

<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday 25 July 2023
<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.

### MEETING:

2. Minutes (*Pages 3 - 6*)

To receive the minutes of the meeting held on 13 June 2023.

### 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 off Goldthorpe Road, Goldthorpe (Amended Plans) - 2022/0420 –  
For Approval (*Pages 7 - 28*)

### Planning Appeals

4. Planning Appeals - Quarter 1 April - June 2023 (*Pages 29 - 32*)

To: Chair and Members of Planning Regulatory Board:-

Councillors Richardson (Chair), Bowler, Burnett, Coates, Crisp, K. Dyson, Greenhough, Hayward, Leech, Lofts, McCarthy, Mitchell, Moore, Morrell, O'Donoghue, Peace, Ramchandani, Risebury, Smith, Sumner, Webster, Wilson, A. Wray, C. Wray, N. Wright and P. Wright

Matt O'Neill, Executive Director Growth and Sustainability  
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 Mel Bray on email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk)  
Monday 17 July 2023

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<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday 13 June 2023
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## MINUTES

**Present** Councillors Richardson (Chair), Bowler, Coates, Greenhough, Hayward, Leech, Lofts, Mitchell, O'Donoghue, Peace, Webster, Wilson, A. Wray, C. Wray, N. Wright and P. Wright

**In attendance** Councillor Osborne

### 69. Declarations of Interest

There were no declarations of Pecuniary/Non-Pecuniary interests.

### 70. Minutes

The minutes of the meeting held on 18 April 2023 were taken as read and signed by the Chair as a correct record.

### 71. Land at Higham Lane, Dodworth - 2022/0916 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2022/0916** - Development of 2no warehouses (floorspace of 9,755m<sup>2</sup> and 7,804m<sup>2</sup>) for general industrial and storage and distribution purposes (use classes B2 and B8) with provision of ancillary office accommodation (Reserved matters of the outline part of hybrid planning permission 2019/0286 seeking approval of external appearance, landscaping, layout, and scale) at land at Higham Lane, Dodworth, Barnsley, S75 3UB.

Ms Smedley (Applicant) addressed the Board and spoke in favour of the officer recommendation to approve the application.

Mr Hunt (Objector) addressed the Board. He expressed his thanks to the BMBC Planning Department for the work undertaken, and he confirmed that he had no further objections to the application.

**RESOLVED** that the application be granted in accordance with the Officer recommendation.

**Councillor Lofts abstained against the recommendation.**

## **72. Lockwood Road, Goldthorpe - 2021/1171 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2021/1171** - Erection of 125, 2, 3 and 4 bed dwellings with associated access at Lockwood Road, Goldthorpe, Rotherham, S63 9JY.

**RESOLVED** that the application be granted in accordance with the officer recommendation and subject to signing of S106, additional highway condition on restrictions to parking at access road, and amendment to condition 25 to ask for measures to mitigate construction noise on pupils of primary school during school hours.

## **73. Planning Enforcement Report Quarter 4 2023**

The Head of Planning and Building Control submitted a report which provided the Board with an update on Planning Enforcement Service activity covering Quarter 4 2023. The report included a breakdown of the requests for service received together with the details of key actions and enforcement case outcomes during the quarter.

The Service had issued 44 enforcement notices for 2022/23 (year to date), of which 26 enforcement notices had been complied with during the period.

**RESOLVED** that the report be noted.

## **74. Planning Appeals - April 2023**

The Head of Planning and Building Control submitted an update regarding cumulative appeals totals for 2023/24.

The report indicated that 2 appeals had been received in April 2023 and 1 appeal had been withdrawn in April 2023. In April 2023, a total of 2 appeals had been determined, 1 of which had been dismissed and the other had been allowed.

The report provided the details of cumulative appeal totals for the whole of 2023/24, which indicated that 2 appeals had been decided since 1 April 2023. Of those, 1 appeal (50%) had been dismissed and 1 appeal (50%) had been allowed.

**RESOLVED** that the update be noted.

## **75. Planning Appeals - May 2023**

The Head of Planning and Building Control submitted an update regarding cumulative appeals totals for 2023/24.

The report indicated that 3 appeals had been received in May 2023. No appeals had been withdrawn in May 2023. In May 2023, a total of 1 appeal had been determined which had been dismissed.

The report provided the details of cumulative appeal totals for the whole of 2023/24, which indicated that 3 appeals had been decided since 1 April 2023. Of those, 2 appeals (67%) had been dismissed and 1 appeal (33%) had been allowed.

**RESOLVED** that the update be noted.

**76. Member Consultation Report - April 2023**

The Head of Planning and Building Control presented a report which summarised the outcomes of the planning applications agenda packs issued as Board Member Consultations in advance of the Planning Regulatory Board meeting held in April 2023.

**RESOLVED** that the report be noted.

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Chair

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# Item 3

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**2022/0420**

Applicant: Redmile Homes

Description: Erection of 106 dwellings and associated works including provision of access, public open space and landscaping

Address: Land off Goldthorpe Road, Goldthorpe, Rotherham

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## **Site Description**

The subject site of the application is a vacant parcel of land located on the eastern edge of Goldthorpe, a principal town within Barnsley. The site extends to approximately 3.39ha.

The site is bound by residential built form to the north, the Dearne Advanced Learning Centre to the south, Goldthorpe Road to the west and open fields to the east. The topography of the site is relatively flat but has a prevailing fall from north to south.

The southern section of the site is primarily formed of scrubland on the site of the former Dearneside Comprehensive School, which was demolished prior to 2014. The northern part of the site is made up of taller vegetation and scrub. The entire site is currently secured by fencing.

