

<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 14 September 2021
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## AGENDA

1. Declarations of Interest

To receive any declarations of pecuniary or non-pecuniary interest from Members in relation to the site visits or items on the agenda.

2. Minutes (*Pages 3 - 6*)

To receive the minutes of the meeting held on 27<sup>th</sup> July 2021.

### Planning Applications

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

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

3. Land south of Lee Lane Royston, Barnsley - 2020/0330 - For approval (*Pages 7 - 28*)
4. Kexborough Hall Farm, Churchfield Lane, Kexbrough - 2020/0617 and 2020/0627 - For approval (*Pages 29 - 50*)
5. Land at South View, Darfield - 2020/1284 - For approval (*Pages 51 - 64*)
6. 38 Barnsley Road, Goldthorpe - 2021/0959 - For approval (*Pages 65 - 74*)

### Planning Appeals

7. Planning Appeals - July and August 2021 (*Pages 75 - 78*)

### Member Consultations

8. Member Consultation July 2021 (*Pages 79 - 80*)
9. Member Consultation August 2021 (*Pages 81 - 82*)

To: Chair and Members of Planning Regulatory Board:-

Councillors Richardson (Chair), Bruff, Cain, Coates, Crisp, Danforth, M. Dyson, Eastwood, Fielding, Frost, Gillis, Gollick, Greenhough, Hand-Davis, Hayward, D. Higginbottom, Leech, Lofts, Makinson, McCarthy, Mitchell, Noble, Smith, Spence, Tattersall and Wright

Matt Gladstone, Executive Director Place  
Paul Castle, Service Director Environment and Transport  
Kathy McArdle, Service Director Regeneration and Culture  
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](mailto:governance@barnsley.gov.uk)

Monday, 6 September 2021

<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 27 July 2021
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## MINUTES

### Present

Councillors Richardson (Chair), Bruff, Cain, Coates, Crisp, Danforth, Eastwood, Fielding, Gillis, Gollick, Greenhough, Hayward, D. Higginbottom, Leech, McCarthy, Noble, Smith, Tattersall and Wright

### 10. Declarations of Interest

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

### 11. Minutes

The minutes of the meeting held on 8<sup>th</sup> June 2021 were taken as read and signed by the Chair as a correct record.

### 12. Land South of Darton Lane, Darton, Barnsley - 2019/1244 - For approval

The Head of Planning and Building Control submitted a report on Planning Application 2019/1244 (land South of Darton Lane, Darton, Barnsley). Clarification with regard to the expiration of the consultation period for this application was sought, as it appears that the consultation period listed on Planning Explorer expires on 28<sup>th</sup> July 2021. Reassurances were given that this application has been subject to several consultation exercises but nevertheless if any further consultation responses are received within the one day remaining, they will be fully considered before any Board decision is implemented.

Ms Emma Gomersal addressed the Board and spoke in favour of the officer recommendation to approve the application.

Mr Mark Tuck addressed the Board and spoke against the officer recommendation to approve the application.

### RESOLVED that:

- (i) the application be approved in accordance with the Officer Recommendation subject to the completion of a S106 Agreement in accordance with the terms set out in the report, and,
- (ii) the decision not to be issued until after the 28th July 2021 to consider any additional representations received by that date. If these additional representations raise any issues not originally considered, then those matters to be taken to the Chair of Planning Board to consider them.

### 13. Land south of Bell Ground Woods and east of Black Lane, Black Lane, Tankersley, Hoyland Common, Barnsley - 2021/0637 - For Approval

The Head of Planning and Building Control submitted a report on Planning Application 2021/0637 (Land south of Bell Ground Woods and east of Black Lane, Black Lane, Tankersley, Hoyland Common, Barnsley)

**RESOLVED** that the application be approved in accordance with the Officer Recommendation with the addition of a deed of variation to the S106 Agreement for planning permission 2020/0647 (to reference the amended plans arrangement and secure long term future management and maintenance arrangements in relation to biodiversity) as well as 2 additional conditions covering:

- a) the long term future management and maintenance arrangements for basin 2 and the associated wet pond and outfall to ensure its continuous operational functionality for the lifetime of the development from a surface water attenuation and flood management perspective
- b) The provision of safety features including the provision of a rubber ring and signage around the wet pond area.

#### **14. 303 - 307 Barnsley Road, Cudworth - 2021/0301 - For Approval**

The Head of Planning and Building Control submitted a report on Planning Application 2021/0301 (303 - 307 Barnsley Road, Cudworth)

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

#### **15. Planning Appeals - May and June 2021**

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2021/22

The report indicated that 5 appeals were received in May and June 2021.

It was reported that 5 appeals were determined in May and June 2021. 9 appeals have been decided since 1<sup>st</sup> April 2021, 7 of which (78%) have been dismissed and 2 of which (22%) have been allowed.

#### **16. Member Consultation - May 2021**

The Head of Planning and Building Control presented a report summarising the outcomes of the planning applications agenda pack issued as a Board Member consultation in lieu of the Planning Regulatory Board meetings scheduled for May 2021.

**RESOLVED** that the consultation report be noted.

#### **17. Member Consultation - June/July 2021**

The Head of Planning and Building Control presented a report summarising the outcomes of the planning applications agenda pack issued as a Board Member

consultation in lieu of the Planning Regulatory Board meetings scheduled for June and July 2021.

**RESOLVED** that the consultation report be noted.

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Chair

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# Item 3

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**Ref 2020/0330**

**Applicant:** Mark Johnson

**Description:** Residential development of approximately 115 dwellings and associated works and 1 no convenience store (Outline with all matters reserved apart from means of access)

**Site Address:** Land South of Lee Lane Royston, Barnsley

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5 representations from local residents.

## **Site Description**

The site is located on the western edge of Royston located approximately 4.5 miles north of Barnsley Town Centre. The site would be accessed from Lee Lane (B6428).

The site is approximately rectangular in shape and consists of 3.69ha of land that gently slopes down from north to south. It currently comprises pastoral agricultural fields with boundary trees and hedgerows. The Lee Lane boundary is also formed by trees.

To the east is an agricultural field with residential dwellings beyond forming the previous extent of Royston prior to the Barratt Homes development that is taking place on the land to the north of the site for 166 dwellings. That development also included road changes on Lee Lane including the provision of a roundabout which is now in situ and is proposed to become of the access to the application site from the southern arm.

To the west are agricultural fields, bounded by trees and hedgerows. To the south are currently agricultural fields. The land to the north (beyond Lee Lane), west and south are all within the MU5 mixed use policy area for 828 dwellings in total, a new primary school, a small scale convenience shop along with the road layouts that shall allow the development of the entire site.

Listed dwellings at 100, 102 and 104 High Street Royston lie within 1km of the site and a Scheduled Ancient Monument at Notton Park lies 650m northwest of Lee Lane Farm.

## **Proposal**

Outline planning permission is sought for residential development of up to 115 dwellings and associated works and 1 no convenience store (all matters reserved apart from means of access). The application was originally submitted for only 100 dwellings but was subsequently increased following anticipated yield as set out in the Masterplan.

Access would be from the existing roundabout on the B6428 Lee Lane. An indicative plan has been submitted with shows a mix of dwellings (detached, semi-detached and terraced), set back from Lee Lane to provide a broad green frontage incorporating an active travel link in accordance with the adopted Masterplan.

Of the 3.68 ha, 0.79 ha is proposed to be public open space formed of the frontage to Lee Lane and a narrow band to the west boundary which contains trees and hedges which are proposed to be retained. An amended scheme was submitted proposing small-scale retail to accord with the Masterplan.

The Design and Access Statement states that the indicative layout has been designed in accordance with a “masterplan” provided by Bellway Homes during their appeal for the neighbouring site. However, this “masterplan” has no status as it has not been subject to any public consultation or adopted by the Council and the application is assessed against the Council’s adopted Royston Masterplan.

The site was accompanied by a suite of supporting documents including a preliminary Ecological Appraisal, a Heritage Statement, Tree Report, Travel Plan and Transport Assessment, Air Quality Assessment, preliminary Environmental Risk Assessment

The site is also accompanied by a draft s106 covering affordable housing, education, open space, highways (sustainable travel only).

### **Planning Background/Site History**

No previous planning applications have been submitted on the majority of land associated with this application, but the recently constructed roundabout on Lee Lane which the proposed development would be accessed from and the land to the north of it were the subject of planning permission 2016/1490 for 164 dwellings that was issued on 16 February 2018. That was subsequently increased to 166 dwellings via application 2018/0687 - approved 19<sup>th</sup> December 2018.

In addition planning application 2019/0239 was made on the adjoining land to the west for a development of 250 dwellings. The applicant, Bellway Homes submitted an appeal against non determination by the Council as they were unwilling to wait for the adoption of the Masterplan Framework that is required by the Local Plan (site MU5). But the resulting appeal was dismissed 17<sup>th</sup> June last year as appointed Planning Inspector determined that it had not been established that the proposed off-site works would have been acceptable in terms of highway safety. Moreover, there was an identified risk that contributions to the new primary school, required by Policy MU5, may fall short without the benefit of an approved Masterplan Framework in place. The Inspector also determined that the proposal had a significant potential to prejudice the delivery and comprehensive development of the wider site allocation (MU5) due to the absence of an adopted Masterplan Framework.

### **Policy Context**

The Local Plan was adopted in January 2019. It supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). Along with the Barnsley, Doncaster and Rotherham Joint Waste Plan 2012 it forms the development plan for the borough.

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.

Site Allocation: The site is allocated for residential development under reference MU5 in the Local Plan. The policy states:

*Site MU5 and off Lee Lane Royston. Indicative Number of dwellings 828*

*Planning permission has been granted on this site for 166 dwellings. The indicative number of dwellings above relates to the remainder of the site.*



*The development will be subject to the production of a Masterplan Framework covering the entire site which ensures that development is brought forward in a comprehensive manner.*

*The development will be expected to;*

- *Provide a primary school on site;*
- *Ensure that access is via the construction of a roundabout on Lee Lane which along with the road layouts will allow the development of the entire site.*
- *Provide a small-scale convenience retail facility as part of the development that is in compliance with Local Plan policy TC5 small local shops;*
- *Investigate options for improving public transport access to the development and interventions to encourage public transport use by residents; and*
- *Ensure that hedgerows, the trees at the west of the site and the strip adjacent to the discussed railway line at the north of the site are retained buffered and managed.*

*Archaeological remains may be present on this site and therefore proposals must be accompanied by an appropriate archaeological assessment (including field evaluation if necessary) that must include the following:*

- *Information identifying the likely location and extent of the remains, and the nature of the remains;*
- *An assessment of the significance of the remains; and*
- *Consideration of how the remains would be affected by the proposed development.*

The policies and guidance most directly applicable to the application are:

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 43% of new homes to be built in Urban Barnsley

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 this area

T1 Accessibility Priorities

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 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'

I1 'Infrastructure and Planning Obligations'

I2 'Educational, and Community Facilities'

## Joint Waste Plan

Policy WCS7 requires a waste management plan for all development proposals (excluding minor developments) which should include design and layouts that allow effective sorting and storing of recyclables and recycling and composting of waste.

## Adopted SPD's

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

## Other

Adopted Best Practice - South Yorkshire Residential Design Guide

## National Planning Policy Framework (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.

Paragraphs of relevance would be:

**11.** The presumption in favour of sustainable development

**58.** It is up to the applicant to demonstrate whether 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,

**63.** Where a need for affordable housing is identified, planning policies should expect it to be met on-site

**65.** Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership

**73.** The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way

**95.** It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with schools' promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted

The adopted Royston Masterplan (adopted 29<sup>th</sup> July 2021)

With regard to the application site the masterplan requires up to 500sqm of retail on a site of 0.1 ha for a Local Shop

A new community of circa 2,300 residents should generate a need for a new small local shop as indicated in Local Plan Policy TC5. It shall be part of the Lee Lane gateway, offset from the newly constructed roundabout to maximise passing trade.

This part of the masterplan area is identified as Urban Gateway Character, a high-density area adjacent to existing Royston with a density required of 45-50 dph (page 22 and 31). Local Plan Policy H6 requires a minimum of 40dph within Principal Towns such as Royston.

Primary road from the existing new roundabout leading south through the site linking to secondary roads to the west and south

Should enhance existing vegetation - for this site particularly boundary hedgerows and trees and a 10% biodiversity net gain for all areas.

Whilst this application is in outline, the reserved matters application should address the following requirements set out in the masterplan on design:

Urban Gateway character (detailed design at reserved matters stage), described as follows on page 31 of masterplan which states:

*“This area is characterised by its close adjacency to Lee Lane and the urban edge of Royston east of the site. It comprises a new local shop south of the completed Lee Lane roundabout and Barratt Homes' scheme. Lee Lane will be enhanced with green active travel routes incorporated on both sides. Residential development in this area adjoins existing neighbourhoods and green fields to the east, the street grain will integrate with existing patterns of Royston centre where a grid provides a strong perimeter block typology. This area will also be well connected with primary streets and bus routes providing easy access to Royston centre.*

*“The density in this area will be the highest within the site (45-50 dph), corner landmark buildings up to 2.5-3 storeys tall will be located at urban gateways on both ends of Lee Lane, framing the urban core of this development. The landmark building to the east will incorporate the new local shop on ground level to create an active street scene. Dwellings should be setback (up to 10m) from both sides of Lee Lane to incorporate landscaped tree buffers and active travel routes. Residential development should include a diverse mix of higher density house types such as*

*apartments, terraces and townhouses. It should also include high quality detailing and materials and well-maintained landscaping”.*

The Design Code p 1 relevant for this site in respect of reserved matters will require:

- High quality, locally historic and natural materials to be used for material palette.
- Retain existing mature trees and hedgerows as set out in the local plan. Improve hedges with a mix of native species where gaps occur.
- Boundary treatments should consist of stone walls fronting primary and secondary streets with a mix of hedge and stone walls for tertiary streets. Open space should be fronted with hedges.
- Landscape and Visual Impact Assessments (LVIA) to be included in future planning applications (page 51)

## **Consultations**

Affordable Housing – 10% affordable housing required across the MU5 allocation as a whole. Agreeable to a reduction in the quantum of affordable on early phases as per the adopted Masterplan Framework in order to secure greater contributions for highway infrastructure and/or funding for the school subject to later phases providing more than 10% affordable housing.

