARNSELY MBC - Regeneration & Property

Scale: 1:5000



Item 6

2019/1429 & 1457 – Full Planning + Listed Building Consent Applications

Applicant: Adam Ash (Plincke) on behalf of Cannon Hall Museum/BMBC

Description: Alterations within grounds of Cannon Hall to include: 1 - Partial restoration of the glazed elements of the North Range greenhouse in the Walled Garden 2 - Existing Cart shed to Kiosk conversion 3 - Change in floor surface material to the Deer Shelter 4 - A new Boat Shed close to the middle Lake of the Daking Brook Lakes complex. 5 - A new boat landing jetty/dipping platform

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

The application is put to Members as the Council is the applicant. No letters of objection have been received from the public. Cawthorne Parish Council have objected.

Description

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

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

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

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

Several residential dwellings form the western flank of the Walled Garden, however the northern Glasshouse range is set further north within the garden and is in closer proximity to the Cannon Hall Farm buildings that encircle the Walled Garden in this area. The Cart Shed is located adjacent to the south west of the Walled Garden and is attached to the southern range of the Stable Yard. As for the Deer Shelter, this structure is set within a wooded area in the western section of the parkland while the middle lake is situated further south east and flows from west to east between two central weirs.

Proposed Development

The applications comprise a package of works to convert and facilitate better flexibility and use of spaces (some currently underused or not used at all) within the Walled Garden and wider parkland.

The proposals are composed of the following:

- (i) Two no. prism-shaped structures applied to the north range greenhouse to complete restoration of the building commenced under 2016/0633. The structure will be glazed with aluminium framing to replace the former timber-frames while the central area, where Victorian heating pipes are exposed, are to be cleaned and restored so that bespoke seating can be erected around them. Several ramped and stepped accesses will allow entry and circulation throughout the new layout.
- (ii) The cart shed is to be repaired in a sympathetic manner to the original construction, including replacing the uneven floor, wainscoting to conceal eroded stonework, pointing and painting walls with dust sealant (to both brickwork and stone walls) and infill the ceiling rafters. The sliding doors will be upgraded to timber bi-fold doors, finished in a colour that matches the palette to the rest of the Hall. The space is then to be fitted out for a simple kiosk concession including electrical supply for fridge/coffee machine, water supply for hot and cold water, storage shelving, a counter and a small prep area. The kiosk is intended to sell coffee, tea, pre-packaged biscuits and cakes only.
- (iii) Replacement of existing loose gravel with resin-bound gravel to the floor beneath the canopy of the Deer Shelter over an area of approx 74sqm the edges of which shall remain unbound to protect the historic fabric of the building.
- (iv) A boat-shed is proposed upon the northern shore of the lake. The structure shall sit on a concrete pad foundation and is composed of a modified shipping container clad in timber with a simple pitched roof finished with wood shingles. The dimensions of the unit are to be L4.55m x W 2.44m x H 2.7m.
- (v) Erection of a pier, boat launch and dipping platform beside 8no. mooring points on the lake edge. The pier, platform and launch are to be situated on 19 no. piles that will be cross-braced and connected via interlocking joists and covered in a treated deck. A 1200mm fence will control access to the launch and will edge the extent of the platform. The mooring points will be 350mm diameter telegraph poles driven into the lake edge with a zinc ring to allow boats to be moored upon the shoreline.

History

The following planning applications and listed building consents have been previously approved by the Planning Board:-

Planning Application 2016/0633 - Works within grounds of Cannon Hall including formation of 6. no. parking spaces, reconfiguration of forecourt, reinstate pond, repair of growing areas and footpaths, change use of Gardener's Cottage, remove cart sheds to form access between museum and walled garden, repair works to Stable Yard

Cottage to create holiday let cottages, partly restore and repair North Range Glass House and improvements to cafe settings.

Listed Building Consent 2016/0758 - Works within grounds of Cannon Hall including restoration of Deer Shelter, repairing and access works to Ice House, amendments to forecourt, south terrace and footpaths, restoration and amendment to walled garden including new entrance, removal of cart sheds and wall section, amendment to Stable Yard and Gardener's Cottage, repairs to Pinery, alterations to paths and planting and recreate pond.

Full Planning Application 2017/0213 - Erection of new entrance porch.

Listed Building Consent 2017/0239 – Erection of new entrance porch.

Listed Building Consent 2017/1571 - Minor amendments to internal layouts of gardeners and stable yard cottages, repair works and alterations of stable yard cottage, retention of cart shed and installation of full height brick arched opening at rear.

The following planning and listed building consent application is currently undetermined as it was deferred by Committee to allow for a noise and vibrations survey to be carried out and assessed:

Extension and alterations to the south and west wing of the stable building to provide cafe at ground floor and shop at first floor, with associated porch access route and disabled access lift.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan is the borough's statutory development plan which is supported by a series of adopted Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan policies map designations include:-

- Green Belt
- Cannon Hall Historic Park and Garden

Other relevant Local Plan policies are as follows:-

GD1 – General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1 – High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

GB2 – Replacement, Extension and Alterations of Existing Buildings within the Green Belt - Extensions in the Green Belt will be acceptable where the extension or alteration of the building does not exceed the size of the original building.

GB3 – Changes of Use in the Green Belt - The proposed new use is in-keeping with the local character and the appearance of the building while preserving the openness of the Green Belt.

HE1 – The Historic Environment - We will positively encourage developments which will help in the management, conservation, understanding, and enjoyment of Barnsley's historic assets. Including (f) supporting proposals which will help secure a sustainable future for Barnsley's heritage assets, especially those identified as being at greatest risk of loss or decay.

HE2 – Heritage Impact Assessments and General Application Procedures - Submission of Heritage Impact Assessments for development affecting heritage assets.

HE3 – Developments Affecting Historic Buildings - Proposals involving additions or alterations to listed buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve and where appropriate enhance that building's significance.

T4 – New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

POLL1 – Pollution Control and Protection - Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water, and ground water, noise, smell, dust, vibration, light or other pollution which could unacceptably affect or cause a nuisance to the natural and built environment.

BIO1 – Biodiversity and Geodiversity - Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

Supplementary Planning Documents

Heritage Impact Assessments

NPPF

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

In respect of this application, the policies above are considered to reflect the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 124 (general design considerations) and paragraph 130, which state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

The relevant paragraphs within the NPPF will be observed with respect of this application, those being Chapters 13 (Protecting Green Belt Land) and 16 (Conserving and Enhancing the Historic Environment).

Consultations

Cawthorne Parish Council – Object to the following:

- 1. The lake is not large or deep enough to have boats on*
- 2. The boats will disturb the wildlife*
- 3. Boating will allow access to the island which should be kept clear of the public so as not to disturb the wildlife on it, including nesting birds.*
- 4. Objections to the presence of boats and boating makes the building of a jetty not necessary.*
- 5. The visual aspect of the boat shed will not blend in with the county park vistas. It is a substantial building and despite being clad in timber it will be still very visible in the landscape.*

The issues outlined above shall be discussed in the historic and visual amenity section of the assessment below.