## **Proposed Development**

This application seeks full planning for the erection of 106 dwellings with associated access, open space and landscaping. The application has been amended since its submission with notable amendments being the reduction in number of dwellings from 109 to 106 and changes to the layout. The mix of dwellings is now proposed as follows:

36 no. 2 bed dwellings  
55 no. 3 bed dwellings  
15 no. 4 bed dwellings

Six of the 3 bed dwellings are bungalows.

Several documents have been submitted to support the application which are listed as follows:

- Design and Access Statement;
- Transport Assessment and Travel Plan;
- Tree Survey;
- Flood Risk Assessment;
- Drainage Strategy;
- Ecological Assessment;
- Site Investigation Report;
- Archaeological Assessment
- Planning Statement
- Statement of community involvement
- Phase 1 and 2 Geotechnical and Geo-environmental Site investigation
- Historic Environment Desk Based

## History

B/03/1503/DE- Outline for demolition of existing public house and residential development- Approved with conditions

B/05/1049/DE- Siting of temporary single storey mobile classroom unit (retrospective)- Approved with conditions.

In addition to the above, there are a number of historic planning application associated with the use of the site as a school. These are not considered significant to the determination of the current proposals, other than being demonstrative of the previously developed nature of the site.

## Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). 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.

The Local Plan review was approved at the full Council meeting held 24th November 2022.

The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Site Allocation: Housing Allocation

Site HS47: Land to the north of the Dearne Advanced Learning Centre, Goldthorpe. Indicative number of dwellings 86.

The allocation states the following:

The development will be expected to retain, enhance and manage the higher value ecological areas detailed in the ecological assessments produced on behalf of BMBC.

Archaeological remains are known/expected to be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a 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.

Other relevant policies would be as follows:

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

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

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

T3 'New Development and Sustainable Travel'.

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

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

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

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

#### SPD's

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

#### Other

South Yorkshire Residential Design Guide

## NPPF

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

## **Consultations**

**Affordable Housing-** Affordable Housing split of 50% on site and 50% commuted sum is acceptable. Sum to be captured within the S106 contribution.

**Biodiversity Officer-** Recommend approval, subject to conditions.

**Coal Authority-** No objection subject to conditions regarding a scheme of remedial measures to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the NPPF.

**Drainage –** No objections subject to conditions

**Education Services-** Contribution for both primary and secondary places would be required due to pressure on school places in the area predicted for future years.

**Forestry Officer-** Recommend conditions to ensure protection for retained trees and adequate replacement planting for the trees to be removed.

**Highways DC-** No objections subject to conditions.

**Natural England-** No objection, advice on other natural environment issues recommended.

**Pollution Control-** No objections subject to condition

**South Yorkshire Archaeology Service-** No objections subject to conditions.

**South Yorkshire Police-** No objections to the plans and layout in principle. Recommend the development is designed and built to Secured by Design Standards

**Superfast South Yorkshire-** Standard condition requiring details of measures to facilitate gigabit-capable full fibre broadband for the development recommended.

**Urban Design Officer-** No objections subject to conditions regarding landscaping and material

**Yorkshire Water Services Limited-** No issues. Recommend conditions to protect the local aquatic environment and Yorkshire Water infrastructure.

## **Representations**

The application was publicised by notices in the press, on site and by neighbour notifications letters. Re-consultation has also been carried out on the latest plans. At the time of preparing the report 2 representations had been received raising the following issues:

- Concerns over increase in traffic and impact on existing properties who park on street
- Concerns that construction company would utilise a neighbour's land for building works

A representation was also received from former Councillor Danforth which is summarised as follows:

- No objections as the site needs to be developed
- No mention of EVCPs on the plans.
- The pedestrian route north/south up to Hall St will cause problems at school times. Asked if K frames will be installed at the access points to deter bikers.
- Questioned whether the development would put pressure on local NHS services and GPs.

## **Assessment**

### **Principle of Development**

The Presumption in Favour of Sustainable Development remains at the heart of the National Planning Policy Framework (NPPF) and the Local Plan as set out in Policy SD1. The site is considered to be in a sustainable location for development due to its proximity to nearby services and facilities. The application site is located within walking distance of the town centre (approximately 700m away on Doncaster Road), which benefits from a wide range of shops and services such as local shops, education facilities, health care, post office, recreational facilities and places of worship. Furthermore, the development has good access to the bus transportation network with the nearest bus stop being located directly outside of the site on Goldthorpe Road which provides links to Barnsley and Rotherham Town Centre

In addition to the above the majority of the site is allocated for housing in the Local Plan under site specific policy HS47. The policy sets an indicative number of dwellings of 88 and states that the development will be expected to:

“ retain, enhance and manage the higher value ecological areas detailed in the ecological assessments produced on behalf of BMBC.

Archaeological remains are known/expected to be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a 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.”

There is a small part of the site which is outside the allocation but designated as urban fabric. Policy GD1 allows for development on urban fabric where it is compatible with neighbouring land and as the neighbouring land is allocated for housing it would be acceptable in principle to include this to allow the rounding off of the development. As such the principal of housing development would be acceptable on this site.

In terms of the other aspects of the policy relating to ecology and archaeology, these are dealt with in more detail in the relevant sections in the remainder of the report.

### **Design/Appearance/Layout**

The site layout has been designed around a clear hierarchy of roads which runs from the proposed access off Goldthorpe Road into a branch formation. The main area of public open space is to east of the site although there are smaller landscaped areas within the development. An attenuation basin is proposed to the south of the site.

The ‘Design of Housing Development’ SPD states that ‘all new streets should be defined by the fronts of plots with buildings orientated to face the public highway, space or private street space to create an active frontage’. The SPD goes onto state that blank street elevations facing onto streets should be avoided.