Air Quality – No objections subject to specification of proposed charging points

Biodiversity – 10 percent biodiversity net gain is required

Conservation – No objections, as proposal site is sufficiently distant from and shares no intervisibility with designated assets in the vicinity

Contaminated Land – potential contamination risks have been identified in the submitted in report, but no objection subject to a condition

Design – no comments

Forestry – the significant arboricultural features including prominent hedgerows and significant trees should be retained and be protected where retained. No objection subject to condition

Highways Drainage – no objection subject to conditions

Education contribution required under policy MU5 to fund a new primary school, plus contribution towards both secondary places required

Highways DC – no objections subject to conditions, highway improvements and S106 contributions

Pollution Control – no objections subject to a condition requiring a management plan to control emission of noise and dust

Public Rights of Way – no PROW directly affected

SYAS – the site has archaeological implications. No objection subject to a condition

SYMAS – No objections subject to Coal Authority standing advice informative

Yorkshire Water – no objection subject to conditions

## Representations

The application was advertised on the Councils website, by press notice, by site notice and by neighbour notification letter to 19 properties. A further round of consultations was undertaken when the illustrative masterplan and description were amended to include a retail element. Five respondents replied, one of whom sent multiple letters relating to land ownership issues and other non-material matters. Planning issues raised included:

- A landowner of adjacent land had not been notified - the landowner was subsequently notified but in any event land ownership is not a planning consideration
- Have seen site flooded even though at low flood risk this should be reviewed – information about flood risk is obtained from the Environment Agency. The BMBC drainage officer and Yorkshire Water have raised no concerns.
- Objection from two dwellings opposite side of Lee Lane to the proposed retail element due to noise, safety of properties, unsociable hours, antisocial behaviour negative impacts on nearby existing retail or that it would lie unused and empty. It should be located closest to the shop or leisure sites in the MU5 area.
- Congestion and lack of parking proposed on site – this is an outline application only; details of parking will be considered at the reserved matters stage.
- Impact on outlook from property, affecting peace and security

## Assessment

### Principle of development

The application has been submitted for residential development in accordance with site specific Local Plan Policy MU5. The policy requires that as a whole, the wider MU5 allocation will provide, amongst other things, a primary school on site and a small-scale convenience retail facility. The MU5 Policy also requires that development in the allocation is delivered via a Masterplan Framework. The Royston Masterplan was adopted by Full Council on 29<sup>th</sup> July 2021, Delivery Strategy and Design Code. The Masterplan identifies a number of development phases, expected to be delivered over a long period of time by a variety of developers. Whilst this application proposal does not cover the whole of the MU5 site, it is not considered to be piecemeal development as this parcel of land is identified within the Masterplan as one of the first phases for residential development with a small (up to 500sqm) retail element and it will contribute towards the strategic infrastructure as set out in the adopted Delivery Plan. Other phases will follow in due course. The proposal accords with the MU5 policy in that it proposes residential development and a small retail element, together with contributions towards the strategic infrastructure on the wider policy allocation. It also accords with masterplan on these points and therefore is acceptable in principle.

### Density

Density is also a key consideration. The site falls within a high density “Urban Gateway” character area of the masterplan, which requires a density of 45-50 dph. The applicant initially presented a scheme of approx. 100 dwellings at approx. 38dph which was insufficient to provide the required yield and also fell slightly short of the

Local Plan requirement for a minimum of 40 dwellings per hectare under Local Plan Policy H6.

However, the applicant has increased the number of dwellings applied for in this outline to 115 which is considered an appropriate density for this site considering the retail element and the drainage infrastructure required. The application has the potential to be in accordance with the Royston Masterplan Urban Gateway character area and complies with Local Plan Policy H6.

#### Visual amenity

The application is outline, layout and scale will be considered at reserved matters stage. The site is currently a greenfield site, and covered is scrub vegetation, pasture, matures trees and hedgerows. The frontage to Lee Lane comprises two large buffer strips on the northern boundary adjoining Lee Lane, and a buffer strip to the western boundary will ensure that an attractive boundary is retained and will include an active travel route, in accordance with the adopted Masterplan. Whilst objections have been raised about impact on outlook as a result of the retail element, outlook of properties on the opposite side of Lee Lane would not be affected, due to the intervening distance and difference in levels. Loss of view is not a planning consideration.

Based the number of dwellings set out in the indicative plan, it would be possible to design a scheme at reserved matters stage that would deliver an attractive residential environment which would enhance the existing area and comply with the external spacing standards in the SPD and BFL12 criteria. To ensure this, it would be necessary to maximise existing natural assets within and on the boundary of the site such as mature trees and hedgerows. It shall also need to reflect the design criteria and high materials requirements set out in the Masterplan and accompanying documents. As such, the proposal is capable of complying with Local Plan Policy D1, GD1, MU5 and the relevant sections of the adopted Masterplan.

#### Residential amenity

Design and layout will be considered at reserved matters stage. An illustrative layout has been for the residential development showing key areas of green space, buffer zones, trees to be retained and the developable area demonstrating that proposed residential development could be achieved in compliance with Local Plan Policy GD1 and D1 in relation to the impact on future residential amenity.

There is minimal impact in residential amenity terms on existing residents in the surrounding area with existing dwellings being a considerable distance from the site so there would be no overlooking or loss of outlook or loss of privacy as a result of the proposal. Objections have been raised from existing dwellings about security, noise and antisocial behaviour as a result of the retail element of the proposal. However, due to the small size of the retail element and the intervening distances it is not anticipated that existing dwellings would be impacted. In any event, the retail element is a requirement of the masterplan and is therefore acceptable in principle.

#### Highways

Access is to be taken from the existing roundabout on Lee Lane previously constructed under a Section 278 Agreement which facilitates access to the Barratt Homes residential development to the north, approved under planning ref 2016/1490.

As part of this submission, a Transport Assessment (TA) was provided which assessed the impact of this development together with committed development and the remainder of the MU5 allocation in order to consider the cumulative impacts on the local highway network. The “Wells” was not assessed, as the level of trips generated by this site would be less than the threshold of 30 two-way trips whereby junction capacity assessment is normally required.

However, wider transport modelling has identified that the MU5 development allocation plus background traffic growth will result in the “Wells” junction in the centre of Royston going over capacity during peak hours. Although a number of options have been considered to improve junction capacity, given the constrained footprint of the junction, acquisition of third party land and demolition would be required to facilitate a scheme that would accommodate all predicted future traffic growth and therefore the delivery of a relief road to divert traffic away from the centre of Royston is being actively pursued as a wider strategic transport project with external funding being sought from DfT towards costs. Notwithstanding this however the Infrastructure Delivery Strategy for the MU5 Masterplan Framework requires phases 1 and 2 to deliver improvements to both the Lee Lane / Wakefield Road junction and the “Wells” junction and it is the developer of this application site (identified as phase 2 within the Masterplan) who is responsible for funding the “Wells” improvements. Traffic signal colleagues have identified a scheme to upgrade the existing signal equipment which will be secured via a Section 106 Agreement. In addition, financial contributions via the S106 are required from phases 1 and 2 to cover the cost of land acquisition and cost of preparing a business case for the relief road with a total estimate of £375k for land acquisition and £200k for business case preparation.

A framework travel plan has also been submitted with the application which provides details of the proposed measures and obligations to encourage residents to utilise sustainable transport means of transport wherever possible. The plan includes details of measures to be implemented, appointment of a travel plan coordinator, provision of a travel plan fund and a framework for monitoring and review. The appointed travel plan coordinator will be in place for a period of 5 years post completion of the development until the plan is passed to a resident’s group. This is considered an appropriate approach to encouraging sustainable travel and a condition is proposed for an updated, detailed travel plan to be agreed.

Subject to implementation of all of the above, the proposal would be in accordance with the Royston Masterplan and Local Plan Policies T3, T4 and T5

### Trees

At reserved matters stage, the final proposed layout must ensure the significant arboricultural features remain unaffected as far as possible, such as the prominent hedgerows on the site as well as the significant trees. Details of the mitigation planting to replace any trees or sections of hedgerow to be removed will also be required as part of a landscaping scheme for the site. The Forestry Officer considers that more consideration needs to be given to the trees and hedges than indicated on the illustrative masterplan. Subject to conditions there is no objection to the proposed access from an arboricultural perspective, and the layout and potential impact on trees and hedgerows will be considered at reserved matters stage. The application is therefore acceptable on this point and is in compliance with Local Plan Policy BIO1.

## Ecology

The Masterplan, as with all the other adopted Barnsley Masterplans, require 10% biodiversity net gain(BNG). As the application is in outline it is not yet certain whether the 10% BNG can be provided for on-site or combination of on-site and off-site. A condition is proposed to provide details at reserved matters and secure the implementation, management and maintenance of biodiversity enhancement measures for thirty years. If 10% BNG cannot be provided on-site then BNG must be secured through the S106 agreement. Accordingly, at the outline stage, the proposal is deemed to be accordance with Local Plan Policy BIO1 and the adopted Masterplan.

## **Section 106 Contributions**

### Affordable Housing

Contributions are set out in the Masterplan Framework Delivery Strategy which identifies proportionate contributions to ensure that each parcel contributes its fair share towards site wide infrastructure costs/requirements (the delivery plan also sets out that the developer of this site will be responsible for the cost of the small local shop in line with Local Plan Policy TC5).

In some instances, exact levels of contribution will be calculated at reserved matters stage when it is known how many dwellings are proposed and of what type. This phase will provide (pro rata with phase 1) costs for land acquisition, business case and professional fees for the link road. In addition, it will provide over and above what the pro rata costs for The Wells junction improvements and educations contributions would be if every phase was contributing equally. This is to ensure earlier delivery of the school and off-site highway infrastructure than would be the case if each phase contributed equally. In recognition of this over provision of infrastructure in early phases, the Masterplan Framework states that the level of affordable housing on early phases can be reduced and made up on later phases of the development. This will be calculated via a formula provided by BMBC Strategic Housing, who are content for the approach in the masterplan framework to apply when determining this application.

### Highway contributions

Contributions to both on-site road network and off-site road networks are required as follows:

- To complete upgrades to Lee Lane to improve road safety and reduce vehicle speeds, in conjunction with Traffic Regulation Orders to be pursued by BMBC to reduce the speed limit (cost tbc)
- The Wells junction improvements (cost tbc)
- Relief road land acquisition and business case preparation (Approx. £180,000)

Work is ongoing to finalise the costs of the upgrades to Lee Lane and The Wells junction improvements in the centre of Royston. These will be established in advance of reserved matters being determined, which is the point at which the figures for other contributions are to be confirmed.

The figure for the Royston Relief Road and business case preparation is based on the cost of these being met on Phases 1 and 2. Cumulatively these phases are



anticipated to accommodate 368 number of dwellings. As this phase represents 115 of those 368 dwellings, the proportion of the overall £575k cost to be attributed to this phase is £180,000 but, as stated previously, the applicant would have this discounted from their affordable housing contribution with this shortfall made up on subsequent phases.

### Open Space

The adopted Masterplan framework sets out the location for the main public open spaces to serve the framework area which is elsewhere in the masterplan area to the east of the site, and next to the proposed Primary school to the south of the site. For the land this application relates to, the illustrative masterplan suggests that 0.79 hectares will be provided as POS on the Lee Lane Frontage. However, this has the function of an active travel link and is required for visibility/road safety reasons to calm the traffic on Lee Lane. It does not therefore constitute public open space as per the adopted Open Space on New Housing Developments SPD. In such a scenario, the developer is expected to provide a contribution for off-site provision as per the Supplementary Planning Document (informal, children's play and formal recreation).

In the first instance the contribution will be used to help fund the informal greenspace and children's play equipment and perhaps some formal recreation on other phases of the MU5 site in order to ensure that the burden is not met solely by developers of phases that include the public open space. If a surplus remains after these spaces and equipment have been provided, then this would be used to enhance other public open space within Royston.

As the dwelling mix and overall numbers are not yet known, the exact sums to be provided will be determined at reserved matters stage.

### Education

#### *Primary School Places*

Financial contributions will be required towards a new Primary school. Based on advice from BMBC's Education team, at the time the masterplan was adopted the indicative contribution required per dwelling to a new primary school on the site was estimated to be £6,136. This was based on values taken from the National School Cost Benchmarking publication for construction of new primary schools and takes account of the S.106 contribution already secured from Barratt Homes to the north of Lee Lane but within the Masterplan area. This cost is indicative only at this stage and subject to confirmation by BMBC Education and Estates at the reserved matters stage. It also excludes land value costs which will be added to reflect the fact the Council is forgoing residential value on a mixed-use site.

#### *Secondary School Places*

Financial contributions will be required towards secondary school places, as set out in the Supplementary Planning Document: Financial Contributions to Schools. Exact amounts will be determined at reserved matter stage.

### Sustainable Travel

Contributions will be required in accordance with the Sustainable Travel Supplementary Planning Document. Part of the sum will be used to fund the landscape active travel links set out in the Masterplan.

## Biodiversity

Off-site Biodiversity net gain where 10% Biodiversity Net Gain cannot be provided for on-site when compared to assessment of existing. This may entail a scheme or financial contribution or a combination of both.

## S106 Overall Summary

An independent viability assessment for the whole MU5 area has demonstrated that development is viable with all costs required through Local Plan Policy and Masterplan provisions.

Members will see from the paragraphs above that the level of contributions are not yet certain, and that the delivery strategy has allowed for some flexibility. This particularly applies to the level of affordable housing to be provided in the early phases of the masterplan area being offset by greater provision in later phases due to other infrastructure costs that are required early in the Masterplan Delivery. To demonstrate how this might work, two theoretical scenarios are shown in the tables below. In reviewing these, it is important to note that whilst some of the costs shown are accurate, a number such as the costs of the Lee Lane and Wells junction upgrades, primary school land costs, public open space contributions and the difference between open market and transfer values for the affordable homes are not known and are included just as an example to demonstrate how the discounting of affordable housing could work. They also exclude any other potential S106 contributions that may arise as a result of the development (e.g. if contributions are required for biodiversity net gain).

Table 1 shows an example of how much the developers of phases 1 and 2 (this application covers phase 2) would be expected to pay if all infrastructure costs were being applied equally across the development alongside 10% affordable housing on each phase:

Table 1 – Indicative S106 costs based on provision of 10% affordable housing

Item	Phase 1	Phase 2
Primary School	£1,600,478	£727,490
Primary School Land Cost	£305,556	£138,889
Secondary School	£607,200	£276,000
Public Open Space	£379,500	£172,500
Sustainable Travel	£126,500	£57,500
Royston Relief Road	£175,694	£79,861
Wells Junction	£152,778	£69,444
Lee Lane/A61 Junction	£305,556	£138,889
S106 Costs (excluding affordable housing)	£3,653,261	£1,660,573
10% Affordable Housing (based on £100k per dwelling)	£2,536,111	£1,152,778
<b>Overall Cost</b>	<b>£6,189,372</b>	<b>£2,813,351</b>

In contrast Table 2 shows a scenario where the developers of phases 1 and 2 provide no affordable housing but cover additional infrastructure costs (in red), including a higher contribution towards primary school places as well as the full costs

of the Relief Road contribution, the Lee Lane junction upgrade and The Wells junction upgrade:

Table 2 – Indicative S106 costs based on no affordable housing during the first two phases

Item	Phase 1	Phase 2
Primary School	£1,600,478	£727,490
<b>Additional Early Phases Primary School Contribution</b>	<b>£1,774,826</b>	<b>£761,285</b>
Primary School Land Cost	£305,556	£138,889
Secondary School	£607,200	£276,000
Public Open Space	£379,500	£172,500
Sustainable Travel	£126,500	£57,500
<b>Royston Relief Road</b>	<b>£395,313</b>	<b>£179,688</b>
<b>Wells Junction</b>	<b>£0</b>	<b>£500,000</b>
<b>Lee Lane/A61 Junction</b>	<b>£1,000,000</b>	<b>£0</b>
S106 Costs (excluding affordable housing)	£6,189,372	£2,813,351
Affordable Housing (based on £100k per dwelling)	£0	£0
<b>Revised Overall Cost</b>	<b>£6,189,372</b>	<b>£2,813,351</b>

As indicated previously, many of these figures cannot be established until reserved matters are submitted (assuming outline permission is forthcoming) and the details (total dwellings/dwelling mix/junction design and costs) are agreed. However, the Section 106 agreement that accompanies this outline application will need to establish these principles. This will involve further discussions with the applicant's agent should Members be minded to accept the principle set out in this report. If so, members are requested to grant delegated authority to the Head of Service, in consultation with the Chairman of the Regulatory Board, to finalise the Section 106 agreement.