Conservation Officer – No objections subject to conditions. The conservation officer's comments are as follows:

The North Range Glasshouse has been in a state of disrepair for a long time with the timber / glazed (garden facing) structure in a state of dangerous dilapidation. Overall the structure was quite a negative in the setting of both the garden and Cannon Hall itself. I believe the glazed structure was not historic and appeared to be softwood frame of a functional profile / design and modern float glass of circa mid to late C20. The lean-to roof to the rear was previously covered in rock felt (I believe in the 1990's) but this roof, the spine wall and chimney stacks were all in need of urgent repair. I discussed these 'repairs' with Mark Newall and Sharon Sutton and felt strongly that reverting to a stone slate roof would (if the weight could be supported) greatly improve this aspect of the building. The glazed lean-to structure was clearly beyond economic repair and so a partial restoration including re-erection of the structure as two glazed bookends was proposed. The central section is proposed to be consolidated and retained as an unroofed space for flexible all weather outdoor use. It's worth saying the ideal scenario would have been a full restoration for the glazed elements with a bespoke timber frame and heritage cylinder or wavy Victorian sheet (not float) glass. However, I appreciated early on this was unlikely to be achievable. A compromise was reached that included a smaller frame (bookends) and the use of a high quality metal frame as opposed to timber. On balance I felt this was a reasonable compromise that brought the structure back into beneficial use, allowed a re-roof and repair of other elements of the structure, whilst protecting the setting of the wider garden. I note on the plans that the colour is to be agreed and I would say this needs to be off white (but not brilliant white or some sort of double cream colour / magnolia). This will need to be agreed in due course.

The new kiosk for concessional use (light snacks / tea / coffee etc.) is proposed to be housed in the outshut cartshed attached to the west of the gardeners cottage. The proposals here were also discussed last year where I suggested a re-design to ensure the door design and fit out were as sympathetic and reversible as possible. Interior alterations include the installation of wainscoting at lower levels and the sealing of the stone and brick internal wall finish with paint. This particular item does need clarification as the use of a polymeric / acrylic non breathable paint could damage the fabric of the stone. However, generally the internal fit out is light touch and reversible and should allow the retention of the significance of the building whilst accommodating the new use. The Deer Shelter is proposed to have a new resin bound surface with natural gravel borders as the current gravel surface is not fit for purpose for the intended future uses. This change raises no concerns, given the unbound nature of the margins that abut the historic fabric, its generally ephemeral nature and is completely reversible. The proposals for the landing jetty, platform and boat shed raise no concerns in principle.

In summary I would like to confirm:

- *The exact colour and finish of the glasshouse frame*
- *The nature of the paint proposed for the internal walls of the kiosk*
- *The exact and detailed design and materials proposed for the boatshed*

Biodiversity Officer – The works to the middle lake and Deer Shelter were identified as requiring an ecological appraisal statement that drew upon previous Preliminary Ecological Assessments of habitats in the historic park. An Ecology Statement (10th February 2020) was submitted to address the issues identified by the Biodiversity Officer in their initial response (20th January 2020). The recommendations of the report, principally the signs relating to nesting birds and mooring on the central island, as well as details for a Biosecurity Protocol to prevent the introduction of signal crayfish, shall be conditioned in the event of a positive decision by members. The statement and subsequent conditions accounts for the concerns raised in points 2 and 3 by Cawthorne Parish Council.

Historic England – No objections on heritage grounds.

Ward Councillors – No responses received.

Highways Drainage – No objections.

Highways DC – No objections:-

Access, parking and servicing are retained from Bark House Lane. Customer trips are expected to be linked to visits to the museum and other parts of the grounds. The four extra staff and additional servicing requirements are not considered to be significant to give rise to road safety issues. Given the number of users and the extent of the works, a construction traffic management plan (CTMP) is appropriate.

The CTMP has subsequently been submitted and agreed with the applicant.

Representations

The application was advertised by way of neighbour notification letters, a site notice and a press advert..

No responses have been received following the above consultations/notifications.

Assessment

Cannon Hall is set within the Green Belt and is a Grade II* listed building within a Grade II registered landscape, with several associated buildings and structures listed at Grade II. The application therefore needs to be assessed in principle against Local Plan Policies GB2, GB3, HE1, HE2 and HE3 which accord with Government advice set out in the NPPF.

Green Belt Tests

The northern Glasshouse shall be constructed in a faithful layout to the original arrangement of the glazing, albeit with the central section omitted in favour of an open-air seating area. This development is determined to accord with clause (c) of para 145 of the NPPF in that it will not result in alterations that are disproportionate to the size of the original building. The works to the Glasshouse are therefore considered to be appropriate within the Green Belt.

The use of the Cart Shed as a café facility is compliant with clause (d) of para 146 of the NPPF which allows re-use of buildings provided that they are, as the Cart Shed is, of a permanent and substantial construction. The café use is also found to be ancillary to the predominant use of Cannon Hall as an educational and leisure facility.

The works to the floor of the Deer Shelter are not determined to be inappropriate development in the Green Belt in accordance with clause (b) of para 146 of the NPPF in that they constitute engineering operations. The new floor can also be considered an alteration that falls under clause (c) of para 145 of the NPPF as it does not result in a disproportionate increase to the size of the building.

The material change in use of the lake and its shoreline for the mooring, landing and storage of boats is in accordance with clause (e) of para 146 in the NPPF in that the use of the land shall be for outdoor recreation. Similarly, the provision of the aforementioned structures associated with the change in use of the land also accord with clause (b) of para 146 in the NPPF which allows for appropriate facilities for outdoor recreation. The storage building and pier will be in a relatively isolated area beside the lake and in clear view of the southern façade of Cannon Hall which would usually be determined to be a significant issue in relation to openness and the setting of the historic park and garden. However there are a number of mitigating factors that will preserve the openness of the Green Belt and be faithful to the setting of the park and garden, these are; (1) the boat shed will be a temporary structure that can be removed at short notice with little subsequent impact on the openness of the Green Belt. (2) The size of the boat shed, at L4.55m x W 2.44m x H 2.7m, is small in size and will be clad in timber so that it fits well aesthetically into the landscape and therefore further reducing the development's impact on openness. (3) Third, the pier itself shall be in a similar location to the one used historically on the lake and therefore the introduction of the development on the middle lake is likely to be more faithful to the setting and openness of this area than the current presentation of the landscape despite it being of a more permanent construction than the boathouse.

On the basis of the above, the proposals concerning the northern Glasshouse range, the Cart Shed, Deer Shelter and the container and pier beside the middle lake are considered as appropriate development within the Green Belt in line with paras 145 and 146 of the NPPF.

Impact upon Heritage Assets and Visual Amenity

To reiterate the points above in relation to the impact of the boathouse and pier upon the listed park and garden. The former will be a temporary building that is inherently reversible in terms of its impact while the latter facilitates an original use for the ornamental lakes. The Conservation Officer, who has assessed the proposal in detail, raises no objection in principle to the boathouse and pier given the established history of boating on the lake which has been evidenced by both a historic picture of a boat upon the lake and a letter to Walter Spencer-Stanhope dated July 17th 1765 that details the purchase of an improved boat for the lake. To ensure that the boathouse appears as presented in the Boat Store Plan, the Conservation Officer has requested the design and material composition to be reserved by condition. In response to point 5 of Cawthorne Parish Council's objection, the boathouse and pier will be a truer representation of the historic vistas across the historic parkland and are thus recommended as acceptable.

The North Range Glasshouse, as highlighted by the Conservation Officer, has been in a state of disrepair for a long time which has negatively impacted the setting of the walled garden and Cannon Hall itself. The proposal for the book-ended glazing with uncovered central glazing provides a faithful, contemporary and economical renovation of this building. Some aspects of the design, particularly the material composition, diverge from the original building in that the new glazing shall be of modern glass manufacturing methods, not heritage cylinder, while the glazing frames are to be composed of aluminium, not timber. Again, the Conservation Officer has considered these material compromises acceptable given that they will allow the building to come back into its originally intended use while also benefitting the aesthetic. The colour of the frames are to be reserved by condition.

The Conservation Officer has ensured that the design of the Cart Shed as a small café/kiosk is largely reversible for the fabric of the building. The type of paint that is to be utilised internally is to be reserved by condition to ensure that it is compatible with the stone elevations.

The Deer Shelter floor is an alteration for practical purposes and it is unlikely to have a detrimental impact on the aesthetic and historic fabric of the building. The Conservation Officer has further confirmed that the works are reversible.