The majority of dwellings have been positioned with their plot orientated to front the road hierarchy. The odd instance where a blank elevation would be visible is due to the orientation onto the southerly located open space. Further the street is mitigated by proposed landscaping and street trees which helps to break up the street and ensure these side elevations are not overly prominent or detrimental to the visual amenity of the street scene.

There has been concern throughout the application process that there was an overdominance of front dwelling parking in parts of the development with the guidance on this issue within the SPD 'Design of Housing Development' being clear.

Amendments have been made during the application process to alleviate the dominance of hardstanding, in particularly the front of dwelling for plots 69-76 has been split up and is now in accordance with the SPD. The one or two other areas remaining are at the end of cul-de-sacs where appropriate landscaping can mitigate the impacts.

The proposal includes 10 house types comprising a mix of bungalows, detached and semi-detached accommodation. The varied house types create a diverse and interesting street scene. Furthermore, the design of the market and affordable house types themselves are appropriate for the site and sit comfortably within their surroundings, in accordance with the SPD and Local Plan Policy D1.

The majority of properties have small gardens to the front or areas to incorporate soft landscaping with suitable private amenity areas to the rear. Further an appropriate landscaping plan will be secured by condition which will aid to soften the development and result in an attractive, greener street scene to the benefit of visual amenity. Additionally, the proposed layout shows a number of street trees proposed in accordance with paragraph 131 of the National Planning Policy Framework.

When taking all of the above into consideration, the proposed development would maintain the visual amenity of the existing area and also puts forth a policy compliant layout and high quality house types in accordance with Local Plan Policy D1, SPD 'Design of Housing Development' and the NPPF.

### **Scale and mix of housing**

The application is for 106 dwellings and the density of the scheme would equate to 38.9 units per hectare. Local Plan Policy H6 'Housing Mix and Efficient Use of Land' states that a density of 40 dwellings per hectare net will be expected in Urban Barnsley and Principal Towns and 30 dwellings per hectare net in the villages. Lower densities will be supported where it can be demonstrated that they are necessary for character and appearance, need, viability or sustainable design reasons. It is considered that the small shortfall in density is acceptable in this instance due to allow for an adequate layout and high quality design to be achieved.

Local Plan Policy H6 also states Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. The development is for 106 dwellings with a mix of 2, 3 and 4 bedroom dwellings of varying styles, which is considered to contribute to the mix of dwellings already present within Goldthorpe.

In terms of Affordable Housing, the policy requirement for the area is 10% and this has been put forward as 50% contribution on site and a 50% commuted sum. Given 11 dwellings are provided to meet the 10% requirement this will equate to 6 dwellings being provided on site and a commuted sum in lieu of the remaining 5 units which will be captured by a S106 agreement. Normally the units would all be expected to be provided on site but given the current housing stock in the Goldthorpe area it is considered that having half on site and then being able to have a commuted sum to fund the regeneration of existing housing stock would be a preferable option in this case. The affordable housing officer is therefore happy with this mix and the proposed affordable housing dispersion. As

such, the development is considered to provide a broad mix of house size, type and tenure, in line with policy H6.

### **Residential Amenity**

In terms of neighbouring amenities, the site only directly borders housing to the north. In the majority of cases the nearest existing dwellings have their side elevations facing the site and the scheme has therefore been designed to ensure adequate separation distances are maintained to these nearest properties. There will be some noise and disruption during any construction period so conditions have been recommended to allow for the submission of a construction method statement to be submitted and approved by the Local Planning Authority and to control the hours of construction.

In terms of internal amenity, all dwellings proposed meet the overall internal space standards recommended in the South Yorkshire Residential Design Guide. In addition, the proposed bungalows and the Tissington house type are capable of conversion to meet accessible property standards (building regulations M4 (2) compliant). This accounts for 8.5% of the properties on site which is welcomed.

In terms of daylight, all habitable rooms of the development are served by large windows to allow for adequate light and sunshine.

The Designing New Housing Development SPD states that rear gardens of proposed dwellings should be at least 50m<sup>2</sup> in the case of two-bedroom houses/bungalows and 60m<sup>2</sup> for houses/bungalows with three or more bedrooms. The majority of the dwellings meets these standards but in a small minority, due to constraints of the site, there is a small reduction by a few square metres which is considered minimal over the whole site. However, in order to ensure that these dwellings with slightly smaller than usual gardens are not overdeveloped, permitted development rights will be removed for these properties. In addition it is considered that the residents have access to good on site public open space which shall include play equipment. Furthermore, there are recreational facilities that are easily accessible in the surrounding area such as local playgrounds, Dearnside Leisure Centre and The Dearne Playhouse.

In terms of the layout proposed the dwellings meets the separation distances between habitable room windows on rear and front elevations including the separation distances across a road. Distances from back to side elevations are also met across the site apart from between Plot 52 and 53 where it is 1m less than required but the property looks onto a blank side elevation and as such is not considered to be detrimental to amenities of either property in this instance.

In taking all of the above, the development has a good standard of residential amenity in compliance with Local Plan Policies GD1 and D1.

### **Highways**

The site comprises land allocated in the Local Plan (HS47) along with other an adjacent area of land to give an overall slightly larger site, the whole of which is to have a single vehicular access point off the B6098 Goldthorpe Road. The site has an allocation for housing and the number of properties proposed is not considered to result in any significant detriment to the surrounding highway network. The access has been suitably designed to allow appropriate access and egress from the site and is therefore considered to be acceptable.

Various amendments have been made to the layout throughout the course of this application in order to ensure highways related issues are resolved including providing adequate off street parking

and visitor parking. Further swept path analysis drawings have been provided to show refuse vehicles can safely access and egress the site.