### Drainage

Objectors have raised the issue of drainage on the site and part of it was flooded in the heavy rains of 2020. The application is accompanied by a flood risk assessment which describes the outline proposals for drainage of the site. In addition, there are watercourses crossing the site which the developer is aware of and which must be protected. Yorkshire Water and the BMBC Senior Drainage engineer have no objections subject to planning conditions which will prevent excessive runoff to the watercourses and avoid future flooding. The proposal is therefore in compliance with Local Plan Policies CC1 and CC3.

### Contamination and Mining Legacy Issues

The South Yorkshire Mining Advisory Service have confirmed that the applicant has submitted a comprehensive phase one Environmental Risk Assessment report undertaken by Groundtech Consulting ref 20046/1297. The report indicates the site is not at risk from mining legacy issues. A Coal Authority Informative should be attached to any permission. The report has, however, indicated that there are identified potential contamination risks to the proposed development and the Contamination Land officer concurs with the report conclusion which suggests an Intrusive Site investigation will be required to fully assess these risks. A condition is

proposed and can be considered to meet the requirements set out in local Plan Policy CL1.

### Public Rights of Way

The Public Rights of Way Officer confirms that there are no existing public rights of way affecting the proposals, however, the Masterplan identifies an active travel route running east west along Lee Lane to be constructed. Specifications and future status of this link to be agreed at reserved matters stage.

### **Conclusion**

The proposal is acceptable in principle and meets with Local Plan Policy MU5 in that it proposes residential development and a small retail unit and will contribute to site specific and wider infrastructure within the MU5 area.

The MU5 Policy also requires that development in the allocation is delivered via a Masterplan Framework. The Royston Masterplan was adopted by Full Council on 29<sup>th</sup> July 2021, and identifies a number of development phases, this parcel of land is identified within the Masterplan as one of the first phases for residential development with a small (up to 500sqm) retail element and it will contribute towards the strategic infrastructure as set out in the adopted Delivery Plan and is therefore not considered to be piecemeal development. Other phases will follow in due course.

The site forms Phase 2 of the Royston Masterplan which and the indicative outline plan submitted shows how a development can be designed which can meet the requirements set out in the adopted Royston Masterplan, as well as relevant policies in the Local Plan and adopted Supplementary Planning Documents, subject to conditions where appropriate. Subject to details submitted at the reserved matters and S106 provisions, the site has the potential to form an attractive residential site and ensure that measures are put in place to contribute towards the strategic requirements set out in the adopted Masterplan. No significant material objections have been raised which outweigh the benefits of granting the permission.

### **Recommendation**

Approve subject to conditions and a Section 106 Agreement with delegated authority to officers to negotiate details subject to due diligence, relating to:

- Affordable housing
- Highways
- Education
- Open space
- Sustainable Travel Contributions
- Off-site Biodiversity net gain.

Conditions:-

1. Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

**Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.**

2. The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

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

**Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.**

3. The detailed design submitted with the reserved matters application(s) shall be in general accordance with the Illustrative Masterplan REV B with a retail unit of up to 500sqm, a minimum of 115 dwellings and shall conform with the design code in the adopted Royston Masterplan Framework.

Reason: To ensure the development is in compliant with Local Plan Policy MU5 and the Royston Masterplan and in the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 and GD1

**Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 -New Development and Sustainable Travel**

4. The reserved matters application(s) shall be accompanied by the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction: recommendations:

- Arboricultural Impact Assessment
- Tree protective barrier details
- Tree protection plan
- Arboricultural Method Statement

**Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with policies BIO1 and D1.**

5. No development shall take place until full foul and surface water drainage details including a scheme for the provision and implementation of a surface water run-off limitation into the watercourse, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. Thereafter the approved 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**

6. The development hereby permitted shall not be commenced until an updated detailed Travel Plan has been submitted, approved in writing by the Local Planning Authority. Once approved the plan shall be implemented in full.

**Reason: To support sustainable transport objectives in accordance with Local Plan Policy T3 New Development and Sustainable Travel.**

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any watercourse.

**Reason: To prevent damage to the existing culverted watercourse and prevent flooding, in accordance with Local Plan Policy CC3.**

8. No development, including any demolition and groundworks, shall take place until a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation has been approved in writing by the Local Planning Authority.

Drawing upon the results of this investigation stage, a mitigation strategy for any further archaeological works and/or preservation in situ will be approved in writing with the local planning authority and then implemented.'

**Reason: To ensure that the site is archaeologically evaluated in accordance with an approved scheme and that sufficient information on any archaeological remains exists to help determine any reserved matters and to comply with policy HE6 of the Barnsley Local Plan.**

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

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

The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".

**Reason: In accordance with Local Plan Policy CL1 Contaminated and Unstable Land**

10. Reserved matters shall be accompanied by a written method statement, setting out the methods that will be used to prevent nuisance from noise and dust, is submitted and approved prior the granting of planning permission - ideally with a mains water supply available from the start of any works on site.

**Reason : In the interests of residential amenity and in accordance with Local Plan Policy POL1**

11. A detailed scheme of ecological mitigation and enhancement and maintenance shall be submitted with the reserved matters application. The scheme shall broadly follow the measures set out in the report by Futures Ecology, ref FE21/EcIA01, 6/3/20. The scheme shall identify a timetable for implementation and maintenance for 5 years. The scheme shall be accompanied by a plan which clearly identifies what ecological features are proposed to be retained, mitigated and enhanced, including hedgehog protection and enhancement measures and birdboxes.

Thereafter the development shall be carried out in accordance with the approved measures.

**Reason: In the interests of biodiversity and in accordance with Local Plan Policy POL1.**

12. The reserved matters submission shall be accompanied by a detailed biodiversity enhancement and management scheme which demonstrates a net measurable gain in 'biodiversity' of at least 10% when measured against the pre-development biodiversity value of the development site when assessed using the DEFRA Biodiversity Metric 3.0. The plan shall include arrangements for regular inspection and management for a period of 30 years. Thereafter the plan shall be implemented in full.

**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan Policy D1 Design and to ensure 10% biodiversity net gain is achieved, in accordance with the adopted Royston Masterplan and Local Plan Policy BIO1**

13. Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details. Vehicular and pedestrian gradients within the site shall not exceed 1:12.

**Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

14. The following detailed plans shall accompany the application for the approval of reserved matters:

- I. photo montages of the proposals within a Landscape and Visual Impact Assessment from location points agreed with the LPA.
- II. 3D aerial view and 3D perspective views shall be submitted to illustrate the submitted details, the latter as seen from ground level which shall show the buildings in their setting

Prior to the construction of any of the dwellings and the retail unit approved by this permission above foundation level details of the proposed external construction materials for the dwellings approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the details approved by the Local Planning Authority

**Reason: In accordance with Royston Code to enable the built form to be considered in their wider Masterplan setting, and to ensure their visual impact on important views and existing residential properties is able to be adequately assessed and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

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

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in constructing the development
- v. Measures to prevent mud/debris being deposited on the public highway.

**Reason: In the interests of highway safety and in accordance with Local Plan Policy T4.**

16. 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 in accordance with Local Plan policy T4**

17. 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. In installing broadband infrastructure, the developer shall ensure that the infrastructure reaches the southern boundary of the site to make available infrastructure to permit provision of these services to land parcels to the south.

**Reason: To ensure opportunity for high speed fibre broadband connections, in accordance with the adopted Royston Masterplan, and Local Plan Policy I1, and to provide market choice and promote competition**

18. Reserved matters submission shall be accompanied by a scheme to provide EV charging points of 1 charging point per unit (dwelling with dedicated parking), or 1 charging point per 10 spaces (unallocated parking) and demonstrated to be "mode 3", minimum 7 kW (32 AMP). The approved details shall thereafter be implemented prior to first occupation of the development and thereafter retained in accordance with the approved details.

**Reason: In interests of promoting sustainable travel opportunities and in accordance with Local Plan Policy T3 New development and sustainable travel and adopted SPD Sustainable Travel**

19. No building or use hereby permitted shall be occupied (or use commenced) until pedestrian visibility splays of 2 x 2m to the back edge of the footway / verge shall be provided at the proposed access (or drive). Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.6m to the rear of the footway/ verge which would obstruct the visibility splay. The visibility splay shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

**Reason: To ensure drivers have clear and unrestricted views of approaching pedestrians when pulling out onto the public highway, in the interest of highway safety in accordance with Local Plan Policy T4**



20. Prior to the first occupation of the development hereby permitted, parking provision will be in accordance with the standards set out within Barnsley's Parking SPD adopted November 2019 (or its successor). Driveways and vehicle parking areas accessed from the approved streets must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

**Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard in accordance with Local Plan Policy T4**

21. Prior to occupation of any building a scheme for promoting walking and cycling by future residents shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the design, number and location of signs and links including along key multi-user active travel routes linking with existing PRowWs around the site to promote security and legibility for pedestrian and other users. Thereafter the development shall be carried out in accordance with the approved details and timescales.

**Reason: To ensure pedestrian and other non vehicular users can easily find access to the Public Rights of Way and other routes, in accordance with Local Plan Policy GS2 and in accordance with the adopted Royston Masterplan ( design Code 7.9.2 page 71).**

22. 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 Lee Lane in accordance with details of a completion plan to be submitted and approved in writing by the Local Planning Authority and that part of the site to be used by vehicles shall be surfaced in a bound permeable material and adequate measures shall be so designed into the proposed access to avoid the discharge of surface water from the site on to the highway. Thereafter the development shall be carried out in accordance with the approved details.

**Reason: To ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway and to prevent the migration of loose material on to the public highway to the detriment of road safety. In accordance with Local Plan policy T4**

23. Reserved matters proposals shall include a site road to adoptable standards to the site boundaries to achieve transport connectivity as required by the Royston Masterplan.

**Reason: In accordance with the adopted Royston Masterplan ( Delivery Strategy 5.5.8) and to provide a safe means of travel to school for pupils and access to community recreation areas including from parcel ref. LO\_07 and parcels north of Lee Lane**

24. In planning, designing and installing the electricity supply, the developer shall make provision for electricity supply to reach the boundaries of the site (for residential dwellings assuming an upper bound density).

**Reason: To enable other land parcels to make an electricity connection and in accordance with the adopted Royston Masterplan and Local Plan Policy I1.**

25. Prior to the occupation of dwellings 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 landscaping details shall be implemented prior to the occupation of the building(s). 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 dwellings immediately adjacent to open space; 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 and Geodiversity**

26. Prior to the occupation of the development, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 5 years, shall be submitted to and approved by the Local Planning Authority. The approved landscape management plan shall thereafter be carried out in accordance with the approved plan.

**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan Policy D1High Quality Design and Place Making**

27. Construction or 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.**

28. If sewage pumping is required, the peak pumped foul water discharge shall not exceed 6 (six) litres per second.

**Reason: To prevent overloading of sewage network and in accordance with Local Plan Policy Poll1 Pollution Control and prevention**

29. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water, have been completed in accordance with details to be submitted and approved by the local planning authority.

**Reason: to ensure the site is properly drained and in order to prevent overloading, and in accordance with Local Plan Policy Poll1 Pollution Control and Prevention.**

30. 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 in accordance with Local Plan Policy T3**

31. Prior to the first occupation of the development hereby permitted, parking provision will be in accordance with the standards set out within Barnsley's Parking SPD. Driveways and vehicle parking areas accessed from the approved streets shall be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

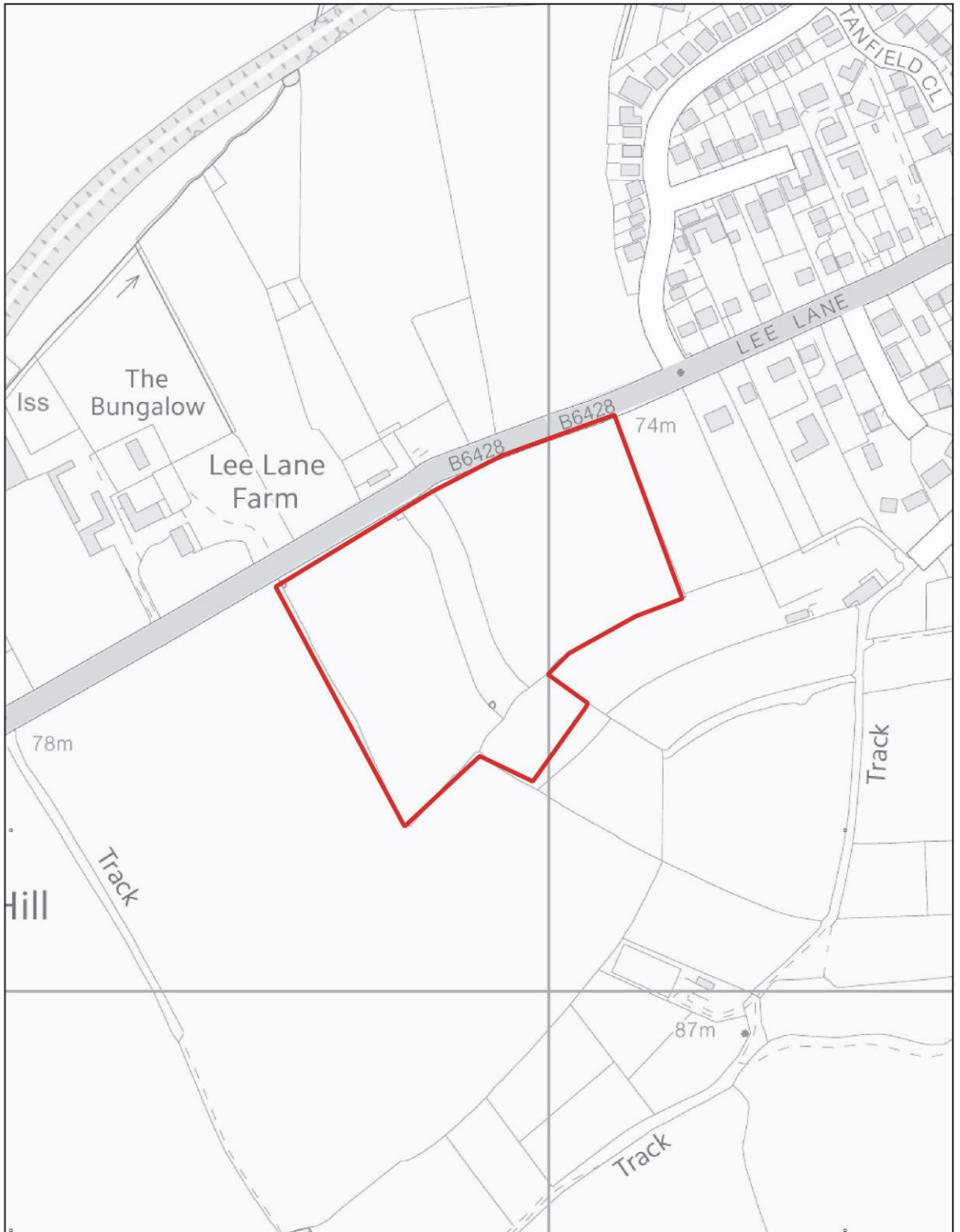
**Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard and in the interests of highway safety in accordance with Local Plan Policy T4**

32. The driveway length in front of garage(s) shall be at least 6m (5.5m with the use of a roller shutter door) measured from the garage doors to the highway boundary.

**Reason: To ensure parked vehicles do not overhang the adjoin public highway thereby adversely affecting highway users in accordance with Local Plan Policy T4**

PA Reference:-

2020/0330



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**BARNSELY MBC - Regeneration & Property**



Scale: 1:3125

# Item 4

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## 2020/0627 and 2020/0617 Full Planning and Listed Building Consent

**APPLICANT:** Mr and Mrs Mellor

**DESCRIPTION:** Proposed demolition of modern barns and a house and redevelopment of the site, including the conversion of existing farm buildings to create 22 dwellings.