On the basis of the above assessment the proposals are found to be in line with Local Plan Policies HE1, HE3 and D1 in that they preserve and enhance the appearance and setting of the buildings and listed assets in which they are located.

Residential Amenity

No dwellings are located in proximity of the middle lake or the Deer Shelter and works in these areas are unlikely to result in amenity issues for local residents. As regards the Cart Shed, some residential dwellings are located on the southern range of the stableyard but as the alterations are internal to this building the impact is anticipated to be within reasonable limits. The use of the Cart Shed as a kiosk is also unlikely to incur a negative impact on amenity due to its limited offer and secluded location near the entrance to the walled garden. The ability for patrons to purchase a takeaway coffee, or other similar sundry, is the intended purpose of the proposal and it is hoped that this will result in increased footfall to the walled garden by providing a more attractive offer for visitors and thereby encouraging return visits. The consequent impact on residential properties from an increase in footfall is determined to be very limited given that the walled garden and surrounding parkland are already managed with a high level of care.

The North Range Glasshouse is located approximately 30m further north of the north-eastern corner of the stableyard where The Granary and The Shires dwellinghouses are located. The arrangement between the stableyard and Glasshouse buildings is historic and the renovation of the latter is highly unlikely to disrupt the former's amenity other than to improve the setting of the dwellinghouses.

Some issues from construction and construction traffic across the parkland and walled garden can be anticipated to impact local residents. As such, a logistics plan and compound plan have been provided by the applicant which detail how construction is to be managed across the site. In any event works are only for a temporary period while the access arrangements are situated on private land across private drives which are not under the control of the Local Highways Authority.

To conclude, the residential amenity of the site is believed to be sufficiently protected via the means outlined above in line with Local Plan Policy GD1 – General Development and POLL1 - Pollution Control and Protection.

Other Issues

Point 1 of the Parish Council's objection states that the lakes are not large or deep enough to have boats upon them. However, they have not provided any evidence to back up this claim and it is noted that the ecology statement makes reference to dredging having occurred in line with an Ecological Mitigation Plan submitted for such a purpose in March 2018. The fact this engineering work was undertaken infers that the lake has been made ready for boats being placed upon it. In addition, the type of craft that are likely to utilise the lake will be of a shallow hull design that are intended for small ponds with little water clearance.

Conclusion

The proposals constitute important renovations and recreation facilities that will help ensure the future viability of Cannon Hall Museum and its parkland as a sustainable tourist attraction. Indeed the works are light-touch, proportionate and careful consideration has been given to the design in consultation with the Conservation Officer.

The works should have no significant impact upon the Grade II Listed Building, the setting of the Grade II* Listed Building or the Grade II registered landscape in accordance with the NPPF and Local Plan Policies HE1 and HE3. Likewise, the impact upon the Green Belt from the proposals are not determined to be inappropriate in line with Local Plan policies GB2 and GB3 which accord with NPPF paras 145 and 146. Residential amenity is expected to be maintained at existing levels in line with Local Plan Policies GD1 General Development and POLL1 – Pollution Control and Protection.

Recommendations:

Grant planning permission and listed building consent subject to the conditions listed below.

2019/1429

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

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

Plan Descriptions

- Site Red Line Plan for Planning - CHP_PLI_S5_DR_PLA_0110 - Rev P01
- Walled Garden: North Range Option 2 - Partial Glasshouse Reinstatement – 0292_PLI_C3_S4_DR_L_97_213 - Rev T01
- Refreshment Kiosk - 2577.F.125
- Deer Shelter: Re-sufracing to internal floor
- The Lakes: Boat Landing/Dipping Platform Detail – 0292_PLI_C3_S4_DR_L_97_210 - Rev T02
- The Lakes: Boat Store - Location 1:1000 & Boat Landing Jetty
- The Lakes: Red Line - Location 1:500
- The Lakes: Boat Store - Plan 1:100
- C1.1 Site Logistics Plan - 2577.F.122B
- Site Set-up Plan Main Compound

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making

- 3 Prior to commencement of development details of the materials listed below 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.

- The colour and finish of the North Range Glasshouse glazing frames.
- The specification of the paint to be applied to internal walls of the Cart Shed Kiosk.
- The roof shape and external cladding material of the boat house container.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making and HE1 - The Historic Environment.

- 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

- 5 The contents of the Ecology Statement (P4606-01) by Brooks Ecological and the recommendations made in relation to the North Range Glasshouse, Kiosk and Deer Shelter specified therein shall be observed by the applicant throughout the construction phase of development.

Reason: In the interests of the biodiversity of the area in line with Local Plan Policy BIO1 - Biodiversity and Geodiversity.

- 6 Prior to commencement of the use of the boathouse, pier and Daking Brook lakes for boating, the details listed below shall be sufficiently evidenced, submitted and approved in writing by the Local Planning Authority in line with the recommendations of the Ecology Statement (P4606-01) by Brooks Ecological, those being:

- The installation of signage informing users of the legislation in relation to nesting birds.
- The installation of signage prohibiting landing on the middle lake's island.
- Evidence of employee training for nesting birds.

- A disciplinary and identification system of trespassers upon the middle lake island.
- A biosecurity protocol in line with Environment Agency guidance that minimises the risk of spreading Signal Crayfish into the Daking Brook Lake system.

Reason: In the interests of the biodiversity of the area in line with Local Plan Policy BIO1 - Biodiversity and Geodiversity.

2019/1457

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

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

Plan Descriptions

- Site Red Line Plan for Planning - CHP_PLI_S5_DR_PLA_0110 - Rev P01
- Walled Garden: North Range Option 2 - Partial Glasshouse Reinstatement - 0292_PLI_C3_S4_DR_L_97_213 - Rev T01
- Refreshment Kiosk - 2577.F.125
- Deer Shelter: Re-sufracing to internal floor
- The Lakes: Boat Landing/Dipping Platform Detail - 0292_PLI_C3_S4_DR_L_97_210 - Rev T02
- The Lakes: Boat Store - Location 1:1000 & Boat Landing Jetty
- The Lakes: Red Line - Location 1:500
- The Lakes: Boat Store - Plan 1:100
- C1.1 Site Logistics Plan - 2577.F.122B
- Site Set-up Plan Main Compound

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 Prior to commencement of development details of the materials listed below 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.

- The colour and finish of the North Range Glasshouse glazing frames.
- The specification of the paint to be applied to internal walls of the Cart Shed Kiosk.
- The roof shape and external cladding material of the boat house container.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making and HE1 - The Historic Environment.

- 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

- 5 The contents of the Ecology Statement (P4606-01) by Brooks Ecological and the recommendations made in relation to the North Range Glasshouse, Kiosk and Deer Shelter specified therein shall be observed by the applicant throughout the construction phase of development.

Reason: In the interests of the biodiversity of the area in line with Local Plan Policy BIO1 - Biodiversity and Geodiversity.