The latest layout has resolved all highways issues and as such the development is considered to be acceptable from a highways perspective.

## **Ecology**

An Ecological Impact Assessment has been prepared which accompanies the planning application and assesses the current position on site. This report outlines the findings of all surveys and makes appropriate recommendations for mitigation and enhancement works on site. These include the following:

- retention of semi-improved natural grassland to in the north-eastern area of site, areas of scattered shrubs and trees improved where necessary, area to be improved in the form of wildflower planting, locally sourced native fruit and berry trees and shrubs.
- increase in hedgerows on site
- integrated bat boxes installed into the dwellings
- bird boxes, including integrated sparrow terraces to be installed in the dwellings

Whilst the ecology improvements referred to above are welcomed, and accord with Policy HS47 in terms of retaining the more significant ecological areas, the Biodiversity Net Gain shows there will still be a 11.36 unit loss. In agreement with the Council's Biodiversity Officer this BNG shortfall shall be offset by enhancing third party land. The applicants and the Biodiversity Officer are in discussions about suitable locations including looking at locations within the Goldthorpe area. Appropriate off-site provision can be secured via the S106.

It is considered that taking the above into account that the application would be in accordance with Policy BI01 subject to conditions and the S106.

## **Archaeology**

South Yorkshire Archaeology Service (SYAS) were consulted on this application and have deemed it to have potential archaeological implications. A brief scoping assessment of the site was made during the local plan allocation process and concluded that there was potential for encountering remains from the medieval to post-medieval period due to the proximity to the historic core but that any preservation was likely to be moderate to poor due to disturbance caused by the construction and demolition of the 20<sup>th</sup> century school that formerly occupied the site. Subsequently, a policy was added to the local plan to ensure that any application was supported by an archaeological assessment. SYAS advised that a desk-based assessment (DBA) drawing together the full range of available sources would be useful not only in understanding any potential but also in ruling out areas with no archaeological potential. The applicant has therefore submitted an Archaeological assessment as supporting information to meet these requirements. The report combined archival and cartographic research with geotechnical data from site investigations to assess archaeological potential across the site. The majority of the southern part of the site (the former school) has negligible potential consisting mainly of made ground. The exception to this is the area of former air raid shelters immediately north of the school. To the northwest, the area of the former Buxton Arms Hotel is similarly disturbed with little potential. To the northeast, however, remains of buildings shown on the 1818 township plan may well survive as buried features. The majority of the site can therefore be ruled out of further archaeological investigation but there are small areas where archaeological features may be present. SYAS agrees with this assessment but is confident that a suitable condition providing a written scheme of investigation of works to be submitted and approved can ensure that the site can proceed to be developed in a suitable manner. SYAS have therefore raised no objections to the scheme and the proposal is considered to be in accordance with Local Plan Policy HE1..

## **Geotechnical/Coal**

A Geotechnical and Geo-environmental Site Investigation has been submitted to support the application. The report contains various recommendations in relation to contamination including a 600mm clean capping layer for gardens and soft landscaping where the granular ground is present, a 300mm thick topsoil growing medium for where cohesive made ground is present and an increase in capping thickness to 1m where shallow coal is present in the south west. It was considered that the site topsoil was suitable for re-use with the exception of topsoil encountered within the parcel of land formerly occupied by the Buxton Arms Hotel. As such, within this area clean topsoil will need to be imported and the existing material either be capped with at least 450 mm of inert soil, or be removed from site and replaced. The natural arisings are considered suitable for re-use and the site would not require gas protection, however this will be confirmed upon completion of the gas monitoring programme. Subject to suitable conditions confirming the extent of the remediation works this is considered to be acceptable.

Furthermore, the Coal Authority were consulted on this application. Section 7.2 of the site investigation report concludes that insufficient rock cover exists over shallow coal/workings to ensure surface stability. Accordingly, it goes on to advise that drilling and grouting on a grid pattern is required across the majority of the site in order to stabilise any shallow coal mine workings present. The Coal Authority welcomes the recommendation for the undertaking of remedial works to treat those mine workings present within influencing distance of the site surface As such they have raised no objections to the scheme subject to the recommendations in the relevant report being conditioned in line with Policy POLL1 of the Local Plan.

## **Trees**

An arboricultural impact assessment was requested and submitted as part of the application. This notes that none of the trees on site are protected by a TPO and neither are they in a Conservation Area. There are no category A trees on site with the vast majority of the trees categorised as category C or U which are the lowest categories. A number of trees are to be retained with the majority of trees to be removed are within these lower categories and the Tree Officer is satisfied that they are of low amenity value and subject to a landscaping scheme that would provide appropriate replanting, this would be acceptable to facilitate the development. There are 3 category B trees which are located within the areas outlined in the 'Geotechnical/Coal' Section where remediation works are required. The applicants have provided details on what works would need to be carried out to remediate these areas to provide a safe living environment and the impacts on the trees which are likely to be unable to be retained because of this. The Council's Tree Officer was consulted and concluded that the information provided clarifies the reason for the removal of the three trees. As such, the Tree Officer has not objected in this instance subject to a condition to ensure proper protection for the trees that are retained and adequate replacement planting for the removed trees.

## **Drainage**

The site is located within Flood Zone 1 (low risk). The application has been accompanied by a detailed Flood Risk Assessment (FRA). The FRA concluded that the proposed surface water drainage system is designed to current best practice and to the standards laid out in the publication 'Design and Construction Guidance for foul and surface water sewers' and Building Regulations Part H 2015. In the event of surface water failure for rainfall in excess of the design standard, the site is laid out so that surface water runoff is directed away from houses, including those on neighbouring streets. Furthermore, the 375 / 450 mm diameter public surface water sewer which crosses the site will be diverted through a S104 agreement with Yorkshire Water.