**LOCATION:** Kexborough Hall Farm and Town Farm, Churchfield Lane, Kexbrough, Barnsley, S75 5DU

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### Site Location and Description

Town Farm and Kexborough Hall Farm sit either side of Cawthorne Lane, at the junction with Upperfield Lane and Churchfield Lane to the south west of Kexbrough. To the south of both farmsteads is open farmland with the Kexbrough to the north and east, a largely residential area with associated services.

Town Farm is to the west of Cawthorne Lane and is primarily made up of portal and modern framed barns which are relatively modern in design and construction. The farmhouse is stone built, located to the northwest of the site and has been converted from two properties to a single dwelling. There is a stone cattle holding barn on the site, adjacent to Cawthorne Lane which appears to be older than the others on site with some evidence of it including fragments of an earlier building.

Kexborough Hall Farm, to the east of Cawthorne Lane includes a Grade II Listed long barn range with courtyard to the north framed by the L shaped farmhouse to the west and another stone barn located along the northern boundary of the courtyard, immediately abounding Churchfield Lane. To the east of the courtyard is a further stone barn. Beyond this courtyard, there are a number of large more modern farm buildings.

Both sites slope to the south with Town Farm more gently sloping than Kexborough Hall Farm. Between the two farms is a residential house, adjacent Cawthorne Lane and Kexborough Hall Farm.

Kexbrough is mixed in character with stone, brick and render in evidence and a range of property types and styles.

### Proposed Development

This report covers two applications, one a full planning application (2020/0627) and another a listed building consent application (2020/0617), for the same scheme and works.

It is proposed to demolish the modern barns on both sites along with the farmhouse on Town Farm. The Listed Barn and curtilage buildings (one is the attached barn to the east forming an L and the other is the long barn on the northern boundary of the site) on Kexborough Hall Farm will be converted along with the traditional barn located on the eastern boundary of Town Farm.

The development will create 22 dwellings in total: 14 new builds and 8 dwellings within the converted buildings. The mix of dwellings includes detached, semidetached and terraced properties comprising:

2 x two beds  
10 x three beds  
10 x 4 beds

Each property has garden space and parking. The proposed new builds are of a traditional design using stone and slate with ashlar heads and cills and timber windows and doors.

The conversions as proposed included a limited number of new openings and the stone slate roof of the long-range barn will be restored (currently being metal sheeting).

The existing access for Town Farm and Kexborough Farm will be used, visibility at town Farm will be improved and a footpath provided. Both developments are designed with a mews type arrangement for access and parking.

### **Planning History**

87/0298 - Conversion of two cottages into one and extension to same, Town Farm - approved

92/1151 – Erection of House, Kexborough Hall Farm - Approved

96/0123 – Erection of extension to agricultural storage building, Town Farm - Approved

### **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. In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

#### Local Plan Policies

The site is allocated as Urban Fabric in the adopted Local Plan, where there is a presumption in favour of sustainable development.

The Grade II Listed Barn and curtilage buildings at Kexborough Farm require Local Plan Policy HE3 (among others) to be applied:

HE3 - Proposals involving additions or alterations to listed buildings or 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.

Other relevant policies include:

SD1 Presumption in Favour of Sustainable Development  
GD1 General Development  
LG2 The Location of Growth  
H1 The Number of New Homes to be Built  
H2 The Distribution of New Homes  
H5 Residential Development on Large Non-allocated sites  
H6 Housing Mix and Efficient Use of Land  
H7 Affordable Housing  
T3 New Development and Sustainable Travel  
T4 New Development and Transport Safety  
D1 High Quality Design and Place Making

HE1 The Historic Environment  
HE2 Heritage Statements and general application procedures  
HE3 Developments affecting Historic Buildings  
GS1 Green Space  
BIO1 Biodiversity and Geodiversity  
GB1 Protection of Green Belt  
CC1 Climate Change  
CC2 Sustainable Design and Construction  
CC3 Flood Risk  
CC4 Sustainable Drainage Systems  
CL1 Contaminated and Unstable Land  
Poll1 Pollution Control and Protection  
I1 Infrastructure and Planning Obligations

#### Supplementary Planning Documents

- Financial Contributions for Schools
- Barn Conversions
- Trees and Hedgerows
- Design of Housing Development
- Open Space Provision on new housing developments
- Affordable Housing
- Planning Obligations
- Sustainable Travel
- Parking

#### NPPF

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

#### **Consultations**

Affordable Housing – The site is located within an area where 20% affordable housing is required by policy H7. The tenure split would be 50/50 between rent and intermediate.

Air Quality –EVCP are required for each dwelling. This can be secured by condition.

Biodiversity – Initial concerns have been addressed through the submission of additional information. The proposed metric shows a biodiversity net gain on the site and subject to conditions securing further detail and mitigation the proposed is acceptable.

Demolition – Whist some agricultural buildings are exempt from the Notice of Demolition – Building Act 1984, due to there being other properties within the development notification will be required. Informative will be added to the decision notice.

Drainage – Initially a condition was requested, however additional information has been provided and the drainage is acceptable with no conditions requested.

Conservation and Design – Further detailed assessment is in the main report, however the application was subject to a detailed pre-application discussion including site meeting and the proposed development has responded to and addressed comments. No objection subject to conditions.

Education - Kexbrough falls within the North planning area and due to the high level of ongoing development within this area (Low Barugh and other developments) a S106 education would definitely be required for this development.

Highways – No objections, subject to conditions. Detail in the report below.

Pollution Control – No objections. Requested a condition relating to noise and dust suppression measures during construction.

Trees – No objections subject to conditions securing tree protection measures and detailed landscaping.

SYMAS – The Coal Mining Risk Assessment concludes that an intrusive investigation is required, this can be secured through a condition.

Ward Councillors – No comments received.

## **Representations**

The application has been advertised by way of a site and press notice and neighbouring letters. A second round of consultation was also undertaken because the applicant amended the plans and the red line. In total 12 comments have been received raising the following:

Concerns about poor visibility, narrow roads, and traffic speed along Churchfield Lane, near to Town Hall Farm. The entrance is opposite existing drives and it can be difficult to pull out of drives along here. The development provides an opportunity to make alterations to make this area safer.

*Officer response: the access for the development has been assessed and amendments requested to ensure that safe visibility can be achieved when leaving the site. However, as this is an existing access to the farm it is not possible to secure further improvements to the road such as widening it.*

Farm vehicles can see further up the road than cars as they are higher–

*Officer response: the development includes improvements to visibility at the two proposed junctions.*

Cawthorne Lane is very narrow, used by cars pedestrians and cyclists and visibility is poor, it is also becoming a rat run to the M1, so traffic is getting busier. This should be addressed.

*Officer response: the development along Cawthorne Lane includes the retention of an existing building which has some historic merit and as such widening the junction here is not possible.*

Traffic has increased over recent years and this development will make it worse. –

*Officer response: the proposed development will provide 22 new houses which will have a limited impact on the existing traffic in the area.*



There are issues with the existing drains with bad smells at times and poor water pressure. This started when the academy was built and it's worried the proposed will make it worse. Officer response: *detailed drainage plans have been provided and these have been agreed by the Council's Drainage Officer. Existing issues with the sewage network will need to be addressed by Yorkshire Water.*

Can the dutch barn to the south of the site be taken down?

Officer response: *this is outside the application red line and is being kept to service the remaining farmland.*

## **Assessment**

### Assessment

#### Principle and impact on listed building

The site comprises two farmsteads, both with a variety of barns and agricultural buildings as well as two separate farmhouses. Because the majority of the buildings are in, or were last in, agricultural use the site does not qualify as previously developed land as defined in annex 2 of the NPPF. However, the sites are not located in the green belt, instead both farmsteads are within the urban fabric of Kexbrough as allocated on the adopted Local Plan and are therefore within Urban Barnsley.

Policy H5 supports proposals for residential development on sites above 0.4ha where they:

- Are located on previously or part developed land
- Are located within Urban Barnsley, Principal Towns and Villages
- Are accessible by Public Transport; and
- Have good access to a range of shops and services.

As stated, the site(s) are not previously developed land as defined in the NPPF as such they do not meet the first criteria, albeit the site(s) are largely covered with hardstanding and buildings. They do meet the other three criteria being located within Urban Barnsley with good access to public transport and local shops and services (e.g. there is a local shop within 300m and the primary school is within 200m and the secondary school is 500m). As such the proposed is in part compliance with Local Plan Policy H5.

The existing farm business has been stated by the applicant to be no longer viable. The traditional buildings on site are not suitable for modern farming and the sites are constrained in scale and surrounded by housing which is sited as creating conflict in terms of noise and odour disturbance. The owners of the farms are brother and sister with no family members interested in taking up the business in the future, however, the farm land will be retained and managed by them using the remaining barn and from a farm in Silkstone which is owned by one of the applicant's partner. Therefore, whilst the sites are not previously developed land, as defined in the NPPF, it is accepted that on the ceasing of farming activity the buildings would likely fall into disrepair and that redevelopment could have a positive impact.

On Kexborough Hall Farm, there is a Grade II Listed Barn with several curtilage buildings including the long barn (adjacent Churchfield Lane) and the farmhouse. In addition, there is a barn to the east of the Listed Barn and courtyard which appears on the historic maps and whilst Town Farm has been largely redeveloped with modern buildings there is evidence of older buildings within the fabric of these modern structures and one traditional barn/structure which survives. The farms and these older buildings likely date back to the end of the C18 based on historic maps and the Conservation Officer has stated that they are of relatively

high heritage significance (national for the Listed Building). On this basis Local Plan Policies HE1, HE2 and HE3 apply and there is a requirement to conserve and enhance (where appropriate) the buildings significance.

The proposal seeks to comprehensively redevelop the sites of Town Hall and Kexborough Hall Farm (separated by Cawthorne Lane). Twenty-two dwellings are proposed, some conversions and some new builds, all relatively high spec units which are designed to complement the setting of the listed and historic buildings. Where buildings are listed / curtilage listed these are retained and converted by utilising existing openings and features.

The listed building conversion of the barn is generally acceptable in terms of the conservation of the building and approaches to internal subdivision. Externally, the number of new openings is restrained and on the whole existing windows, doors, and cart openings are utilised to get light in. The number of rooflights has been reduced and as these are conservation specific and to bedrooms, they are acceptable.

Overall, the proposals regarding the conversion of the curtilage buildings are acceptable. The long barn facing the listed building has the advantage of numerous south facing openings already so additional openings are kept to a minimum. To the north elevation new windows are also limited in number and size, providing light only to hallways and non-habitable rooms. Similarly, the proposed external alterations to the attached barn (to the east of the Listed barn) are limited and appropriately designed. Finally, the dry-stone walls that are proposed are very welcome as this will enhance the setting. These walls also play a role in reducing the visual impact of parked cars and enhancing the safety of children playing in the front garden (if no rear garden is being provided). Some mechanism to ensure these important walls are retained by homeowners would be very useful to retain the character and setting. This could be secured by way of a condition removing permitted development rights for new walls or fences and / or a covenant on the new houses.

### Residential Amenity

#### *Kexborough Hall Farm*

The site layout for Kexborough Hall Farm is largely dictated by the Grade II Listed barn and curtilage buildings being retained on the site. The existing farmhouse was proposed to be converted into 3 dwellings; however, this has now been removed from the application and will be retained as it is. The Listed Barn will become 2 dwellings with an additional 1 in the barn attached to the east. The long barn is to be converted into 3 dwellings (2 x 2 beds and 1 x 3 bed).

The long barn faces into the site, with most windows overlooking the courtyard, facing the listed barn. However as there is 29m (circa) between the two, the required distances are achieved. Plot 1 is a 3 bed and has sufficient garden space to the front and side to meet the external space standards. Plots 2 and 3 have much smaller gardens to the front which offer limited external amenity space for the future occupiers. Both properties are 2 beds so less well suited to family housing and taking account of the constrained nature of the site, the long barns location directly abutting Churchfield Lane and access to the countryside, these smaller gardens are accepted in this case.

Plots 4, 5 and 6 are in the Listed Building and attached barn which form an L shape to the south and east of the courtyard. Plots 4 and 5 are 4 bed houses whilst plot 6 is a 3-bed bungalow. They all have sufficient garden space to meet the standards, albeit plot 6's is smaller and to the front and so less private. Plot 6 has a window in the elevation closest to the long barn and directly opposite a window in the proposed plot 3; both are existing openings and will be for habitable rooms. The applicant has proposed that in plot 6 the

window / opening is half boarded with obscure glazing above. This will retain privacy for both properties whilst also ensuring light without the need for new openings.

Plots 7, 8 and 9 are the only new build houses on the Kexborough Hall Farm side. They are in a line along the eastern boundary with gardens to the rear or side. Plot 9 is adjacent to an existing residential dwelling off Churchfield Lane and located south of this property, adjacent its garden. This will lead to some overshadowing; however, the house replaces 3 existing barns, all greater height and mass than the proposed. In addition, plot 9 has a single storey garage to the side, closest to the existing house which mitigates the overshadowing impact. Plots 8 and 9 are 21m apart however, plot 7 is only 14m from plot 8 which is well below the spacing standards. The applicant has sought to address this by making the habitable room windows in the facing elevations high level; windows at ground floor level can be screened by boundary treatments.

The proposed has been carefully designed and, taking account of the constraints of the site and benefits associated with retaining and refurbishing the Listed building and associated curtilage buildings, is acceptable in residential amenity terms in accordance with Local Plan Policy D1 and the associated SPD Design of Housing Development.

#### *Town Farm*

The redevelopment of Town Farm is less constrained with just one building retained and the rest demolished including the farmhouse. Side elevations are proposed to face the nearest property to the east which will have its own side elevation facing the site. The nearest properties to the south north and west will either meet or exceed the 21m distances to ensure adequate privacy exists to these nearest dwellings.

The proposed dwellings are a mix of detached and semi-detached houses all of which have sufficient internal and external amenity space including front and rear gardens and parking. Plots 6 and 7 are located within the converted barn adjacent Cawthorne Lane. Plot 7 has a large garden to the south whilst plot 6 has its garden located to the side, accessed from the kitchen diner. It also has a small private garden to the rear accessed from a garden room. The proposed development complies with the various spacing standards as set out in the Design of Housing Development SPD and Local Plan Policy D1.

#### Visual Amenity

The two farmsteads are currently dominated by large, modern barns and hardstanding's as well as associated farm vehicles and equipment.

The proposed redevelopment is of a high-quality design with the more traditional barns on site retained, included the Listed Barn and curtilage buildings. The use of quality, natural materials including stone, timber and stone or blue slates as well as dry stone wall will contribute to the overall visual appearance of the site.

In addition, the removal of the larger modern building and introduction soft landscaping across the site in gardens and around the site edges will improve the overall visual amenity on the site. The opportunity to introduce increased trees and hedgerows will be of visual amenity benefit.

As such the proposed is in accordance with Local Plan Policy D1 with regards the design and visual impact.

## Highways

Highway officers raised concerns initially with the layout and intensification of use of the two access points. The applicant has since provided additional plans, tracking detail and road safety audits.