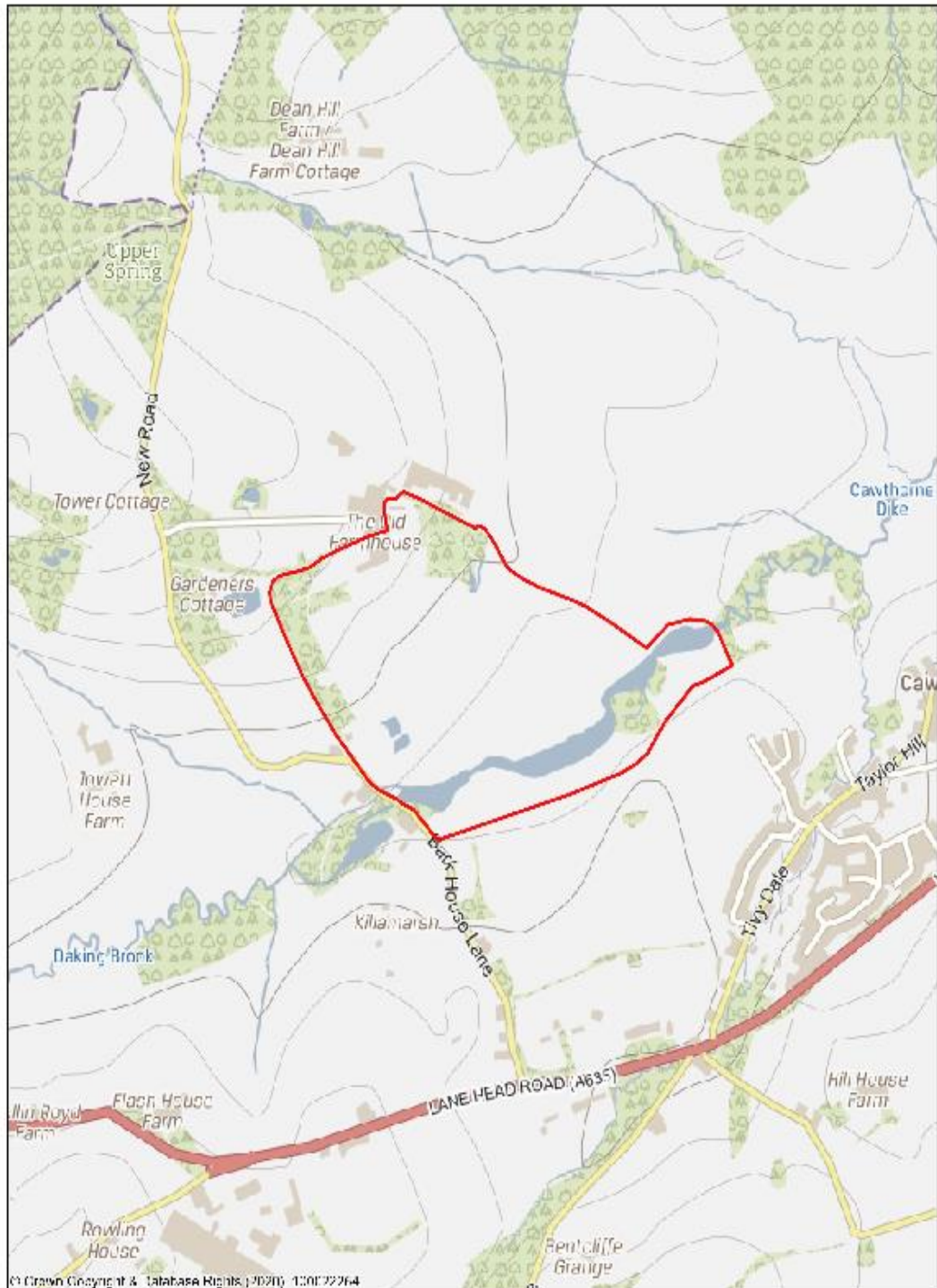
- 6 Prior to commencement of the use of the boathouse, pier and Daking Brook lakes for boating, the details listed below shall be sufficiently evidenced, submitted and approved in writing by the Local Planning Authority in line with the recommendations of the Ecology Statement (P4606-01) by Brooks Ecological, those being:

- The installation of signage informing users of the legislation in relation to nesting birds.
- The installation of signage prohibiting landing on the middle lake's island.
- Evidence of employee training for nesting birds.
- A disciplinary and identification system of trespassers upon the middle lake island.
- A biosecurity protocol in line with Environment Agency guidance that minimises the risk of spreading Signal Crayfish into the Daking Brook Lake system.

Reason: In the interests of the biodiversity of the area in line with Local Plan Policy BIO1 - Biodiversity and Geodiversity.

PA Reference:-

20191429-20191457



BARNSELY MBC - Regeneration & Property



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Item 7

2019/1273

Applicant: KMRE Group Ltd

Description: Removal of conditions 14 and 19 of application 2011/1341 – Demolition of existing bungalow and outbuildings, erection of 40 no. dwellings and formation of an area of openspace (Extension of Time Limit of application 2008/0764)

Site Address: Former Lilac Garage, Lilac Farm, Church Street, Brierley

The application is before Members as it will require a variation to a Section 106 agreement.

Site Location and Description

The application site previously consisted of various buildings that made up Lilac Garage and its grounds which included a bungalow, metal sheeted workshop, storage building, shed, and overgrown grassland. Since the granting of planning permission for 40 dwellings under application reference 2011/1341 works have started on the site with 16 dwellings having been built and occupied and the access road to this first cluster of buildings having been put in. The site has since stalled with no further works taking place over the last few years.

The site is surrounded by residential development on all sides being juts to the south-east of the centre of the village of Brierley

Proposed Development

The applicant has put forward a viability case stating that the scheme would be unviable to be built out if the remaining S106 contributions required under the original permission were required. As such they the planning application seeks permission to remove the requirements stipulated under conditions 14 and 19 of planning permission 2011/1341.

Condition 14 required the applicant to provide for provision or enhancement of off-site public space and stated the following:

“The development hereby permitted shall not begin until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of or enhancement to offsite public open space in accordance with Barnsley LDF Core Strategy Policy CSP 35, Green Space and SPG20. The provision or enhancement of the off-site public open space shall be provided prior to completion of the development in accordance with the approved scheme.”

This was agreed through the signing of a Section 106 in 2013 where a total sum of £73,426 was agreed which consisted of £54,844 as an open space commuted sum and £18,582 for maintenance of open space. The Section 106 also agreed that the payments could be staged as follows:

For the open space commuted sum:

- i) 25% upon commencement of development
- ii) 25% on practical completion of 9 of the dwellings
- iii) The remaining 50% on occupation of 20 of the dwellings.

Payments for the first two points have been received as the development has already passed these stages. However, the trigger for the remaining 50% has not yet been reached.

In addition, the sum for the maintenance of the open space was required upon the practical completion of the 20th dwelling which has also not been reached. In terms of the public open space requirements it is these remaining payments that the applicant is stating cannot be paid if the scheme is to be viable to be built out.

Condition 15 required the applicant to provide a scheme to meet affordable housing requirements and stated the following:

“The development shall not begin until a scheme for the provision of 15% of affordable housing, in accordance with the requirements of PAN 34 and Barnsley LDF Core Strategy Policy CSP 15, Affordable Housing, as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and phased to the satisfaction of the Local Planning Authority. The scheme shall include:-

1. The numbers, type and location of the affordable housing provision to be made.
2. The timing of the construction of the affordable housing.
3. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing.
4. The occupancy criteria to be used for the determining of the identity of prospective and successive occupiers of the affordable housing and the means by which such occupancy will be enforced.”

This was agreed through the signing of the Section 106 in 2013 through a combination of providing 4 properties on site and also paying a commuted sum of £81,000 to meet the remaining requirements. The first trigger for these requirements was not until the practical completion of the 19th dwelling. As this trigger has not yet been reached, the developer is not yet required to provide any affordable housing provision. However, in this current application that has been submitted the applicant is seeking to remove the requirement to provide any affordable housing provision on grounds of viability

Planning History

Previous applications of relevance to this proposal are:

2008/0764 – Demolition of existing bungalow and outbuildings and erection of 40 no. dwellings and area of openspace (Resubmission) approved 22.10.2008

2011/1341 - Demolition of existing bungalow and outbuildings, erection of 40 no. dwellings and formation of an area of openspace (Extension of Time Limit of application 2008/0764) approved 19.12.11

Since the granting of planning permission in 2011 the application has been the subject of non-material amendment applications which have reduced the total number of dwellings on the site to 38. The applicant has confirmed that they are looking to build out the scheme for 38 dwellings and not the original scheme for 40 dwellings

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 new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan Policies

The site is allocated as part Urban Fabric and part Green Space

Taking into account that the scheme proposes no changes to the approved built form and layout and is only related to the S106 contributions the following policies are considered of relevance:

SD1 Presumption in Favour of Sustainable Development
GD1 General Development
GS1 Green Space
H7 Affordable Housing

SPD

Planning Obligations SPD

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.