Overall, Yorkshire Water consider that the FRA is acceptable and have recommend approval of the application subject to various conditions. Further, the Council's Drainage officer has also recommended conditional approval of the site. As such, it is considered the development is acceptable from a drainage/flood risk point of view in accordance with Local Plan Policy POLL1.

### **Pollution Control**

The submitted documents have been reviewed by the Pollution Control team and who consider it compatible with the surrounding environment and subject to a condition on working hours, have not raised any objections. The scheme is therefore considered to be in line with or remove adverse with Local Plan Policy POLL1.

### **Other Matters**

Conditions will be applied to the development to ensure sufficient broadband facilities are provided. In terms of electric charging points, this is now picked up in the Building Regulations Section. With regards to the concerns on the barrier for the pathway into the estate to the north, a condition can be recommended to ensure this is looked into. In terms of the impact on local GPs and the NHS, the NHS are aware of the allocations in the Local Plan and it will be for them to adapt their services accordingly to meet any rise in need.

### **S106 Agreement**

The following contributions will be secured by S106 in order to make the development acceptable:

Affordable Housing- 10%- 11 units- 6 on site, 5 as a commuted sum.

Sustainable Travel- £79,500

Education- £608,000

Open Space- £101,399.31

Ecology- To secure the off-site mitigation works as referenced earlier in the report.

These S106 obligations are compliant with the requirements of Policy I1 Infrastructure and Planning Obligations which states that development must contribute as necessary to meet all onsite and off-site infrastructure requirements to enable development to take place satisfactorily.

### **Conclusion**

The detailed scheme will deliver 106 houses with a mix from 2 to 4 bedroom houses, an area of public open space and ecological enhancements within the development itself. Further suitable contributions related to education, sustainable travel, open space and off site ecology works will be secured through the S106 agreement.

Overall the design accords with the Local Plan and is recommended for approval.

### **Recommendation**

**Grant subject to the signing of the S106 and the following 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 plans and specifications as approved unless required by any other conditions in this permission:

- Planning Statement- March 2022
- Statement of Community Involvement- March 2022
- Design and Access Statement- GT/SK-01 Revision K- June 2018
- Engineering layout and drainage strategy- 1117-1 Revision E- March 18
- Longitudinal sections- 1117-2-1 Feb 22- Rev A
- Longitudinal sections- 1117-2-2 Feb 22- Rev A
- Longitudinal sections- 1117-2-3 Feb 22- Rev A
- 1200mm High timber fence with 400mm trellis- SD/DFSBT/02- Jan 2021
- 1800mm High double boarded screen fence- SDSFDB/01- May 19
- 1800mm High pier and panel wall- SD/PPW/01- May 19
- 1800mm High timber fence- SD/SF/01- May 19
- Phase 1 and 2 Geotechnical and Geo-environmental site investigation- 42241-001 2 March 2018
- Flood Risk Assessment- 46670-001- 3 March 22
- 900mm High timber fence- SD/DF/01- March 19
- Abney house type elevations- May 2019
- Abney (2 bed town house) floor plans- AS2/AB-01
- Birchover first floor plan- AS2/BI-02
- Birchover Ground floor plan- AS2/BI-02
- Dormer Bungalow Revision A Elevations received 10<sup>th</sup> July 2023
- Dormer Bungalow Revision A First floor plan received 10<sup>th</sup> July 2023
- Dormer Bungalow revision A Ground floor plan received 10<sup>th</sup> July 2023
- Cromford house type- Elevations- May 2019
- Curbar (3 bed town house) Elevations- AS/CU-01
- Curbar/Hopton semi det Ground floor plans- AS2/CU/HO-02 Revision A
- Curbar/Hopton semi det first floor plans- AS2/CU/HO-03
- Doveridge First floor plan- AS2/DO-03
- Doveridge Ground Floor Plan- AS2-DO-02
- Doveridge house type, Elevations- May 2019
- Building for life 12
- Historic Environment Desk Based Assessment part 1, 2 and 3- 2018/173
- Ecological Impact Assessment- 211045/EclA/2021/REV2- 16<sup>th</sup> September 2022
- Tree constraints Plan- 28<sup>th</sup> August 2018
- Tree Schedule
- Hathersage house type, Elevations- May 2019
- Hathersage (3 bed town house) first floor plan- AS2/HA-02
- Hopton (3 bed town house) Elevations- AST/HO-01
- Cromford (3 bed Det house) Floor plans- 3B-D/CR-01 Revision E
- Curbar (3bed town house) Elevations (AS)- 3B-S/CL-01
- Curbar (3 bed town house) floor plans (AS)- 3B-S/CL-02
- Curbar/Hopton semi det Elevations- 3B-S/CU/HO-01
- Curbar/Hopton semi det first floor plans- 3B-S/CU/HO-03 REV A
- Hopton (3 bed town house) Elevations (AS)- 3B-S/HR-01
- Birchover house types, Elevations- May 2019
- Hopton (3 bed town house) floor plans (AS)- 3B-S/HR-02
- SAP Report Submission for Building Regulations Compliance (Hopton)
- SAP Report Submission for Building Regulations Compliance (Cromford)