The application proposes alterations to the junction layout at the access to the east of the development (Kexborough Hall Farm). The design of this junction has been constrained by the Long Barn to the west (a curtilage building to the Listed Barn) and existing boundary treatments to the east (associated with neighbouring properties) however, the plotted visibility is acceptable taking account of Manual for Streets. Further, the proposal is relatively minor and does not impact on the existing operation of the Ballfield Road junction with tracking provided to demonstrate this. As such, the proposed development and design of this junction is acceptable.

The Town Hall Farm junction is less constrained and following comments by the Highway Officer has been redesigned to ensure appropriate forward visibility is achieved, allowing for the topography of the area, and can be maintained here. Tracking has also been provided to demonstrate there is sufficient room within the site to accommodate a refuse vehicle.

A Road Safety Audit has been provided which identifies no road safety problems associated with either access.

The amended proposals are therefore acceptable in highway safety terms and there is no objection subject to conditions.

## Biodiversity

Although initial concerns were raised with regards to the information provided to support this application, including a need to test for Great Crested Newts in nearby pond and to undertake Bat Surveys which delayed the application, these have now been addressed.

The applicant has provided further surveys and an updated Biodiversity Metric 2.0 which confirms an overall net gain on the site following the development. The site overall has a low ecological value being largely hard surfaced and occupied by large scale farm buildings. Habitats on site are of low value, being associated with the hard standing area and buildings, existing farmhouse garden and some scattered trees. There are hedgerows on the Town Hall Farm, but these are species poor (Hawthorn and leylandii). The ecology report confirms the trees and hedgerows are retained where possible. In addition, there is some semi-improved grassland on the Town Hall site, but this is assessed as being of low value. The report concluded that the overall increased soft landscaping will create an opportunity to increase and enhance habitats which has resulted in an overall net gain in the Biodiversity Metric.

In addition, the report proposes bird nesting features such as barn owl boxes and sparrow terraces, hedgehog boxes and highways across the site and habitat piles at the site edges. These will positively mitigate impacts on species which are not assessed in the metric. In addition, the applicant has agreed to a condition requiring further specific mitigation for bats.

The ecological assessment(s) and Biodiversity Metric have been assessed by the Council and the approach agreed subject to further detailed ecological mitigation including landscaping and a habitat management plan being secured through condition.

As such the proposed complies with Local Plan Policy BIO1.

## Trees

The amended scheme now means that the arboricultural impact assessment is out of date, however the impacts have reduced in some instances and there does not appear to be any increased encroachment into the rooting areas of any of the trees. Some trees will be removed to facilitate the development but in the main these are smaller lower quality trees likewise some larger trees will require removal for arboricultural reasons

There are two category A trees on the site which will be affected by the scheme but as detailed in the Arboricultural Impact Assessment (AIA) impacts can be mitigated for by the use of specialist construction techniques. Some trees are in close proximity to the proposed houses, most notably the category A Yew tree, however, none are so close that some minor pruning will not maintain a satisfactory clearance from the properties

Overall, the large and better quality trees have been retained as part of the scheme and the layout very much appears to have been worked around them. The retained trees will require protection via protective barriers and by utilising some specialist construction techniques; as such tree protection details and an Arboricultural Method Statement will need to be provided. Given that trees are to be removed then significant replacement planting will also be required to mitigate for this and as such a landscaping scheme will also be required. Both these can be secured through appropriately worded conditions.

Therefore, the proposed complies with Local Plan Policy BIO1 and D1 and the accompanying SPD Trees and Hedgerows.

## S106 Contributions

Assessed against the formulae in the published SPD's the following contributions would be required: -

Affordable Housing – 20% required on site, the tenure split requested is 50/50 between rent and intermediate and the mix proposed: 2 x 2 beds, 1 x 3 bed and 1 x 4 bed has been agreed.

Sustainable Travel – Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel, where levels of accessibility through public transport, cycling and walking are unacceptable. This is calculated using the formulae in Appendix C of the Sustainable Travel SPD and is £16,500.

In addition, EV charging points would need to be conditioned for each dwelling.

Greenspace –The proposed development includes no greenspace within the site, as such a contribution is required towards the improvement of greenspace off site. This contribution is based on the final mix of development and calculated using the contributions per dwelling figures at Appendix 2 of the Open Space Provision on New Housing Development SPD. The total contribution is £42,694.25

Education – There is a need to provide a contribution towards the provision of additional school places at both primary and secondary school levels. The development will generate a pupil yield of 5 primary pupils and 3 secondary pupils, calculated in accordance with section 4 of the SPD.

The total required contribution would be £128,000 (8 x £16,000) as set out in the Financial Contributions to Schools SPD.

These contributions will be secured through an appropriate legal agreement.

## Conclusion

The proposed redevelopment of these farmsteads will provide additional housing whilst also ensuring the restoration and long-term maintenance of the listed buildings at Kexbrough Hall Farm. The development has been designed sympathetically to the history of the two farms and retains the traditional buildings on the site with the new builds proposed being of a high-quality design and materials. The Conservation Office has confirmed no objections on this basis.

The development has also been assessed against other development plan policies and is in broad compliance with these. Therefore, the proposed is recommended for approval subject to conditions and an appropriate legal agreement.

## **Recommendation –**

2020/0627 Approve subject to a S106 (for the matters outlined above) and the conditions stated.

2020/0617 – Approve subject to conditions stated.

## **Conditions for 2020/0627**

- 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:  
Site Layout Ref: 19001D-100-P06  
Town Farm -  
Visibility Splay - Long Section Ref: 1732-303  
Vehicle Tracking and Visibility Ref: 1732-201B  
Plot 1 Ref: 19001D-101-P01  
Plots 2 & 3 Ref: 19001D-102-P01  
Plots 4,4a & 5 Ref: 19001D-103-P02  
Plots 6 & 7 Ref: 19001D-104-P03  
Plot 8 Ref: 19001D-105-P01  
Plot 9 Ref: 19001D-106-P02  
Plot 10 Ref: 19001D-107-P01  
Plot 11 & 12 Ref: 19001D-108-P01  
Kexborough Farm -  
Visibility Splay - Long Section Ref: 1732-301  
Proposed Build Out Extents and Adjacent Junction Tracking Ref: 1732-302  
Plot 1, 2 & 3 Ref: 19001D-109-P01  
Plots 4,5 & 6 Ref: 19001D-110-P02  
Plot 7 ref: 19001D-111-P02  
Plot 8 Ref: 19001D-112-P02  
Plot 9 Ref: 19001D-113-P04  
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. Where retaining walls are required, full details of the location, height, design and materials will be submitted to and approved in writing by the Local Planning Authority. 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 D1, High Quality Design and Place Making.**

- 4 Prior to commencement of development full details of the mitigation measures identified in the Kexbrough Farms, Ecology Report Revision (3rd issue) alongside additional bat enhancement measures, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

**Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1.**

- 5 Prior to commencement of development a detailed Ecological Management Plan shall be submitted to and agreed in writing by the LPA. The plan shall set out how the Biodiversity Net Gain identified in the agreed Biodiversity Metric 2.0 Calculation Tool Kexbrough shall be achieved and maintained on site for 30 years. The development shall be implemented in accordance with the approved details.

**Reason: To conserve and enhance biodiversity and secure no net loss in biodiversity on the site in accordance with Local Plan BIO1 and the accompanying SPD Biodiversity and Geodiversity.**

- 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 unless otherwise agreed in writing with the LPA.

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

**Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3**

- 8 No development shall take place unless and until porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways, and calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways, are submitted to and approved in writing by the Local Planning Authority

**Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3**

- 9 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 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.**
- 10 Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway works as indicated on drawing number 1732-302 has been submitted to and approved in writing by the LPA.  
**Reason: To ensure that the highway works are designed to an appropriate standard in the interest of highway safety in accordance with Local Plan Policy T4.**
- 11 Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05m above the level of the adjacent highway carriageway.  
**Reason: In interests of highway safety in accordance with Local Plan Policy T4**
- 12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- i. The parking of vehicles of site operatives and visitors
  - ii. Means of access for construction traffic
  - iii. Loading and unloading of plant and materials
  - iv. Storage of plant and materials used in constructing the development
  - v. Measures to prevent mud/debris being deposited on the public highway.
  - vi. Measures to reduce noise and dust disturbance.
- Reason: In the interests of highway safety and residential amenity in accordance with Local Plan Policy T4.**
- 13 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 in accordance with Local Plan Policy T4.**
- 14 Upon commencement of construction works, details of electric vehicle electric vehicle charge points shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.



**Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.**

- 15 Upon commencement of development details of measures to facilitate the provision of high speed 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.**

- 16 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:
- Tree protective barrier details
  - Tree protection plan
  - Arboricultural method statement

**Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.**

- 17 Prior to commencement of development, 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, along with a timetable for implementation which identifies features required to screen the development and provides them early in the construction process, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be implemented on accordance with the agreed scheme and timetable.

**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.**

- 18 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping plans referred to in condition 17 shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.**

- 19 All external materials shall match those used in historic buildings in every respect and no construction work shall commence until a representative sample of all new external materials has been submitted to, and approved in writing by, the Local Planning Authority, and the development shall proceed in strict accordance with these details as approved.

**Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.**

- 20 The facing stone used in the development shall be natural sandstone, matching that of existing historic buildings in terms of colour, general grain size, type of face dressing, and method of coursing.

**Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3**

**Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.**

- 21 The roof covering for the proposed development shall utilise either natural stone flag or natural blue / grey slate, with matching ridge tiles.  
**Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.**
- 22 For the listed or historic buildings all cementitious pointing shall be removed using hand tools to twice the depth of the width of the joint. Pointing mix to the listed and curtilage listed buildings (1-6) and A-C shall be lime (NHL 3.5) : aggregate at a ratio of 1:3. Sand / aggregate should be well graded or river sand. Preparation of the joints will require careful removal of cement by hand at a depth equal to twice that of the width. Pointing mix to be of the same colour or as close as possible to the original lime and to be finished slightly back from arms of surrounding stonework and brushed off or stippled to remove laitance and expose aggregate to a depth of 2 or 3 mm  
**Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.**
- 23 All windows, doors and frames shall be timber and mounted in the reveal a minimum of 75mm. Gutters are to be half round in metal on rise and fall brackets with circular rainwater pipes complete with all stop ends, outlets, jointing seals and internal corners. Rainwater pipes to include traditional collared connectors with hardwood bobbins and discharge shoe at outlet.  
**Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.**
- 24 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
- The programme and method of site investigation and recording.
  - The requirement to seek preservation in situ of identified features of importance.
  - The programme for post-investigation assessment.
  - The provision to be made for analysis and reporting.
  - The provision to be made for publication and dissemination of the results.
  - The provision to be made for deposition of the archive created.
  - Nomination of a competent person/persons or organisation to undertake the works.
  - The timetable for completion of all site investigation and post-investigation works.
- Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.  
**Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Policy H6.**

**Conditions for application 2020/0617:**

- 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:  
Site Layout Ref: 19001D-100-P06  
Town Farm -  
Visibility Splay - Long Section Ref: 1732-303  
Vehicle Tracking and Visibility Ref: 1732-201B  
Plot 1 Ref: 19001D-101-P01  
Plots 2 & 3 Ref: 19001D-102-P01  
Plots 4,4a & 5 Ref: 19001D-103-P02  
Plots 6 & 7 Ref: 19001D-104-P03  
Plot 8 Ref: 19001D-105-P01  
Plot 9 Ref: 19001D-106-P02  
Plot 10 Ref: 19001D-107-P01  
Plot 11 & 12 Ref: 19001D-108-P01  
Kexborough Farm -  
Visibility Splay - Long Section Ref: 1732-301  
Proposed Build Out Extents and Adjacent Junction Tracking Ref: 1732-302  
Plot 1, 2 & 3 Ref: 19001D-109-P01  
Plots 4,5 & 6 Ref: 19001D-110-P02  
Plot 7 ref: 19001D-111-P02  
Plot 8 Ref: 19001D-112-P02  
Plot 9 Ref: 19001D-113-P04  
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. Where retaining walls are required, full details of the location, height, design and materials will be submitted to and approved in writing by the Local Planning Authority. 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 D1, High Quality Design and Place Making.**
  
- 4 Prior to commencement of development full details of the mitigation measures identified in the Kexborough Farms, Ecology Report Revision (3rd issue) alongside additional bat enhancement measures, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.  
**Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1.**

- 5 Prior to commencement of development a detailed Ecological Management Plan shall be submitted to and agreed in writing by the LPA. The plan shall set out how the Biodiversity Net Gain identified in the agreed Biodiversity Metric 2.0 Calculation Tool Kexbrough shall be achieved and maintained on site for 30 years. The development shall be implemented in accordance with the approved details.  
**Reason: To conserve and enhance biodiversity and secure no net loss in biodiversity on the site in accordance with Local Plan BIO1 and the accompanying SPD Biodiversity and Geodiversity.**
- 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 unless otherwise agreed in writing with the LPA.  
**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 No development shall take place unless and until full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.  
**Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3**
- 8 No development shall take place unless and until porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways, and calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways, are submitted to and approved in writing by the Local Planning Authority  
**Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3**
- 9 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 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.**
- 10 Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway works as indicated on drawing number 1732-302 has been submitted to and approved in writing by the LPA.  
**Reason: To ensure that the highway works are designed to an appropriate standard in the interest of highway safety in accordance with Local Plan Policy T4.**
- 11 Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05m above the level of the adjacent highway carriageway.  
**Reason: In interests of highway safety in accordance with Local Plan Policy T4**
- 12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning

Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in constructing the development
- v. Measures to prevent mud/debris being deposited on the public highway.
- vi. Measures to reduce noise and dust disturbance.

**Reason: In the interests of highway safety and residential amenity in accordance with Local Plan Policy T4.**

- 13 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 in accordance with Local Plan Policy T4.**

- 14 Upon commencement of construction works, details of electric vehicle electric vehicle charge points shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.

**Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.**

- 15 Upon commencement of development details of measures to facilitate the provision of high speed 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.**

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

- Tree protective barrier details
- Tree protection plan
- Arboricultural method statement

**Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.**

- 17 Prior to commencement of development, 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, along with a timetable for implementation which identifies features required to screen the development and provides them early in the construction process, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be implemented on accordance with the agreed scheme and timetable.  
**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.**
- 18 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping plans referred to in condition 17 shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.**
- 19 All external materials shall match those used in historic buildings in every respect and no construction work shall commence until a representative sample of all new external materials has been submitted to, and approved in writing by, the Local Planning Authority, and the development shall proceed in strict accordance with these details as approved.  
**Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.**
- 20 The facing stone used in the development shall be natural sandstone, matching that of existing historic buildings in terms of colour, general grain size, type of face dressing, and method of coursing.  
**Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.**
- 21 The roof covering for the proposed development shall utilise either natural stone flag or natural blue / grey slate, with matching ridge tiles.  
**Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.**
- 22 For the listed or historic buildings all cementitious pointing shall be removed using hand tools to twice the depth of the width of the joint. Pointing mix to the listed and curtilage listed buildings (1-6) and A-C shall be lime (NHL 3.5) : aggregate at a ratio of 1:3. Sand / aggregate should be well graded or river sand. Preparation of the joints will require careful removal of cement by hand at a depth equal to twice that of the width. Pointing mix to be of the same colour or as close as possible to the original lime and to be finished slightly back from arms of surrounding stonework and brushed off or stippled to remove laitance and expose aggregate to a depth of 2 or 3 mm  
**Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3**

**Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.**

- 23 All windows, doors and frames shall be timber and mounted in the reveal a minimum of 75mm. Gutters are to be half round in metal on rise and fall brackets with circular rainwater pipes complete with all stop ends, outlets, jointing seals and internal corners. Rainwater pipes to include traditional collared connectors with hardwood bobbins and discharge shoe at outlet.

**Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.**

- 24 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

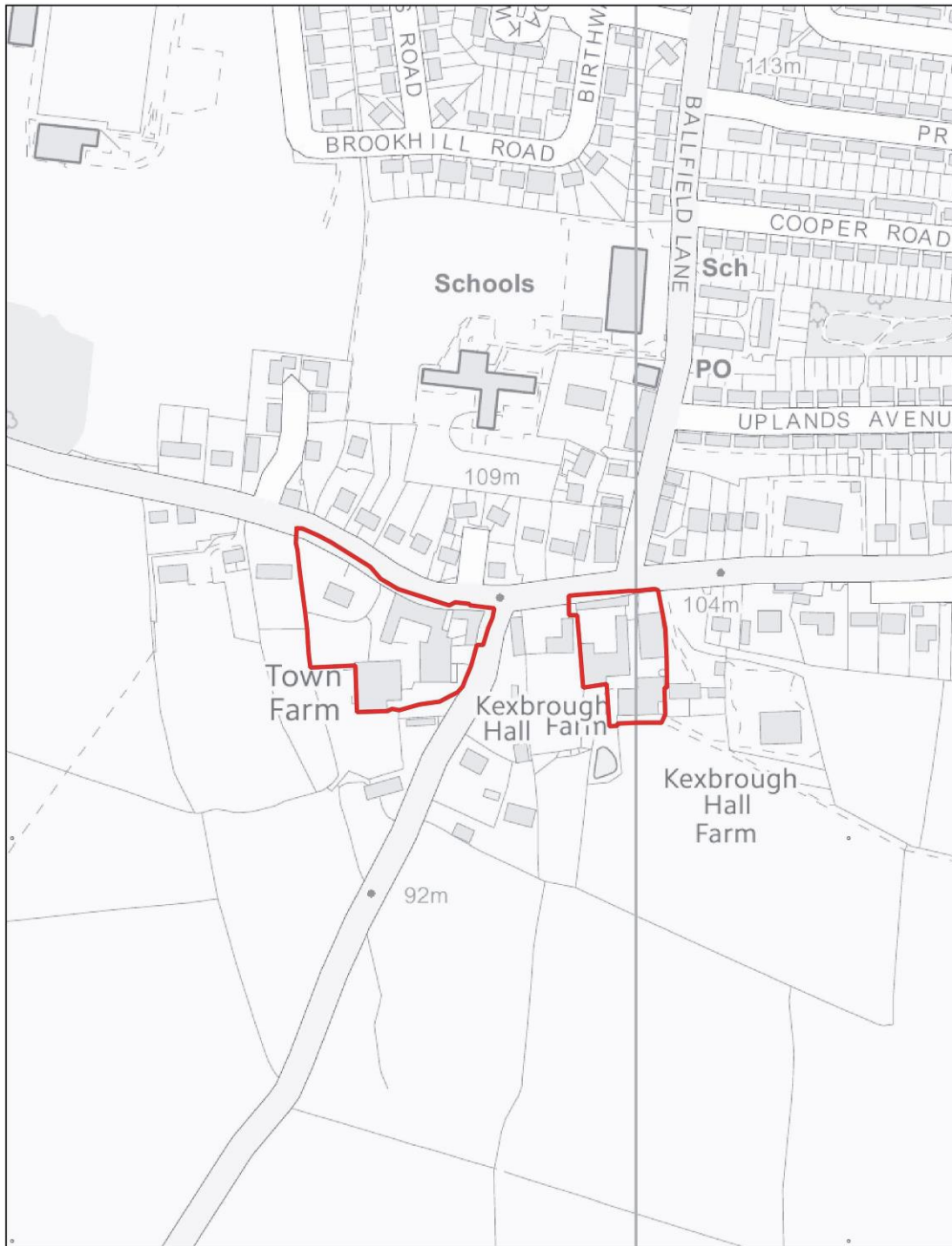
- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

**Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Policy H6.**

PA Reference:-

2020/0627



**BARNSELY MBC - Regeneration & Property**



Scale: 1:2927





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# Item 5

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**2020/1284**

**APPLICANT:** Mr J Hughes

**DESCRIPTION:** Outline application for 20 dwellings (All Matters Reserved)

**LOCATION:** Land to the south of South View, Darfield, Barnsley

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## **Site Description**

The application site comprises a greenfield and former allotments site located in Darfield, to the west of Snape Hill Road. It is relatively clear of development with a few scattered buildings including a small office building, stable, garage and two sheds. The remaining site is green, largely grassed with some trees / hedges around the field edges.

The land slopes steeply upward from south west to north east and there is a ridge running through the site, to the north of the larger of the two fields.

Access is from Snape Hill Road, via Hill Street which extends along the southern edge of the site. The surrounding area is residential with houses to the north and south and an area of greenspace, including a multi-use games area to the west.

## **Proposed Development**

This is an outline application with all matters reserved for residential development of up to 20 homes. Initially the application proposed up to 31 dwellings but this has been amended during the course of the application and now the scheme proposes up to 20 dwellings.

## **Planning History**

2007/1699 - Erection of four detached and ten semi-detached houses with integral garages – Approved

2010/1502 - Erection of four detached and ten semi-detached houses with integral garages (2007/1699 Extension of time limit) - Approved

## **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. In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision making process.

## Local Plan

The site is allocated as greenspace. The western field being part of the Hill Street Greenspace and the area to the east forming part of the Snape Hill Road Allotments.

Local Plan Policy GS1 protects greenspace from development unless:

- An assessment shows that there is too much of that particular type of green space in the area which it serves, and its loss would not affect the existing and potential green space needs of the borough; or
- The proposal is for small scale facilities needed to support or improve the proper function of the green space; or

- An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss

In addition, the following Local Plan policies are relevant to this application:

SD1 Presumption in favour of sustainable development

GD1 General Development

LG2 The Location of Growth

H1 The Number of New Homes to be Built

H2 The Distribution of New Homes

H5 Residential Development on Large Non-Allocated Sites

H6 Housing Mix and Efficient Use of Land

H7 Affordable Housing

H8 Housing Regeneration Areas

T3 New Development and Sustainable Travel

T4 New Development and Transport Safety

D1 High Quality Design and Place Making

LC1 Landscape Character

BIO1 Biodiversity and Geodiversity

CC1 Climate Change

CC2 Sustainable Design and Construction

CC3 Flood Risk

CC4 Sustainable Drainage Systems

CC5 Water Resource Management

RE1 Low Carbon and Renewable Energy

CL1 Contaminated and Unstable Land

Poll1 Pollution Control and Protection

I1 Infrastructure and Planning Obligations

#### SPDs

Financial Contributions to Schools

Design of Housing Development

Open Space Provision on New Housing Developments

Affordable Housing

Planning Obligations

Sustainable Travel

Parking

Section 278 Agreements

Section 38 Agreements

Biodiversity and Geodiversity

Trees and Hedgerows

## NPPF

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

## **Consultations**

Air Quality – No objection but requested a condition for EVCP.

Affordable Housing – The Planning Statement states that a contribution to meet the affordable housing requirement off site will be made. This is contrary to Local Plan Policy H7 which requires 10% of the houses on site to be affordable. This can be secured through a S106 agreement or condition.

Biodiversity – The applicant has provided a Preliminary Ecological Assessment and accompanying Biodiversity Metric 2.0. This sets the baseline in terms of the site's ecological value, which has been agreed. However, the assessments propose 100% loss which is not acceptable and further details will be required to be submitted to address the 'no net loss' requirement under Local Plan Policy BIO1. More information on this is provided later in the report.

Contaminated Land – No comments have been received.

Education – No objections and no contributions are required as there is sufficient capacity within the local schools to meet demand created by this development.

Drainage - There are no proposed drainage details shown on the plans submitted, with the application form describing foul to discharge to "Mains" and surface water to "SuDs" therefore it is not possible to make any constructive comments regarding this application; however, it is noted that the area is well served by sewers. A conditional approval is appropriate in this case.

Forestry – No comments received, however, as the application is in outline additional information can be secured through conditions at the RM stage.

Highways DC - Given the application is seeking outline permission only, Highways DC would offer no objection subject to conditions. Detailed comments are included in the report below.

Pollution Control – No objections subject to conditions limiting construction and delivery hours and requiring dust and noise management.

SYMAS – The risk of mining legacy issues on this site are low, however, there is potential geological faulting in the area and as such further assessment is required. This can be secured through condition.

South Yorkshire Police – Detailed design advice regarding Secured by Design, passed to the applicant for reference at the RM stage.

Yorkshire Water – No objections subject to conditions securing further details.

Waste – No comments

Ward Councillors: Councillor Saunders has requested the application go to planning board due to issues relating to traffic safety, in particular the access, In addition, a loss of grass and also flood implications.

### **Representations**

The application was initially advertised by neighbour letters, site notices and a press advert.

A second round of consultation was undertaken following the change to the red line, to incorporate the access and amendment to the description of development to reflect the reduction in numbers on site from 31 to 20.

The 5 objections raise the following:

- There is a covenant on the land stating it can only be used for recreational purposes
- The land is on a fault line which is moving all the time
- It is green belt land
- The access from Snape Hill isn't safe, the road is busy and there aren't good pavements
- Local services can't take the increased residents
- Loss of views and impact on value of house
- Concerns about the height of buildings
- Noise from the development will disturb home working
- Impact on mental health from the development
- Will add to the existing severe flood issues

In addition, 9 comments have been sent in expressing support:

- Supportive of the market housing as there are too many rented properties in the area
- Good use of unused land

### **Assessment**

Policy H5, provides the starting place for dealing with unallocated sites proposed for residential development and states that development will be supported where it:

- is located on previously or part previously developed land.
- is located within Urban Barnsley, Principal Towns and Villages.
- is accessible by public transport; and
- has good access to a range of shops and services.

The proposed is located within the residential area of Darfield which is part of the Principal Town of Wombwell. Local Plan Policy LG2 directs development to Urban Barnsley and then the Principal Towns with Wombwell identified in Policy H2 as the location for 10% of the borough's housing supply. There is good access to shops and services as well as public transport. Therefore, the proposed is in a sustainable location in accordance with Local Plan Policy SD1 and complies with three of the above criteria.

#### *Loss of Greenspace*

The development site is allocated in the Local Plan as Greenspace, and as such is not previously developed land. Local Plan Policy GS1 protects greenspace from development unless certain criteria can be met, including where:

- it can be shown that there is too much of that particular type of green space in the area which it serves, and its loss would not affect the existing and potential green space needs of the borough, or
- an appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.

The eastern portion of the site is a former allotment and is no longer in use whilst the western portion of the site is part of an area known as Hill Street Green Space; a 'park and open space'. The whole site is fenced off with no public access which reduces its value as greenspace but, nevertheless, it remains the case that open spaces such as this provide visual amenity benefits as well as ecological and environmental benefits.

In assessing the loss of the greenspace it is noted that a pre-application enquiry into the site confirmed that there are sufficient allotments within the area. Further, the deficiencies in greenspace which exist in the area relate to youth and child facilities and not informal greenspace such as Hill Street Green.

Looking to alternative or improved provision, the proposed development offers an opportunity to secure funding which can be used to improve greenspace and associated facilities. This would be both in terms of a compensatory payment and a contribution as set out in Local Plan Policy GS1 and the accompanying SPD. The Council's Parks Section have confirmed that to the west of the site is Darfield Recreation Ground which has no children's play space and the small sports facility (MUGA) located on it has been removed. This area is earmarked for tree planting as part of the 10,000 Trees Project in the borough and improved access to it though this development would be a benefit. In addition, there are opportunities to invest in Bly Road Recreation Ground and / or Pinfold Recreation ground to provide youth and play facilities.

Finally, the applicant has agreed to reduce the number of houses proposed on the site from 31 to 20. This brings the number of units below the density requirements in Policy H6 but provides an opportunity to retain some accessible greenspace on the site.

Therefore, taking account of all the above the requirements of Local Plan Policy GS1 are met.

#### *Biodiversity*

The applicant has provided a Biodiversity Metric 2.0 Baseline Assessment and accompanying Preliminary Ecological Assessment (PEA).

The majority of the grassland has been assessed as semi-improved neutral grassland or poor semi-improved grassland, which has been agreed as correct by the Council's

Biodiversity Officer. There is a small orchard on the site which has been assessed as being of poor ecological value.

There are two species-poor native hedgerows on the site, and one is a habitat of principal importance. Whilst the ecology report assumes these will be removed, it is recommended that where possible they should be retained on site. If they are to be removed, where they meet the criteria as set out in the Hedgerow Regulations 1997, they should be subject to appropriate assessment.

The PEA makes some recommendations for enhancements on site; however, these do not secure sufficient mitigation. Further, at this stage the applicants Biodiversity Metric 2.0 Baseline Assessment is set to a 100% loss of habitats on site with no on site mitigation proposed. This is not acceptable. However, the application is in outline with all matters reserved and the lack of detail at this stage means it is difficult to assess exactly what the impact will be. The overall number of units proposed on site has been reduced to 20, to allow for the retention of some greenspace, which also provides an opportunity for on-site mitigation over and above that proposed in the PEA. In addition, there are opportunities for offsite mitigation in the immediate area around the development. Therefore, it is proposed that detailed mitigation proposals to meet the no net loss requirement be provided with the Reserved Matters Application. In addition, any off-site mitigation identified to be required can be secured and agreed through the S106 Agreement. Subject to this, the proposed complies with Local Plan Policy BIO1.

### *Trees*

The applicant has provided a Tree Survey which identifies 39 items of woody vegetation, including 31 trees and 8 groups of trees, shrubs, or hedges. All the trees and groups are categorised in the 'c' category which are trees of low or average quality and value but are in adequate condition to remain. The trees are largely located around the site edges of the fields, are unmanaged and the species diversity is stated to be relatively poor.

The Tree Survey identifies 23 trees for removal, largely located to the eastern side of the site, in the former orchard and along the boundary. These are stated to be of poor quality and unsuitable for retention in a garden setting. Trees along the northern edge and to the west, including the largest hedgerow are shown as retained.

As the application is in outline and the layout used in the tree survey has been superseded it is likely that additional trees can be retained on the site. Therefore, further detailed Arboricultural Assessment is conditioned to be provided at the Reserved Matters Stage.

### *Residential and Visual Amenity*

Any assessment of residential and visual amenity impact is limited due to the application being in outline with all matters reserved.

The loss of greenspace will have an undoubted impact on visual and residential amenity for surrounding residents. This will be mitigated to a degree through the reduced number of dwellings proposed which provides an opportunity to design in greenspace and provide a good amount of soft landscaping to soften the appearance of the development.

In addition, as set out above, a number of trees can be retained on site and managed, which will also have a visual amenity benefit.



Finally, impacts on residential amenity associated with overlooking and overbearing impacts can be addressed through the detailed design stage, in accordance with Local Plan Policy D1 and GD1.

#### *Highway Safety*

Having reviewed the application, it is noted there is some history to this site and a previous planning approval with access in a similar position for a lesser number of units to the immediate south of the site (2010/1502). It is also understood that this development has been started so the permission remains extant, albeit this has not been substantiated through any submission of detailed evidence. Nevertheless, assuming both applications can be developed and accepting they would share the same access, it is necessary to clarify that the access approved under (2010/1502) remains sufficient for the previous development only. In order for access to be provided to a larger site, as would be the case under this application, the access would need to be enhanced to provide a standard width two lane carriageway plus full footway construction on both sides leading into the site. Given the indicative bend in the access road that is required it is suggested that the footway provision to both sides extends approximately 50m into the site (with the final distance to be determined at reserved matters stage, including assessment of appropriate internal crossing points).