With regards to planning obligations Paragraph 57 of the NPPF states the following:

"It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force"

In addition to the above, national advice is contained with the July 2018 Planning Practice Guidance on Viability (updated in September 2019)

Consultations

Legal – Have stated that if approved the scheme would require a variation to the existing S106

Affordable Housing – No comments at time of preparing report

Ward Councillors – No comments at time of preparing report

Representations

The application has been advertised by way of site notices. Three letters of comment have been received raising the following issues:

- Concerns over the use of Church Gate for construction traffic
- Concerns over asbestos in the buildings remaining that are proposed to be demolished

Assessment

Principle of Development

The principal issue of the application relates to viability. The applicants have a scheme for residential development approved and the only change they are proposing under this application is the removal of the requirements to provide affordable housing and to pay the remaining public open space contributions.

To support the application the applicant has submitted their own viability assessment. Their appraisal concludes that to build out the remaining 22 dwellings, without any of the S106 contributions remaining, would generate a small residual loss of £3,901. Using their assumptions, the scheme is therefore, at best, only marginally viable before any planning policy contributions are factored in. The applicant's appraisal therefore states that the inclusion of any planning policy contributions would only serve to reduce the viability of the scheme even further and therefore lower the likelihood that the scheme would be completed.

In order to assess the applicant's viability case, an independent valuer has been appointed to examine the case put forward and provide their own viability assessment. The Independent Assessor has taken into account a number of factors including build costs, the likely sales prices (utilising the sales prices for the 16 units already sold on the site and factoring in a suitable uplift given the last sale was in 2017), professional and financial costs, existing use value, and a reasonable developer profit of 17.5%. The Planning Practice Guidance on viability refers to a developer profit in the range of 15 to 20% and, given this site has been stalled for several years, the assessor considered 17.5% as reasonable for the purposes of viability testing.

The independent assessor's appraisal based on their adopted assumptions indicates that, without the S106 contributions, the scheme is viable but would only provide a surplus of £2,610 to meet any policy requirements. The advice from the assessor is therefore as follows:

"...our testing shows that if 22 units are brought forward...then at best, the scheme can be regarded as being marginally viable. Given the close proximity of the appraisal to the viability 'limit' we recommend that, under this scenario, the Council should remove all the planning policy requirements in order to give the scheme the best chance of being brought forward and completed"

Whilst the removal of the S106 contributions is not considered to be desirable, the Independent Assessors' comments have to be given a lot of weight. It is also acknowledged that the site has stalled for a number of years and it is not desirable to have a half finished building site so close to neighbouring properties and the impact that has on their amenities and the visual appearance of the area. In these circumstances it is therefore recommended to members that the application be approved and the relevant S106 amended.

Residential Amenity

The proposal would not have any impact on residential amenity compared to the scheme approved. Neighbours have raised concerns which are directly related to the construction period, rather than the application before Members, as they relate to construction traffic and potential for asbestos being on site. Conditions were imposed on the original permission

relating to a Construction Method Statement and control of construction hours. These would still apply to any approval of this scheme. The issue of whether any asbestos is in the existing buildings would be a health and safety executive matter, dealt with under their legislation, rather than a planning issue

Highway Safety

The proposal would not have any impact on highway safety compared to the originally approved scheme

Conclusion

Given the applicant's viability assessment, which has been independently assessed, it is acknowledged that it is unviable to complete the scheme and pay the remaining S106 contributions. On this basis, sufficient evidence has been put forward to allow the removal of the remaining S106 contributions to be granted to allow the development to be completed. The scheme is therefore recommended to Members for approval.

Recommendation

Grant subject to conditions and the varying of the S106

- 1 The development hereby approved shall be carried out strictly in accordance with the plans as approved under planning permission 2011/1341 apart from the site layout plan which shall be in accordance with Drawing titled Proposed Site Plan No. 100 Rev K (showing 38 dwellings on the site) 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 Local Plan Policy D1 High Quality Design and Place Making.

- 2 The development shall be carried out in accordance with the external materials outlined in the letter dated 12th April 2012, and accompanying External Materials Schedule, as approved through the discharge of conditions submission for application 2011/1341
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 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 Local Plan Policy T4 New Development and Transport Safety.

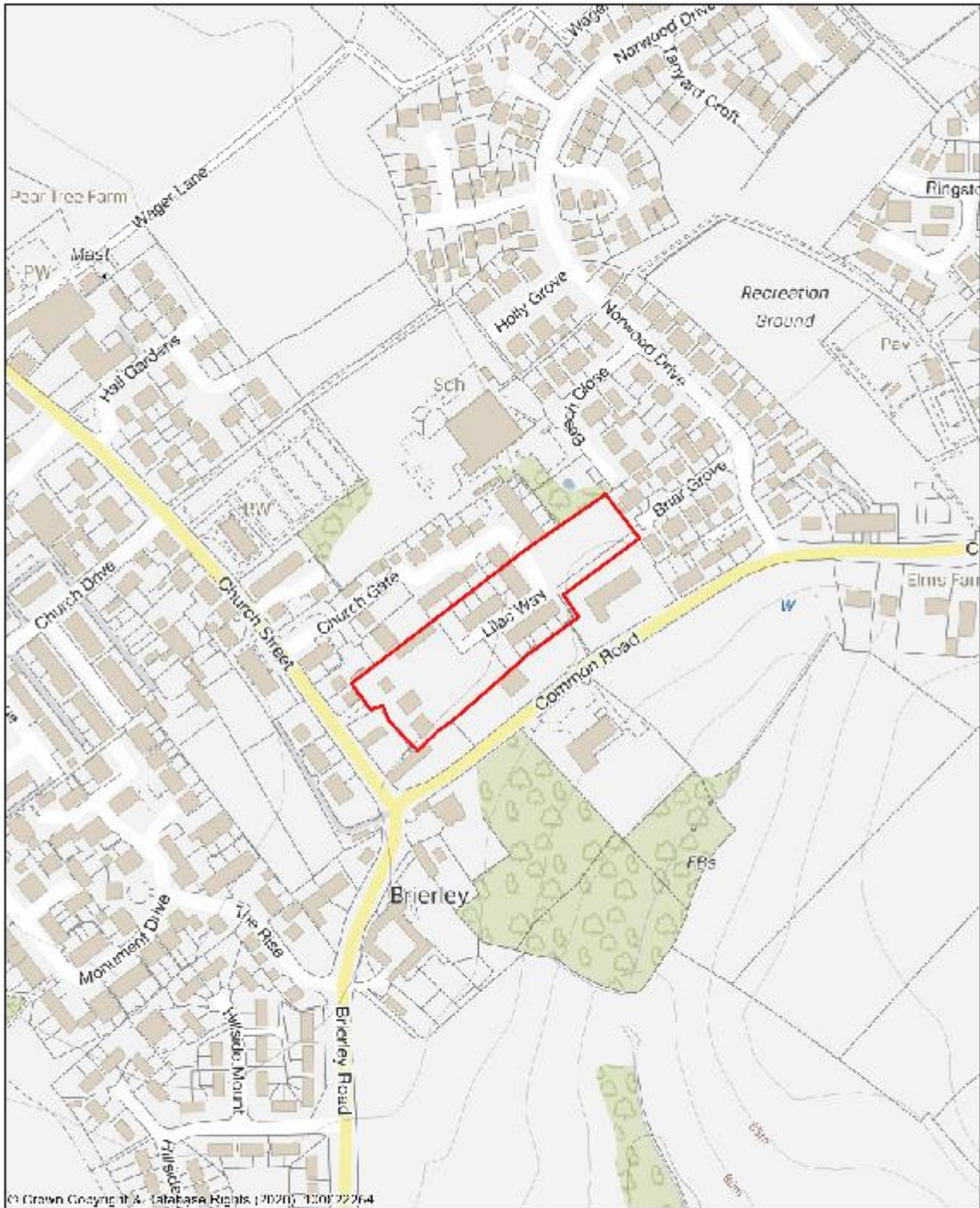
- 4 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

- 5 Parking bays shall have the dimensions 2.5m x 5m
Reason: In the interests of highway safety in accordance with Local Plan Policy

T4.