- SAP Report Submission for Building Regulations Compliance (Dormer Bungalow)
- SAP Report Submission for Building Regulations Compliance (Curbar)
- SAP Report Submission for Building Regulations Compliance (Abney)
- SAP Report Submission for Building Regulations Compliance (Hathersage A)
- SAP Report Submission for Building Regulations Compliance (Hathersage B)
- SAP Report Submission for Building Regulations Compliance (Doveridge)
- SAP Report Submission for Building Regulations Compliance (Birchover)
- SAP Report Submission for Building Regulations Compliance (Tissington)
- SAP Report Submission for Building Regulations Compliance (Wardlow)
- SAP Report Submission for Building Regulations Compliance (Tideswell)
- Tideswell Plus (3 bed town house) floor plans- 3B-S/TIP-02
- Tideswell Plus (2 bed town house) Elevations- 3B-S/TIP/01
- Tideswell/Wardlow house types, Elevations- May 2019
- Tissington house types- May 2019
- Tissington house type First floor plan- AS2/TS-04
- Tissington house type Ground floor plan- AS2/TS-03 REV A
- Wardlow Plus (3 bed town house) Elevations- 3B-S/WAP-01
- Wardlow Plus (3 bed town house) floor plans- 3B-S/WAP-02
- Residential Travel Plan- February 2022
- Transport Assessment- February 2022
- Location Plan- July 2022
- Affordable Housing Statement- July 2022
- Arboricultural Impact Assessment- AIA-1139-3- Amended 16/2/23
- Capping requirements Plan- 466701003 REV B

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

3. Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

4. 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

No development or other operations shall take place except in complete accordance with the approved details and the tree protection fencing shall be installed in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

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

the locality in accordance with Local Plan Policy BIO1.

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

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy BIO1.

6. 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

7. No development (including construction, land raising and demolition if required) shall be carried out other than in accordance with a Construction Environment Management Plan (CEMP) that is first submitted to, and approved in writing by, the local planning authority. The CEMP is expected to include measures to control noise and dust.

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

8. Upon commencement of development details of measures to facilitate the provision of gigabit-capable full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure compliance with Local Plan Policy I1.

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:-

- A survey of the extent, scale and nature of contamination.
- An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
- An appraisal of remedial options, and proposal of the preferred option(s).
- A remediation statement summarising the works to be 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 28, "Developing Contaminated Land".

Reason - To protect the environment and ensure the site is suitable for the proposed use in accordance with Local Plan Policy POLL1.

10. No development shall commence (excluding the demolition of existing structures and site clearance works) until remedial treatment works to address land instability arising from shallow coal mining legacy have been carried out in full in order to ensure that the site is made safe and stable for the development proposed.

The remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: The formulation and implementation of an appropriate scheme of remedial measures before building works commence on site is necessary to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

11. Prior to the first occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity

Reason: The formulation and implementation of an appropriate scheme of remedial measures before building works commence on site is necessary to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

12. The development shall be carried out in strict accordance with the details indicated within the submitted Flood Risk Assessment Report 46670-001 (issue 1) prepared by Eastwood & Partners, dated 3/03/22.

Reason: (In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.

13. The site shall be developed with separate systems of drainage for foul and surface water on and off site, details of which shall have been submitted to and agreed in writing prior to the commencement of development. The separate systems should extend to the points of discharge to be agreed. The development shall then proceed in accordance with the approved details.

Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.

14. No building or other obstruction including landscape features shall be located over or within :

- 3 metres either side of the centre line of the public sewer i.e. a protected strip width of 6 metres, that crosses the site.

Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

Reason: In the interest of public health and maintaining the public sewer network in accordance with Local Plan Policy POLL1 and CC3.

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

Reason: In the interests of highway safety, in accordance with Local Plan policy T4 – New Development and Transport Safety.

16. 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 submitted to and subsequently approved in writing by the LPA.

Reason: To ensure satisfactory development of the site and in the interests of highway safety, in accordance with Local Plan policy T4 – New Development and Transport Safety.

17. The gradient of individual vehicular accesses/driveways shall not exceed 1 in 12 as measured from edge of the adjacent carriageway.

Reason: In interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4.

18. Pedestrian visibility splays having dimensions of 2m x 2m shall be safeguarded at driveway entrances/exits. 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: In the interests of highway safety, in accordance with Local Plan policy T4 – New Development and Transport Safety.

19. Areas to be used by vehicles shall be surfaced in a solid bound material (i.e. not loose chippings) and adequate measures shall be so designed into these areas to avoid the discharge of surface water from the site on to the highway.

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 and in accordance with Local Plan Policy T4 New Development and Transport Safety.

20. Prior to the first occupation of the development hereby permitted, visibility splays at internal junctions shall be provided in full accordance with the details indicated on the approved plans. The splays 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 New Development and Transport Safety.

21. 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 the interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T5.

22. 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 including measures to prevent, so far as is reasonably practicable, the arrival/departure of construction traffic at school drop-off/pick-up times.
- 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 minimise dust.

Reason: In the interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety and 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.

23. 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.

24. The Travel Plan hereby approved shall be implemented in accordance with the measures set out therein. Within three months of first occupation, evidence of the implementation of measures set out in the Travel Plan shall be prepared, submitted to, and agreed in writing with the LPA, unless alternative timescales are agreed in writing.

Reason: To support sustainable transport objectives, reduce reliance on the private motor car as a primary form of transport and to reduce the impact of travel and transport on the environment in accordance with Local Plan Policy T3.

25. Development shall not commence until details of the siting of the sales cabin, and parking for staff and customers visiting the site, have been submitted and approved in writing by the Local Planning Authority, and such facilities shall be retained for the entire construction period.

Reason: In the interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

26. The development shall be completed in strict accordance with the recommendations in Section 4 and 5 of the Ecological Impact Assessment (document reference 211045/EcIA/REV2.) and the BNG Metric Appendix 6 Goldthorpe Redmile BNG. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

27. The development shall be carried out in accordance with the following additional biodiversity mitigation and enhancement measures. The measures listed below shall be implemented in full, prior to first occupation of the site, and full details including photographic evidence provided to the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority; the features shall thereafter be permanently retained.