In addition, the blue line boundary for this application extends north east of the proposed site access point. At present there is a limited width footway along this section of Snape Hill Road and given the presence of the southbound bus stop located immediately opposite the site frontage, investigation into the widening of the footway at this point to improve access to bus services is requested. This is to accord with Local Plan Policy T3, sustainable Travel.

As the above detail can be secured through conditions and at the reserved matters stage, as such there is no objection to the proposal at outline stage and it complies with Local Plan Policy T4.

#### *Contaminated / Unstable Land*

The applicant has submitted a Phase 1 desk top study report (RB Geotechnical) which indicates the risk of mining legacy issues affecting the site is low- SYMAS have assessed this and agreed with this view.

However, there is potential geological faulting through this area based on past records held by SYMAS who have advised that the geofault movement was likely activated by past deep mining activity in the area and that as all deep mining subsidence is now long complete there is unlikely to be excessive fault movement in the future. Nevertheless, the records indicate that the geological faulting covers a large zone and a suitable approach should be determined to identified measures to be taken to safeguard future development from potential instability. The RB report acknowledges this and states: *"it is generally recommended that any phase II investigation also incorporates an assessment of the geotechnical site parameters"*.

It is recommended that this is secured through a condition to ensure an adequate geotechnical assessment of ground conditions is undertaken as recommended by a suitably qualified person.

The RB geotechnical report also recommends shallow soil sampling is undertaken to confirm contaminants and ground gas. The condition applied will secure these investigations in accordance with Local Plan Policy CL1.

### *Drainage/Flood Risk*

The site is not at high risk of flooding and as it is less than 1ha so no flood risk assessment is required.

The Drainage Assessment prepared by EWE Associates Ltd (Report dated October 2020) states that foul water will discharge to the public combined sewer. In relation to surface water, sub-soil conditions do not support the use of soakaways and the site is remote from a watercourse, therefore, it is proposed that surface water will discharge to public combined sewer via storage with restricted discharge rates. Yorkshire Water have no objections to this approach subject to agreeing an amended discharge rate, reduced to that of a greenfield site flow rate, which can be agreed through the drainage conditions.

Concerns have been raised in the responses to this application about the impact on known flood issues in the wider area. However, as the rate of discharge of surface water from this site will be restricted to the same as a greenfield flow rate (i.e. the same rate as currently running off the site) there will be no increased impact on flood risk in accordance with Local Plan Policies CC3.

### *S106 Agreement*

Assessed against the formulae in the published SPD's the following contributions would be required: -

Affordable Housing – 10% required on site, mix and tenure split to be agreed at Reserved Matters Stage.

Sustainable Travel – Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel, where levels of accessibility through public transport, cycling and walking are unacceptable. This will be calculated at the Reserved Matters Stage using the formulae in Appendix C of the Sustainable Travel SPD.

In addition, EV charging points would need to be conditioned for each dwelling as would cycle storage.

Greenspace – the site is allocated as greenspace in the Local Plan and as such a compensation payment is required to address its loss. This is calculated at £125,640 in accordance with Policy GS1 and as set out in the Open Space Provision on New Housing Development SPD.

Over and above this, a contribution is required toward formal greenspace and children play space improvements off site with the informal requirement of 15% to be met onsite. This contribution will be based on the final mix of development and calculated using the contributions per dwelling figures at Appendix 2 of the Open Space Provision on New Housing Development SPD.

### Conclusion

The proposed has been submitted in outline with all matters reserved, therefore, the focus at this stage is the principle of the proposed development. All aspects of Policy H5 are passed except the requirement to be located on previously developed land. The site is greenfield and allocated as greenspace which is protected from development by Local Plan Policy GS1, subject to set criteria. An assessment of the greenspace in the area has demonstrated that there is sufficient greenspace of the type to be lost and that deficiencies in other types of

greenspace can be addressed through contributions and a compensation payment secured through this development. In addition, the proposed offers an opportunity to increase pedestrian access to the existing recreation ground from the north and west.

In addition, the site is located in a sustainable location with access to services and facilities as well as public transport. The proposed number of units has been reduced to ensure some greenspace is retained on site and help to secure a high-quality designed scheme.

Therefore, whilst there is some conflict with some individual Local Plan Policies the proposed is assessed as being in compliance with the Local Plan as a whole and approval recommended.

### **Recommendation**

Grant planning permission subject to a S106 Agreement securing greenspace compensation and the other contributions as set out in this report.

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
**Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.**
- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
  - (a) access
  - (b) the layout of the proposed development.
  - (c) scale of building(s)
  - (d) the design and external appearance of the proposed development.
  - (e) landscaping**Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.**
- 3 Offsite highway works to improve the footpath on Snape Hill Road, along the site frontage, shall be investigated and submitted with the reserved matters application. Any suitable works identified will be completed in accordance with the approved arrangements and a timetable to be agreed by the Local Planning Authority  
**Reason: In the interests of safe, secure and convenient access and movement, in accordance with Local Plan Policy T3 Sustainable Travel and T4 Highway Safety.**
- 4 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Local Plan Policy D1 High Quality Design and Place Making.**
- 5 The reserved matters application shall include details of secure and covered parking for bicycles for every dwelling. The scheme shall be fully implemented before the development is first occupied (or brought into use).  
**Reason: In interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T3.**

- 6 The reserved matters application shall include full details of on site and off site ecological mitigation to address the loss of habitats as identified in the Biodiversity Metric 2.0 submitted with the application. The details shall include: full details of the proposed mitigation, timescale for implementation and appropriate management plan alongside an updated biodiversity metric demonstrating that the proposed mitigation will secure 'no net loss'. The development shall be carried out in accordance with the approved details.  
**Reason: To ensure the impacts on habitats are fully mitigated in accordance with Local Plan Policy BIO1.**
- 7 The layout provided with the reserved matters application, as required by condition 2 of this permission, shall include no more than 20 dwellings with provision of onsite greenspace and a pedestrian cycle link to the adjacent Inkerman Recreation Ground.  
**Reason: To improve the provision of and access to greenspace in the local area, in accordance with Local Plan Policy GS1.**
- 8 The reserved matters application shall include the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:  
  - Tree protective barrier details
  - Tree protection plan
  - Arboricultural method statement**Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.**
- 9 Upon commencement of development details of measures to facilitate the provision of high speed 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.**
- 10 Upon commencement of construction works, details of electric vehicle charge points shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.  
**Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.**
- 11 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-  
  1. A survey of the extent, scale and nature of contamination.
  2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
  3. Geotechnical assessment of ground conditions by a suitably qualified person
  4. An appraisal of remedial options, and proposal of the preferred option(s).
  5. A remediation statement summarising the works to be undertaken (if required).
  6. A Validation Report to confirm remediation works have been undertaken (if required).
The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance, "Development on Land affected by Contamination".

**Reason: To ensure compliance with Local Plan Policy CL1 'Contaminated and Unstable Land'**

- 12 The site shall be developed with separate systems of drainage for foul and surface water on and off site.  
**Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.**
- 13 No development shall take place unless and until full foul and surface water drainage details, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.  
**Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal in accordance with Local Plan Policies CC3 and CC4.**
- 14 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority under condition 12. If discharge to public sewer is proposed, the information shall include, but not be exclusive to the means of discharging to the public sewer network at a maximum rate of 3.5 litres a second.  
**Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal in accordance with Local Plan Policies CC3 and CC4.**
- 15 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- i. The parking of vehicles of site operatives and visitors
  - ii. Means of access for construction traffic
  - iii. Loading and unloading of plant and materials
  - iv. Storage of plant and materials used in constructing the development
  - v. Measures to prevent mud/debris being deposited on the public highway.
  - vi. Measures to reduce noise and dust disturbance.
- Reason: In the interests of highway safety and residential amenity in accordance with Local Plan Policies T4 and POLL1**
- 16 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 in accordance with Local Plan Policy T4.**

17 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.**

18. Prior to the first occupation of the development hereby permitted a suitable vehicular access, details of which shall have been agreed and approved at reserved matters stage, shall be provided and thereafter retained, and constructed in accordance with the BMBC highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

**Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water from or onto the highway and in the interests of highway safety in accordance with Local Plan Policy T4.**

PA Reference:-

2020/1284







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**2021/0959**

**APPLICANT:** Barnsley MBC

**DESCRIPTION:** Proposed demolition of existing former public house. Partial removal of existing hard landscape and retention / repair of existing tarmac car parking area. Provision of new temporary hard-standing area (asphalt road planings + sub-base) to areas where building demolished and existing hard landscape removed. Retain existing stone wall and concrete / gravel hard-standing to front of site.

**LOCATION:** 38 Barnsley Road (Former Horse and Groom Public House), Goldthorpe, Rotherham, S63 9AA

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No letters of objection received. This application is before Members as it is a Council application

### **Site Description**

The Horse and Groom is a former public house located on Barnsley Road, Goldthorpe. The building is a detached, brick built building with a rendered frontage. The site is set off the junction between Barnsley Road and High Street. There is a very small ex-beer garden to the rear of the building.

The site is open with a lack of secure boundary treatments, with the exception of a dilapidated concrete wall on the western boundary line. The windows of the building are currently boarded up and the building has been subject to arson attacks and fly-tipping has also occurred at the site. There are a number of trees along the boundaries of the site.

### **Planning History**

B/80/1750/DE: Formation of car park and vehicular access with associated landscaping (Approved with conditions)

B/82/0722/DE: Erection of private garage (Approved with conditions)

B/96/1246/DE: Formation of two new windows to public house (Retrospective) (Approved)

B/00/1380/DE: Erection of single-storey extension to public house (Historic – no decision notice on record)

2020/0325: Conversion of former public house into 11 no. flats – Refused for the following reasons:-

1. In the opinion of the Local Planning Authority, the proposed development does not provide a broad mix of residential types or tenures neither does it adequately reflect the market/community need in this area which would help create mixed and balanced communities contrary to Local Plan Policy H6: Housing Mix and Efficient use of land and paragraph 61 of the NPPF. Furthermore the proposal would result in an increase in smaller homes contributing to the imbalance in housing stock in this area and thereby failing to contribute to the sufficient range of homes required to meet the needs of present and future generations contrary to Paragraph 8b of the NPPF.
2. A number of the proposed room sizes and flats are not up to the minimum standards as expected within SPD: Design of Housing Development and the South Yorkshire Residential Design Guide (SYRDG). In the opinion of the Local Planning Authority, the

proposed development does not provide adequate living and internal amenity space for future residents, contrary to SPD: Design of Housing Development and the SYRDG.

3. The site is very open and permeable with old dilapidated boundary treatment, in parts, with no improvements to the boundary treatments offered by the agent. In the opinion of the Local Planning Authority, the proposed shared private space will therefore be very open to the surrounding area, both visually and psychically, and will not uphold the expected level of safety, security or privacy expected of such areas, to the detriment of potential future residents, contrary to Local Plan Policy GD1: General Development.

### **Proposed Development**

The proposal involves the demolition of the public house and associated works to create a temporary hard standing area. Whilst not part of this application, it is the aspiration that the site could be developed for a new town square in the future and a further planning application would be submitted for its redevelopment. As part of this potential proposal, the Council has already carried out the 'Goldthorpe Town Square Development Consultation' exercise in order to allow the public and interested parties to comment on what they would like to see as part of its redevelopment. The consultation document states:-

*'Goldthorpe has recently been successful in securing a grant from the Towns Fund. Included in the grant is an opportunity to improve the Public Realm by creating a Town Square. The old Horse & Groom pub is an old building which would be extremely difficult to bring back into use due to the materials used deteriorating in quality over time, and therefore not reaching regulation standards anymore. In addition to this, it has suffered two arson attacks, and has suffered further damage. For health and safety purposes, it isn't an option to keep the derelict and dilapidated building that was the Horse & Groom as it is. It is extremely run-down, and has become an eyesore, and the area will be much safer to the public once demolished.*

*However, as part of the demolition process, the sign from the pub, and the original stone that made up part of the walls will be salvaged so that the heritage of the pub can be remembered.'*

At this stage funding has been secured for the demolition and the applicant is proposing the removal of the public house, in order to make the site safe but to also improve the visual amenity of the site, as it is currently an eyesore. This is a short term /temporary finish as the site is anticipated to be fully developed on permanent basis.

The applicant is therefore seeking approval for the following works:-

- Demolish existing 2 storey building with pitched roofs in its entirety including cellar floor and walls. Remove existing foundations and reinstate disturbed ground to receive new temporary surface. Demolish existing out-building in its entirety and remove existing foundations.
- Remove existing concrete post and gravel board fence panels adjacent to the public footpath including bases to posts.
- Remove existing concrete block wall and remove all foundations.
- Remove obsolete traffic spikes and make good to disturbed tarmac.
- Remove existing paving and sub-base.
- Retain and protect existing brick high and low walls. Remove vegetation within walls and make good to walls and tarmac.
- Remove existing railings and paving slabs.
- Provision of new concrete edgings and haunchings to rear of existing pavement where wall removed.

- The proposal includes the partial removal of existing hard landscape and retention / repair of existing tarmac car parking area. Make good / reinstate all disturbed ground created by the above proposals.

Items to be retained:-

- Contractor to carefully remove / salvage existing post and sign and transport to BMBC Smithies Depot for re-use.
- Contractor to carefully dismantle + salvage for re-use walling stone /brick and plinth stones. Individual stones /bricks to be thoroughly cleaned of mortar. Contractor to carefully transport salvaged stonewalling to BMBC Smithies Depot. Contractor to place / suitably store stone at depot. Break up / remove any foundation and make good / reinstate disturbed ground.
- Retain and protect existing tarmac car park surface. Repair / Makegood to defective areas.
- Retain and protect existing all mature trees during demolition works.
- Retain existing bollards to front and rear entrance to site.

The applicant has submitted a Tree Survey, Arboricultural Impact Assessment, Ecological Survey and Bat Survey Report.

### **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.

The site is set within the District Centre of Goldthorpe and within a Primary Shopping Frontage.

In reference to this application, the following policies are relevant:

GD1: General development – Proposals for general development will be approved providing there is no significant adverse effect on residential amenity, highway safety, the current or future use of nearby land and it upholds good quality design in accordance with local plan policy D1.

SD1: Presumption in favour of sustainable development – The Council will take a positive approach to proposals that reflect the presumption in favour of sustainable development contained in the NPPF.

Policy TC1: Town Centres - Support will be given to maintaining and enhancing the vitality and viability of the following hierarchy of centres

Policy TC2: Primary and Secondary Shopping Frontages - Proposals for retail (A1-A5) uses will be allowed on Primary and Secondary Shopping frontages in Barnsley Town Centre and the District Centres provided that: Within each primary shopping frontage in Barnsley Town Centre and the District Centres, ground floor uses would remain predominantly retail (Class A1) in nature.

Other uses may be acceptable, especially where they diversify and improve provision in a centre, provided that it can be demonstrated that the vitality and viability of the primary shopping area concerned would not be negatively affected and that ground floor uses on the Primary Shopping Frontages remain predominantly retail (Class A1) in nature.

D1: High quality design and place making – This policy sets the overarching design principles for the borough. Development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of the local area.

T4: New development and highway improvement - 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.

LG2: The Location of Growth – Priority will be given to development in the following locations:

- Urban Barnsley
- Principle Towns of Cudworth, Wombwell, Hoyland, Goldthorpe, Penistone and Royston; and
- Villages

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principle Town, and the Principle Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy.