- 6 The development shall proceed in accordance with the Construction Method Statement that accompanied the letter dated 12th April 2012 and approved through the discharge of conditions submission for application 2011/1341. The approved scheme shall be adhered to throughout the construction period.
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4 New Development and Transport Safety and Local Plan Policy D1 High Quality Design and Place Making.
- 7 Within 28 days of works re-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. Within 28 days of completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety in accordance with Local Plan Policy T4.
- 8 The development shall proceed in accordance with the drainage scheme outlined in the letter dated 12th April 2012, and shown on plan no Lil01 p06.dc6, as approved under the discharge of conditions submission for application 2011/1341. The drainage system shall be fully implemented prior to the occupation of any of the remaining dwellings. The scheme shall be retained throughout the life of the development.
Reason: In the interests of ensuring adequate drainage to the scheme in accordance with Local Plan Policy CC3.
- 9 The development shall proceed in accordance with the hard landscaping details outlined within the letter dated 12th April 2012, and accompanying drawing no. Lil01p06.dc6, as approved through the discharge of conditions submission for application 2011/1341. The hard landscaping shall be implemented prior to the occupation of the buildings.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.
- 10 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 remaining dwellings 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, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.
- 11 Upon re-commencement of works on the site a scheme for the management and

- maintenance of the on-site public open space shall be submitted to and agreed in writing with the Local Planning Authority. The management/maintenance of the openspace shall then be carried out in accordance with the approved details.
Reason: In the interests of visual amenity and in accordance with Barnsley Local Plan Policy GS1.
- 12 The development shall proceed in accordance with the tree protection measures outlined in the letter dated 12th April 2012, and accompanying plan Lil01p05A, as approved through the discharge of conditions submission for application 2011/1341.
Reason: To ensure the continued well-being of the trees in accordance with Local Plan Policy GD1.
- 13 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
- 14 The development shall proceed in accordance with the boundary treatment details outlined in the letter dated 12th April 2012, and accompanying plan Lil01p06, as approved through the discharge of conditions submission for application 2011/1341.
Reason: In the interests of visual amenities in accordance with Local Plan Policy GD1.
- 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 enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: In the interests of residential amenity in accordance with Local Plan Policy GD1.
- 16 The development shall proceed in accordance with the low carbon energy renewal plan outlined in the letter dated 12th April 2012, and, as approved through the discharge of conditions submission for application 2011/1341. The measures shall be retained through the lifetime of the development.
Reason: In the interests of climate change and in accordance with Local Plan Policy RE1.
- 17 The development shall proceed in accordance with the Archaeology Desk Based Assessment and Building Appraisal dated April 2012, as approved through the discharge of conditions submission for application 2011/1341.
Reason: In the interests of the historic environment in accordance with Local Plan Policy HE6.
- 18 The development shall proceed in accordance with the finished floor level details outlined in the letter dated 12th April 2012, and accompanying plan Lil01 p04.dc6A, as approved through the discharge of conditions submission for application 2011/1341.
Reason: In the interests of visual amenities in accordance with Local Plan Policy GD1.



BARNSELY MBC - Regeneration & Property



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Item 8

BARNSLEY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

01 to 29 February 2020

APPEALS RECEIVED

3 appeals were received in February 2020

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
2019/1102	Erection of detached triple garage 54 Jebb Lane, Haigh, Barnsley, S75 4BU	Written Repts	Delegated
2019/0769	Extension of garage to enable conversion into residential annex associated with No.7 Hall Close (Listed Building Consent) 7 Hall Close, Worsbrough Village, Barnsley, S70 5LN	Written Repts	Delegated
2019/0712	Change of use of dwelling (use class C3) to a mixture of a dwelling and a venue for wedding/civil ceremonies, seasonal events and afternoon teas (use classes C3, A3 and Sui Generis) The Hawthorns, Keresforth Hall Road, Kingstone, Barnsley, S70 6NG	Written Repts	Committee

APPEALS WITHDRAWN

0 appeals were withdrawn in February 2020

APPEALS DECIDED

2 appeals were decided in February 2020

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2019/0597	Erection of raised decking (Retrospective) 33 Paddock Road, Staincross, Barnsley, S75 6LF	Dismissed 05.02.2019	Delegated
2019/1156	Removal of existing conservatory and erection of a single storey rear extension with a rearwards projection of 6m, a height to eaves of 3m and a maximum overall height of 4m (Prior Notification - Householder) 50 Guest Street, Hoyland, Barnsley, S74 9SP	Dismissed 25.02.2020	Delegated

2019/2020 Cumulative Appeal Totals

- 33 appeals have been decided since 01 April 2019
- 26 appeals (79%) have been dismissed since 01 April 2019
- 7 appeals (21%) have been allowed since 01 April 2019

	<u>Audit</u>	<u>Details</u>	<u>Decision</u>	<u>Committee / Delegated</u>
1	2018/0245	Erection of detached garage with store above and erection of boundary fencing and demolition of existing garage. 7 Burntwood Close, Thurnscoe, Rotherham, S63 0QQ	Allowed 02.04.2019	Delegated
2	2017/0994	Conversion of first and second floors in 27 residential apartments	Dismissed 03.04.2019	Delegated