- 100% of the dwellings on site to comprise integrated bat roosting boxes to be installed in suitable locations on the new buildings;
- 100% of the dwellings on site to comprise integrated swift bricks to be installed in suitable locations on the new buildings;
- 20% of the dwellings on site to comprise integrated bee bricks;

- Fencing on site will be sympathetic to allow the passage of small mammals, particularly hedgehog through the site. Holes should be cut in boundary fencing to allow this and the holes marked to prevent occupiers from blocking the holes; and
- The arisings from felled trees will be left in suitable locations in wooded areas on site to provide refuge habitat for hedgehog.

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

28. No development shall take place (including vegetation/site clearance) until a Precautionary Working Method Statement (PWMS) for amphibians, bats (including details regarding the soft felling of trees with bat roost potential) and small mammals has been submitted to and approved in writing by the Local Planning Authority. The PWMS will be completed by a suitably qualified ecologist and the approved PWMS shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

29. A Biodiversity Enhancement Management Plan (BEMP), completed by a suitably qualified ecologist will be submitted to the Local Planning Authority prior to the commencement of works on site. The BEMP will include the following:
- o A recent landscape plan detailing the location of mitigation works and the size of each habitat/linear feature to be enhanced and/or created;
  - o Management aims and prescriptions detailing the methods required to create and/or enhance each habitat/linear feature at the required quality for a period of 30 years;
  - o A timetable of delivery for each habitat/linear feature created and/or enhanced;
  - o A schedule of ecological monitoring for a minimum 30 year period, identifying when key indicators of habitat/linear feature maturity should be achieved;
  - o Details on the monitoring of habitats and linear features and the provision of a report, which shall be provided to the LPA on the 1st November of each year of monitoring (years one-three after creation, years five, ten and every ten years thereafter), which will assess the condition of all habitats and linear features created and/or enhanced and any necessary management or replacement/remediation measures required to deliver the Net Gain values set out in the BEMP;
  - o A schedule of actions to be undertaken in case signs of failing are identified; the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

30. Notwithstanding the submitted details, before above ground works commence, details of external/internal lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall be provided by a suitably qualified ecologist and clearly demonstrate that lighting will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:



- A drawing showing sensitive areas, dark corridors and buffer areas;
- Technical description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
- A description of the luminosity of lights and their light colour;
- A drawing(s) showing the location and where appropriate the elevation, height and luminance of the light fixings;
- Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
- Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.

All external/internal lighting shall be installed in accordance with the specifications and locations set out in the approved details. They shall be maintained thereafter in accordance with these details.

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

31. Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- The times during construction when specialists ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

32. 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: 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

33. No development (including construction, land raising and demolition if required) shall be carried out other than in accordance with a Construction Environment Management Plan (CEMP) that is first submitted to, and approved by, the local planning authority.

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

34. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no ancillary building structures shall be constructed to the rear of plots 7, 16, 17, 36, 27, 28, 77, and 93.

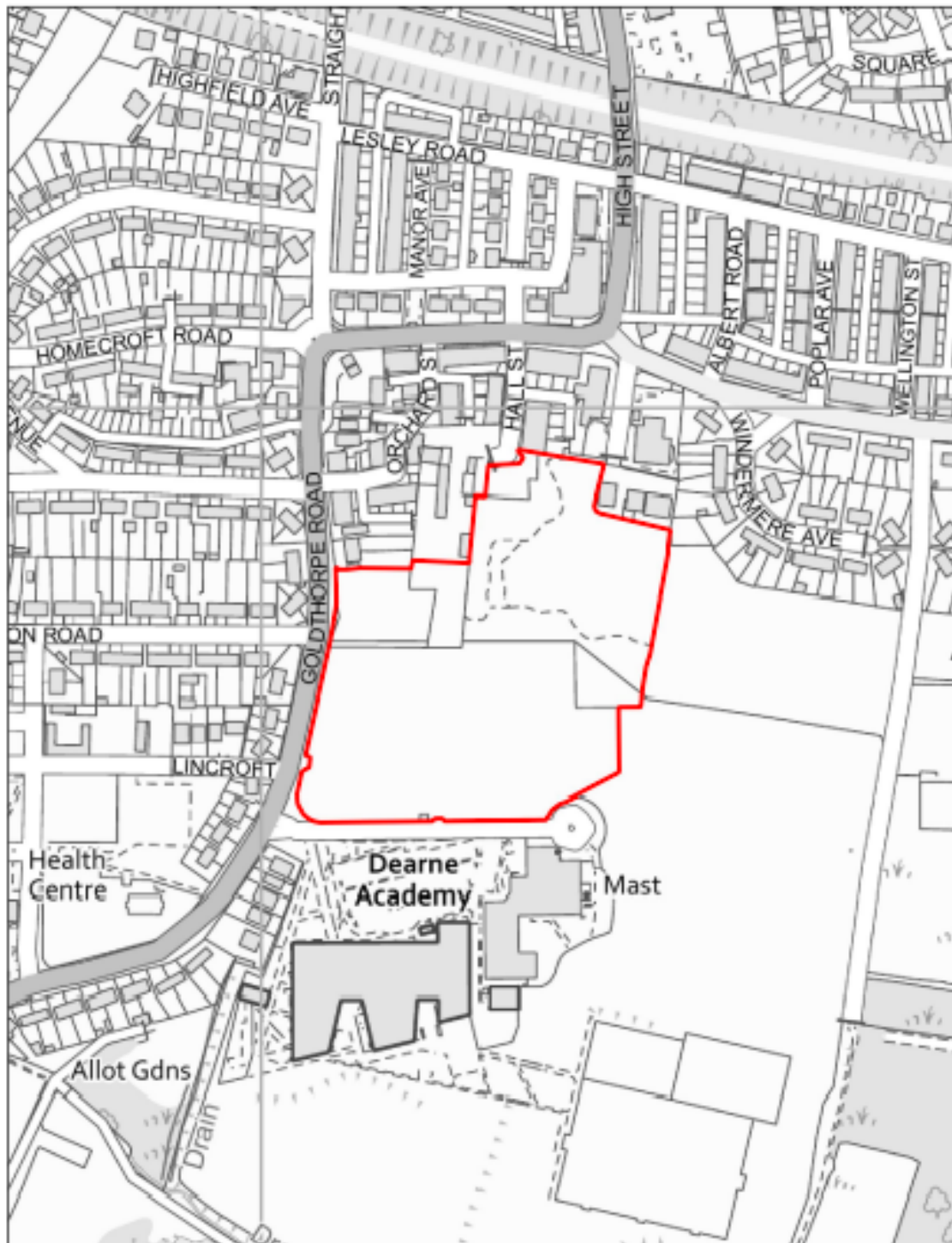
Reason: To restrict the overdevelopment of plots in the interest of private residential amenity.