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 groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

We will not allow development of new housing or other environmentally sensitive development where existing air pollution, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.

Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

I2: Educational and Community Facilities – The Council will support the provision of schools, educational facilities and other community facilities. New schools, educational and community facilities such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship, should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling and public transport.

Such uses will be protected from development unless it can be demonstrated that the sites and premises are no longer required by the existing or an alternative community facility.

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

#### SPDs:

Trees and Hedgerows  
Biodiversity and Geodiversity

#### NPPF:

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

material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

## 8. Promoting healthy and safe communities

Para 93 - To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

## Consultations

Ward Councillors – No comments received

Pollution Control – No objection subject to conditions

Drainage – No objection details to be checked by Building Control.

Yorkshire Water – No objections subject to condition

Highways DC – No objections subject to conditions.

Biodiversity Officer – No comments received

Tree Officer – No comments received

## Representations

Neighbour notification letters were sent to surrounding residents and a site notice placed nearby, no comments have been received.

## Assessment

### Principle of development/Loss of Community Facility

The proposal involves the demolition of the public house which is a community facility. The site is also allocated as a District Centre and a Primary Shopping Area. Districts Centres have

an important role serving localised catchments and meeting more local needs. To ensure they fulfil this role and continue to complement and support the role of Barnsley Town Centre, new retail and town centre development will also be directed to the District Centres.

The Local Plan text states:-

*Goldthorpe is one of the larger district centres with its main retail and service provision located along the main Barnsley and Doncaster Roads. It is average in terms of vitality and viability. Its main strengths are the number and type of shops, the good supply of offices, the absence of floorspace outside the centre, the variety of specialist and independent shops, the market, the availability of food shopping, good pedestrian flow and the availability of public transport. In order to improve the economic fortunes of Goldthorpe the aims are:*

*To improve the provision of leisure, cultural and entertainment activities. Enhance movement for pedestrians, cyclists and the disabled. Improve access to the main attractions and to enhance security. Address environmental problems and increase the quality of open spaces and landscaping.*

*In 2008 a masterplan was produced for Goldthorpe to improve the village centre and develop the vision provided within the Renaissance Market Town strategy for Goldthorpe. The masterplan was finalised in 2011. The objectives of the masterplan include improving public realm, new retail development and a public square, car park reorganisation and shop front refurbishment. As part of this work an economic study identified that Goldthorpe town centre has the potential to support a total of 40-50,000 sq ft of retail floorspace. This is less than the total retail floorspace in the town centre at present and it implies the need to consolidate and improve the retail offer and ensure its future viability and sustainability.*

In terms of the demolition of the public house, Policy I2 in the Local Plan states that public houses should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling and public transport. Such uses will be protected from development unless it can be demonstrated that the sites and premises are no longer required by the existing or an alternative community facility. The applicant has referred to the previous refused planning application for the site's redevelopment for residential purposes in 2020, where it was accepted that its loss as a community facility was acceptable. With the application, the agent provided information which indicated that the building was marketed for sale in September 2017 and no interest or bids were made. The building was then sold at auction in December 2019. The building has been vacant ever since and no objections have been received to this application for its demolition, therefore it has been demonstrated that the use of the building as a public house is no longer viable or required. It is the aspiration that the site will be used as a new Town Square, which could be used for markets/events etc, therefore would be of a community use and an appropriate use in the District Centre.

In addition to the above, the building has suffered arson attacks and has suffered further damage. The site is also subject to fly-tipping. For health and safety purposes, the applicant has stated that it is not an option to keep the derelict and dilapidated building. It is extremely run-down, and has become an eyesore, and the area will be much safer to the public once demolished. As part of the demolition process, the sign from the pub, and the original stone that made up part of the walls will be salvaged so that the heritage of the pub can be remembered. No objections have been received from members of the public or consultees for its removal. This is considered to be reasonable justification in order to allow for the removal of this particular community facility, in compliance with Local Plan Policy I2.

### Visual Amenity

At this stage funding has been secured for the demolition of the building and the applicant is proposing the removal of the public house and make good the surfacing in order to make the site safe, but to also improve the visual amenity of the site. The building is old, derelict and dilapidated and the removal of the building and improvements to the site would clearly be welcomed. This is a short term /temporary measure as the site anticipated to be fully developed on permanent basis. It is the aspiration that a further planning application is to be submitted for the potential future Town Square which, once in use, would be of benefit to visual amenity.

### Highway Safety

Highways DC have been consulted and have not objected to the proposal. They have noted that the application is for demolition and provision of a temporary hard standing area and that the existing bollards will be retained to prevent use of the site until such time as approval is given to any redevelopment as part of a separate application. As such, once the demolition is carried out the site will be left in a safe condition.

There is plentiful parking in the area for members of the public and the site will not be made into a formal car parking area. Any redevelopment of the site will be assessed as part of a separate planning application.

### Impact on Protected Species/Trees

The submitted Bat Survey has demonstrated an absence of bat roosting within the building and as such, the proposed demolition works present little risk of impacting upon bats or their roosts.

The applicant has submitted a Tree Survey and Arboricultural Impact Assessment. The trees are not formally protected by Tree Preservation Orders. The trees on site will be retained and protected during the demolition. No landscaping is proposed at this stage as the proposal is for a short term /temporary finish as the site. A formal landscaping scheme would be submitted with any future planning application for the redevelopment of the site.

### Conclusion

The removal of the public house is considered to be justified on safety and visual amenity grounds. The proposed temporary surfacing will make the site safe and level while a formal redevelopment proposal is made. The public house has been marketed for a reasonable length of time and there have been no objections received for its demolition. The proposal is considered acceptable in terms of policy I2 of the Local Plan subject to conditions.

### **Recommendation**

Approve with conditions

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

- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos. BMBC-HG6001-01, BMBC-DR-A-001 Rev P1, BMBC-DR-A-003 Rev P4, BMBC-DR-A-004 Rev P4, BMBC-DR-A-005 Rev P1, Arboricultural Impact Assessment and Tree Survey by Brooks Ecological dated May 21, Bat Survey by Brooks Ecological dated July 21, Ecology Appraisal by Brooks Ecological dated June 21) and specifications as approved 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 Except in case of emergency, operations should not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays. There should be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority should be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.  
**Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.**
- 4 Heavy goods vehicles should only enter or leave the site between the hours of 08:00 - 18:00 on weekdays and 09:00 - 13:00 Saturdays and no such movements should take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).  
**Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.**
- 5 Best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.  
**Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1**
- 6 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:-
- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
  - b) evidence of existing positive drainage to public sewer and the current points of connection; and
  - c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30 % reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.
- Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage in accordance with Local Plan Policy CC4.**



7. No development shall take place, including any works of demolition, until a Demolition / Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the demolition / construction period. The statement shall provide for but not be limited to:
- 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/dust being deposited on the public highway.
- Reason: In the interests of highway safety in accordance with Local Plan Policy T4.**

PA Reference:-

2021/0959



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**BARNSELY MBC - Regeneration & Property**



Scale: 1:1250

# Item 7

## BARNSLEY METROPOLITAN BOROUGH COUNCIL

### PLANNING APPEALS

April 2021 to March 2022

#### APPEALS RECEIVED

9 appeals were received in July and August 2021

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee / Delegated</u>
2021/0470	Upgrade of two existing 48 sheet adverts to support digital poster. <b>Land adjacent 1 Grange Lane, Barnsley, S71 5AA</b>	Written Representations	Delegated
202/01047	Erection of front porch extension to dwelling <b>115 Intake Crescent, Gilroyd, Barnsley, S75 3NL</b>	Written Representations	Delegated
2021/0242	Change of use of part of house (garage) to beauty room (retrospective) 11 Longwall Close, Mapplewell, Barnsley, S75 6NY	Written Representations	Delegated
2021/0199	Change of use of part of house (garage) to beauty salon with external changes <b>7 Longwall Close, Mapplewell, Barnsley, S75 6NY</b>	Written Representations	Delegated
2021/0628	Installation of 1no 48 sheet freestanding digital advertising display unit <b>Buzz Bingo, Pontefract Road, Barnsley, S71 1AY</b>	Written Representations	Delegated
2021/0454	Conversion of first floor flat into House of Multiple Occupation, alterations to ground floor offices and external alterations including provision of first floor balcony to rear. <b>46 Sheffield Road, Barnsley, S70 1HS</b>	Written Representations	Delegated
2021/0571	Demolition of stables and associated structures and erection of dwelling <b>Land off Royd Moor Road, Thurlstone, Sheffield, S36 9RY</b>	Written Representations	Delegated
2021/0567	Dormers to roof <b>4 Meyrick Drive, Darton, Barnsley, S75 5PL</b>	Written Representations	Delegated
2021/0891	Proposed 22.50m high telecommunications mast and associated works <b>Land off Wood Street, Wombwell, Barnsley, S73 0LH</b>	Written Representations	Delegated

#### APPEALS WITHDRAWN

0 appeals were withdrawn in July and August 2021.

## APPEALS DECIDED

4 appeals were determined in July and August 2021.

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2020/1306	Change of use of domestic outbuilding into beauty salon (Retrospective) <b>13 Cobcar Lane, Elsecar, Barnsley, S74 8JQ</b>	Allowed 15/07/2021	Delegated
2020/0708	Erection of detached outbuilding (Lawful development certificate for a proposed development) <b>Grandsen House, Church Street, Royston, Barnsley, S71 4QZ</b>	Dismissed 20/07/2021	Delegated
2020/1462	Erection of detached double garage to front of dwelling and associated turning area. <b>Brocklehurst, 1 Spring Lane, Carlton, Barnsley, S71 3EX</b>	Dismissed 27/07/2021	Delegated
2021/0496	Installation of freestanding illuminated 48-sheet D-Poster <b>M C Mills And Co Ltd, Lower Castlereagh Street. Barnsley, S70 1AR</b>	Dismissed 11/08/2021	Delegated

### 2021/2022 Cumulative Appeal Totals

13 appeals have been decided since 01 April 2021

10 appeals (77%) have been dismissed since 01 April 2021

3 appeals (23%) have been allowed since 01 April 2021

	<u>Audit</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
1	2019/1340	Erection of 2 storey detached dwelling with off-street parking and ancillary works <b>Land adjacent 4 Mount Crescent, Hoyland, Barnsley, S74 0HG</b>	Dismissed 06/04/2021	Delegated
2	2020/1170	Erection of single storey rear extension projecting out 8m from rear of dwellinghouse, with a height to eaves of 2.4m and 4.0m overall height (Prior Notification Householder) <b>The Stables, Hey Slack Farm, Hey Slack Lane, Whitley Common, Huddersfield, HD8 8YD</b>	Dismissed 15/04/2021	Delegated
3	2020/0697	Erection of detached outbuilding including double garage to rear/side of dwelling <b>1 Hunters Cottage, Pogmoor Lane, Pogmoor, Barnsley, S75 2JS</b>	Dismissed 26/04/2021	Delegated
4	2020/1177	Update of existing 48-sheet advertising display to a 48-sheet digital advertising display. <b>20B Racecommon Road, Barnsley, S70 1BH</b>	Dismissed 29/04/2021	Delegated
5	2020/0670	Construction of overspill car park and access track. <b>Spicer House, Spicer House Lane, Ingbirchworth, Barnsley, S36 7GG</b>	Dismissed 17/05/2021	Delegated
6	2020/1059	Replacement of existing paper and paste advertisement with digital advertisement board <b>Land at Grange Lane, Stairfoot, Barnsley, S71 5QQ</b>	Allowed 08/06/2021	Delegated

7	2020/0906	Extensions to rear and to the height and length of the roof to convert existing bungalow into a chalet bungalow, with 1st floor living accommodation within the roof space, associated dormer windows and roof lights to front and rear and first floor windows to side <b>4 Robin Lane, Royston, Barnsley, S71 4EA</b>	Dismissed 11/06/2021	Delegated
8	2020/0762	Formation of vehicular access including levelling of kerb <b>28 Bridge Street, Penistone, Sheffield, S36 6AJ</b>	Dismissed 14/06/2021	Delegated
9	2020/0044	Change of use of land to gypsy site for the stationing of caravans for residential occupation and associated development (new access, hard standing, utility building, entrance wall and gates)-Part retrospective <b>Land North side of Worsbrough Road, Worsbrough Village, Barnsley, S70 5LN</b>	Appeal allowed for temporary period of 3 years and 2 x related enforcement appeals dismissed 23/06/2021	Delegated
10	2020/1306	Change of use of domestic outbuilding into beauty salon (Retrospective) <b>13 Cobcar Lane, Elsecar, Barnsley, S74 8JQ</b>	Allowed 15/07/2021	Delegated
11	2020/0708	Erection of detached outbuilding (Lawful development certificate for a proposed development) <b>Gransden House, Church Street, Royston, Barnsley, S71 4QZ</b>	Dismissed 20/07/2021	Delegated
12	2020/1462	Erection of detached double garage to front of dwelling and associated turning area. <b>Brocklehurst, 1 Spring Lane, Carlton, Barnsley, S71 3EX</b>	Dismissed 27/07/2021	Delegated
13	2021/0496	Installation of freestanding illuminated 48-sheet D-Poster <b>M C Mills And Co Ltd, Lower Castlereagh Street. Barnsley, S70 1AR</b>	Dismissed 11/08/2021	Delegated

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# Item 8


## BARNSELY METROPOLITAN BOROUGH COUNCIL

### SUMMARY OF OUTCOMES - PLANNING APPLICATIONS AGENDA PACKS ISSUED AS BOARD MEMBER CONSULTATIONS IN ADVANCE OF THE JULY 2021 PLANNING REGULATORY BOARD MEETING

#### LIST OF APPLICATIONS WITHIN THE AGENDA PACKS:-

<u>Reference</u>	<u>Details</u>	<u>Committee/ Delegated</u>
2021/0043	<p>Reserved matters application for the erection of 61 dwellings including consideration of matters of layout, scale, design, access, and landscaping in connection with outline application 2017/1440 <b>321 Hough Lane, Wombwell,</b></p> <p>Summary of consultation comments received:-</p> <p>1. Three comments received raising no objections to, or indicating support of, the recommendation</p> <p>Officer response – Comment noted to be in line with Officer recommendation</p>	<p>To proceed delegated for approval in accordance with the officer recommendation and the S106 agreement and conditions set out in the officer report.</p>

**Signed:**



**Joe Jenkinson**  
**Head of Planning and Building Control**

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# Item 9

## BARNSLEY METROPOLITAN BOROUGH COUNCIL

### SUMMARY OF OUTCOMES - PLANNING APPLICATIONS AGENDA PACKS ISSUED AS BOARD MEMBER CONSULTATIONS IN ADVANCE OF THE AUGUST 2021 PLANNING REGULATORY BOARD MEETING

#### LIST OF APPLICATIONS WITHIN THE AGENDA PACKS:-

<u>Reference</u>	<u>Details</u>	<u>Committee/ Delegated</u>
2020/1417	<p>Erection of 9 detached pods and creation of associated landscape featured and paths <b>Burntwood Sports and Leisure Centre, Common Road, Brierley, Barnsley, S72 9ET</b></p> <p>Summary of consultation comments received:-</p> <p>1. Two comments received raising no objections to, or indicating support of, the recommendation</p> <p>Officer response – Comment noted to be in line with Officer recommendation</p>	<p>To proceed delegated for approval in accordance with the officer recommendation and the conditions set out in the officer report.</p>

**Signed:**



**Joe Jenkinson**  
**Head of Planning and Building Control**

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