		Hoyland Town Hall, High Street, Hoyland, Barnsley, S74 9AD		
3	2018/1374	Erection of brick outbuilding to the rear of dwelling (retrospective) 21 Kings Court, Wombwell, Barnsley, S73 0FB	Dismissed 05.04.2019	Delegated
4	2018/0481	Erection of 1 no. detached dormer bungalow with side attached garage Land adjacent 1 Woodland View, Silkstone Common, Barnsley, S75 4SA	Dismissed 08.04.2019	Delegated
5	2017/1463	Removal of condition 4 (Highway Improvement Works) of previously approved application 2014/1573 - Change of use from working men's club (D2) to a church (D1) Seventh Day Adventist Church, Doncaster Road, Kendray, Barnsley, S70 3HA	Allowed 18.04.2019	Delegated
6	2017/1675	Erection of 8 field shelters/stables (Retrospective) Land at Edderthorpe Lane, Priest Croft Lane, Darfield, Barnsley	Dismissed 07.05.2019	Delegated
7	2018/1046	Erection of detached dwelling Land at Broomhill View, Bolton Upon Dearne, S63 8LB	Dismissed 14.05.2019	Delegated
8	2018/0946	Change of use of existing ground floor shop unit (Use class A1) and first and second floor office accommodation (Use class B1) to 8 bedroom house of multiple occupation (Sui Generis Use Class) 12 - 14 Eldon Street North, Barnsley, S71 1LG	Dismissed 17.05.2019	Delegated
9	2018/1208	Erection of a timber single storey granny annexe for ancillary residential use associated with the dwelling 8 Orchard Close, Keresforth Hall Road, Kingstone, Barnsley, S70 6NF	Dismissed 03.05.2019	Delegated
10	2018/1209	Extensions and alterations to building including addition of a hipped roof to create additional kitchen and storage space for A5 retail unit and a one bedroom flat located above. 79 Huddersfield Road, Barnsley, S75 1AA	Allowed 09.05.2019	Delegated
11	2018/1080	Erection of 2 detached bungalows Land to the Rear of 116 Churchfield Lane, Kexbrough, Barnsley, S75 5DN	Dismissed 17.05.2019	Delegated
12	2018/1337	Erection of stone built detached summer house to side of dwelling. Black Moor Farm, Black Moor, Snowden Hill, Barnsley, S36 8YR	Dismissed 29.05.2019	Delegated
13	2018/1486	Removal of condition 13 (Scheme of highway mitigation works) from outline planning permission 2018/0665 - Development of approximately 5 dwellings and associated infrastructure (all matters reserved apart from means of access) Land North of Keresforth Road, Dodworth, Barnsley *Record decision as dismissed for the reason shown in next column.	Dismissed *Although this appeal was allowed the planning condition was upheld but varied by the Inspector. 26.06.2019	Delegated
14	2018/1379	Erection of detached double garage. 32 Honeywell Place, Barnsley, S71 1QB	Dismissed 02.07.2019	Delegated
15	2018/0071	Conversion of redundant farm buildings into 4 no. dwellings and erection of 3 no. additional new build dwelling houses and associated garage blocks Hangman Stone Bar Farm, Moor Lane, Birdwell, Barnsley, S70 5TY	Dismissed 16.07.2019	Delegated
16	2018/1101	Erection of 2no detached bungalows (Outline with all matters	Dismissed	Delegated

		reserved) 8 Scar Lane, Ardsley, Barnsley, S71 5BB	16/07/2019	
17	2018/0819	Erection of 1no. detached dwelling Land adjacent Rivelin, Old Mill Lane, Thurgoland, Sheffield	Dismissed 19.07.2019	Delegated
18	2019/0070	Two storey side extension to dwelling. 20 Gilder Way, Shafton, Barnsley, S72 8WP	Dismissed 23.07.2019	Delegated
19	2018/0831	Change of use of café to hot food takeaway 14 High Street, Hoyland, Barnsley, S74 9AB	Allowed 24.07.2019	Committee
20	2019/0168	Erection of agricultural storage building Muscle Hill Farm, Lee Lane, Royston, Barnsley, S71 4RT	Allowed 31.07.2019	Delegated
21	2019/0059	Detached garage to front garden. 48A Wakefield Road, Staincross, Barnsley, S75 6JY	Allowed 13.09.2019	Delegated
22	2019/0467	Removal of Condition 4 (relating to permitted development rights) on planning application 2012/0144 (Erection of 1 no. Farm Workers dwelling and formation of 2 no. associated car parking spaces). Martins Nest Farm, Grime Lane, Whitley Common, Barnsley, HD9 7TG	Dismissed 24.09.2019	Delegated
23	2018/1308	Erection of café/restaurant with drive through facility (Use Classes A3/A5) and associated alterations to site layout Peel Centre, Harborough Hill Road, Barnsley, S71 1JE	Allowed 08.10.2019	Delegated
24	2018/1359	Change of use of domestic swimming pool to private hire swimming pool and associated car parking provision 433 Rotherham Road, Monk Bretton, Barnsley, S71 1UX	Dismissed 09.10.2019	Delegated
25	2019/0043	Erection of 2 no detached dormer bungalow and associated access, parking and garden facilities South Grove House, South Grove Drive, Hoyland, Barnsley. S74 9DY	Dismissed 22.10.2019	Delegated
26	2019/0314	Extension to garage roof height and provision of associated roof lights to create first floor accommodation to be used as games room. 27 Spruce Avenue, Royston, Barnsley, South Yorkshire, S71 4JL	Dismissed 11.11.2019	Delegated
27	2019/0242	Change of use of agricultural land into domestic curtilage and formation of new vehicular access and associated parking area 4 Church View Cottages, Sheffield Road, Wortley, Sheffield, S35 7DB	Dismissed 21.11.2019	Delegated
28	2018/0941	Demolition of existing dwelling and erection of 7no detached dwellings (Outline with all matters reserved) 46 Foundry Street, Elsecar, Barnsley, S74 8EQ	Dismissed 03.12.2019	Delegated
29	2019/0743	Change of use of agricultural barn to dwellinghouse (Prior Notification) Barn, Land at Hornthwaite Hill Road/ Cross Lane Junction, Thurlstone, Sheffield, S36 9QL	Dismissed 11.12.2019	Delegated
30	2019/0230	Residential development of 14no dwellings (Outline with all matters reserved apart from means of access) 210 Carlton Road, Athersley South, Barnsley, S71 2AP	Dismissed 13.01.2020	Delegated
31	2017/1388	Erection of detached dwellinghouse with provision of detached double garage. 8 Upper Hoyland Road, Hoyland, Barnsley, S74 9NJ	Dismissed 30.01.2020	Delegated
32	2019/0597	Erection of raised decking (Retrospective) 33 Paddock Road, Staincross, Barnsley, S75 6LF	Dismissed 05.02.2019	Delegated
33	2019/1156	Removal of existing conservatory and erection of a single storey rear extension with a rearwards projection of 6m, a height to eaves of 3m and a maximum overall height of 4m (Prior Notification - Householder) 50 Guest Street, Hoyland, Barnsley, S74 9SP	Dismissed 25.02.2020	Delegated

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Item 9

BARNSELY METROPOLITAN BOROUGH COUNCIL

Report of Senior Conservation Officer, Planning Policy to Planning Regulatory Board on 17th March 2020

Proposed adoption of extended Cawthorne Conservation Area and Conservation Area Appraisal.

1.0 Purpose of Report

1.1 To consider the adoption of proposed extensions to the Cawthorne Conservation Area boundary and the attendant conservation area appraisal and management plan which informs and supports the extensions.

2.0 Recommendations

- (i) That, in exercise of statutory powers, the Council extends the Cawthorne Conservation Area under the provisions of sections 69 to 71 of the Planning (Listed Buildings and Conservation Areas Act 1990).**
- (ii) In support of the proposed extension, the Council approves the adoption of the Cawthorne Conservation Area appraisal and management plan.**

3.0 Background and Proposal

3.1 Cawthorne residents (supported by Cawthorne Parish Council), are in the process of preparing their Cawthorne Neighbourhood Development Plan (NDP). In support of the emerging NDP, the Parish Council expressed a desire to newly appraise the conservation area and re-look at the boundary to see if it required extension. The Cawthorne Conservation Area was originally designated in 1970 by the WRCC and extended in 1979. As such, Council Officers advised a re-appraisal of the area which would examine what makes it special, and an assessment of its boundary was required. The production of a conservation area appraisal is also a useful background document (not policy) to support Planning decisions in the conservation area. Woodhall Planning and Conservation were contracted to provide a draft conservation area appraisal, and this was completed in May 2019. During the Summer of 2019, Conservation and Planning Officers worked closely with members of Cawthorne Parish Council to ensure residents and stakeholders were informed about the new conservation area appraisal and the proposed extensions to the area. To that end a consultation exercise was carried out by Barnsley MBC Planning Officers in partnership with Cawthorne Parish Council. During June 2019, the Parish Council and BMBC advertised and made the draft appraisal available to view (hard copies and on the Council Website). A public meeting was held on the 3rd of July 2019 where residents were encouraged to view the draft appraisal, the management plan proposals and the proposed extensions to the conservation area. Conservation and Planning Officers attended the meeting to discuss related matters with residents and stakeholders and answer questions. The meeting was well attended, and a variety of topics were discussed focussing on the nature of development in

Cawthorne over time, the proposed extensions to the conservation area, and the enhanced planning controls this would result in. Following the public meeting, a formal consultation exercise was carried out by the Council between the 16th of September and the 14th of October 2019. This consultation was web based but residents directly affected by the proposed extensions to the area were written to explaining what this would mean. The formal consultation exercise was advertised locally in Cawthorne, via a Council press statement and in the Barnsley Chronicle newspaper. Questions posed during the consultation exercise included:

- What is the overall character of the conservation area that should be preserved or enhanced?
- What heritage is important?
- What are the important landmarks that contribute to the area?
- Which views are important (looking into, out of, and within) the area?
- What are the important green spaces or features (trees / open space etc.)?
- Which buildings or building types make a significant contribution?
- Which materials or architectural features contribute to the area?
- What things in the public realm are important i.e. streets, signs, walls, boundaries etc.?
- What might be improved?
- Overall, what do you think of the content and the approach of the draft appraisal?
- Do you agree with the proposed extensions to the conservation area (page 6, Map 2A and 2B)?

Following the public meeting and the formal consultation exercise, amendments were made to the draft appraisal in line with comments received. Significant support was voiced for a further larger extended boundary (beyond the initial draft extended area) to include the areas shown in green (see Map at Appendix A). Good support was received for the appraisal, the management plan and the proposed extensions. No objections have been received.

4.0 Statutory Criteria

Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, places a duty on Local Planning Authority's to review conservation areas and their boundaries and where appropriate designate those parts accordingly. Section 71 and 72 of The Act also require the formulation of proposals for the preservation of conservation areas that give special attention to the preservation and enhancement of such areas. The adoption of the Cawthorne conservation area appraisal, its attached management plan and the proposed extensions to the area satisfy the requirements of section 69, 71 and 72 of the Act.

5.0 Options

5.1 The Council approves the proposed extension of the Cawthorne Conservation Area and adopts the appraisal and management plan. Officers are satisfied that the

extensions are justified and adequately evidenced via the conservation area appraisal and that there is good support for this.

5.2 The Council could decline to make the extension to the Cawthorne Conservation Area, but as there is good support within the community for this proposal and the statutory criteria have been satisfied this is not the Officer recommendation.

6.0 Local Area Implications

6.1 There are no implications for the local area beyond the extension to the conservation area boundary and the adoption of the conservation area appraisal which would assist planning decision making. Those individuals directly affected by the enlarged conservation area have been contacted directly and no objections were received.

7.0 Compatibility with European Convention on Human Rights

7.1 These proposals are considered compatible with the Convention.

8.0 Ensuring Social Inclusion

8.1 These proposals will have no negative impact on social inclusion.

9.0 Reduction of Crime and Disorder

9.1 These proposals are not considered to have any effect on crime and disorder.

10.0 Financial Implications

10.1 These proposals are considered to have no financial implications.

11.0 Risk Assessment

11.1 The Council has powers under the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate and extend conservation areas where appropriate. The statutory process provides an opportunity for objections to the designation of a conservation area or the extension of an existing area. However, in this case, no such objections have been received. In fact, all comments received were supportive of the extension and the content of the appraisal and management plan. As such, the Council is satisfied that no grounds for objection have been raised during the consultation period, and that the proposal satisfies the statutory criteria set out in The Act.

12.0 Consultations

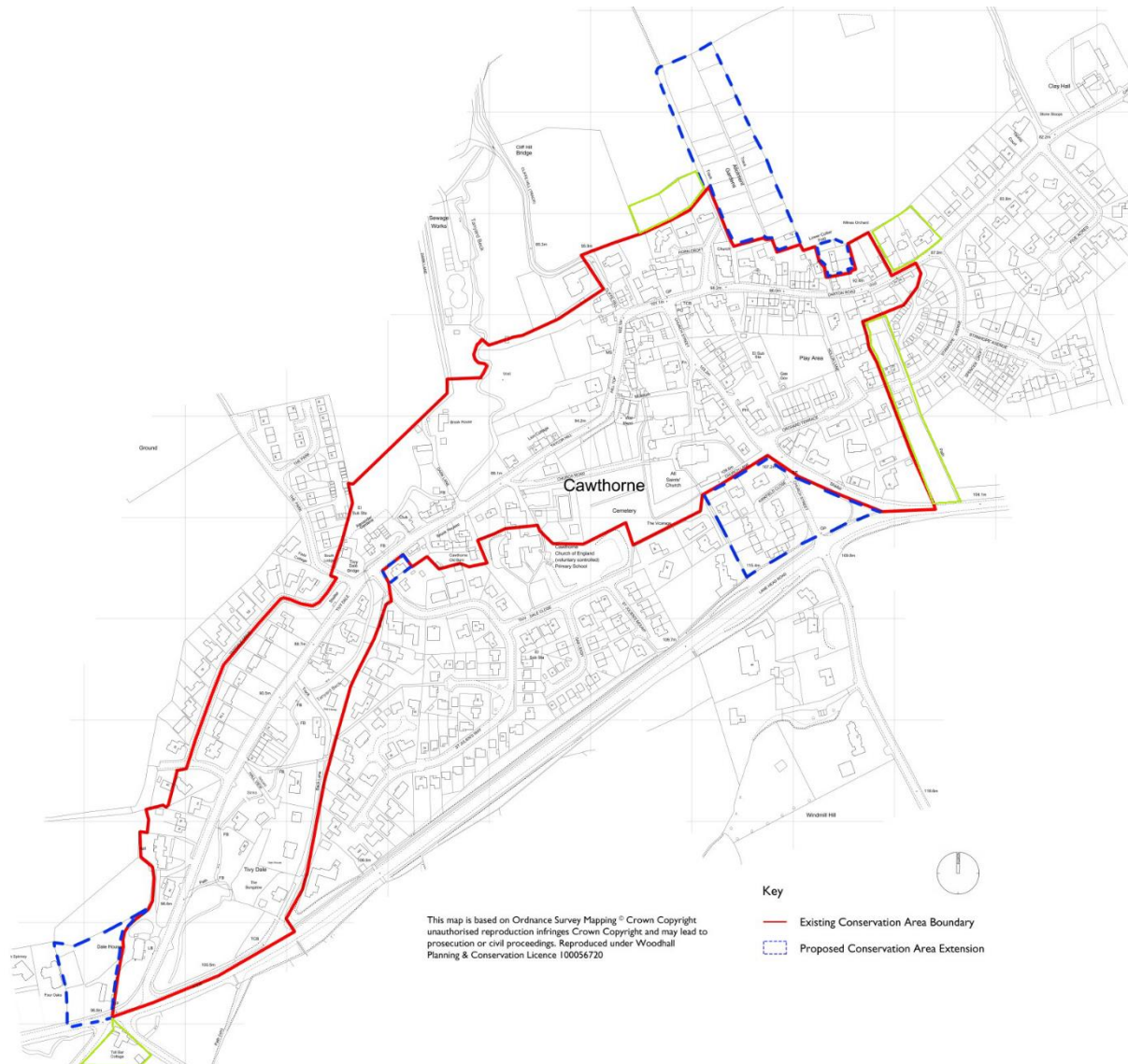
12.1 Residents, local stakeholders, Ward Councillors, the Parish Council and other Council departments have been consulted on the proposals. No objections have been received.

13.0 Proposal

13.1 Members to approve the recommendations in section 2.

14.0 Appendices

Appendix A – Map 1 Proposed Cawthorne Conservation Area Extension



Red: Existing boundary

Blue: First proposed extension

Green: Further proposed extensions following consultation

Officer Contact: Tony Wiles Tel: ext 2576
Date: 6th March 2020