35. Notwithstanding the plans as submitted, the ground floor dining room side window of the Cromford house type (3B-D/CR-01 Revision E) shall be obscure glazed.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with Local Plan Policy GD1 General Development

36. On commencement of development, details of any barriers to be placed on the pedestrian route into the housing estate at the north of the site shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then proceed in accordance with the approved details.

Reason: In the interests of neighbouring amenities in accordance with Local Plan GD1



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# Item 4

## BARNSELY METROPOLITAN BOROUGH COUNCIL

### PLANNING APPEALS – Q1 April-June 2023

#### APPEALS RECEIVED

7 appeals were received between April and June 2023

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
2022/0293	Change of use of land to form surface car park (116 marked bays) and installation of associated traffic light-controlled junction within Old Mill Lane <b>Land at Old Mill Lane, Barnsley, S71 1PJ</b>	Written Representation	Delegated
2022/0949	Outline application for erection of detached dwelling with all matters reserved <b>59 Huddersfield Road, Darton, Barnsley, S75 5NG</b>	Written Representation	Delegated
2022/0709	Erection of 1 no. detached dwelling <b>Land adjacent 15 Beaver Lane, Gawber, Barnsley, S75 2RP</b>	Written Representation	Delegated
2022/1082	Change of use of outbuilding to allow use for recreational activities as a personal trainer <b>12 Newark Close, Staincross, Barnsley, S75 6NN</b>	Written Representation	Delegated
2022/1295	Erection of detached outbuilding (garden room) <b>9 Tenter Hill, Thurlstone, Sheffield, S36 9RG</b>	Written Representation	Delegated
2022/0616	Erection of 3 storey extension to the side/rear to form new 6 bedroom house of multiple occupation (HMO) and associated external works <b>4 Springfield Place, Barnsley, S70 6HJ</b>	Written Representation	Delegated
2022/0869	Erection of an agricultural storage building <b>210 Carlton Road, Athersley South, Barnsley, S71 2AP</b>	Written Representation	Delegated

#### APPEALS WITHDRAWN

1 appeal was withdrawn between April and June 2023

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
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2021/1173	Raising of roof height to enable loft conversion, dormer window extension to rear, provision of roof lights to front and new second floor window to side of dwelling  <b>Wentworth View, 57 Wentworth Road, Blacker Hill, Barnsley, S74 0RP</b>	Written Representation	Delegated
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### APPEALS DECIDED

5 appeals were determined between April and June 2023

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2022/0344	Demolition of existing garage outbuilding and erection of 2no semi-detached dwellings and associated works including access from Rother Croft (Outline seeking approval over means of access and layout) <b>Land to the rear of 55 Market Street (fronting Rother Croft), Hoyland, Barnsley, S74 0ET</b>	Dismissed 14/04/2023	Delegated
2022/0361	Conversion of existing detached garage into granny flat residential annex with associated internal and external alterations including new windows and doors <b>Ivy Cottage, 14 First Avenue, Royston, Barnsley, S71 4DA</b>	Allowed 14/04/2023	Delegated
2022/0532	Change of use of agricultural land to allow for caravan storage <b>Land at Hazelhead Hall Farm, Lee Lane, Millhouse Green, Sheffield, S36 9NN</b>	Dismissed 05/05/2023	Delegated
2022/0937	Erection of single storey sider/rear extension and erection of chimney stack positioned on roof plane of the extension (Amended plans compared with previously approved application 2022/0098) <b>3 Hall Place, Monk Bretton, Barnsley, S71 2EX</b>	Allowed 20/06/2023	Delegated
2022/0660	Installation of payment machine, ANPR camera and solar panel, battery box and associated infrastructure <b>Langsett Fouch Car Park, Langsett, Sheffield</b>	Allowed 28/06/2023	Delegated

### 2023-24 Cumulative Appeal Totals

- 5 appeals have been decided since 1<sup>st</sup> April 2023
- 2 appeals (40%) have been dismissed since 1<sup>st</sup> April 2023
- 3 appeals (60%) have been allowed since 1<sup>st</sup> April 2023

	<b>Audit</b>	<b>Details</b>	<b>Decision</b>	<b>Committee/ Delegated</b>
1	2022/0344	Demolition of existing garage outbuilding and erection of 2no semi-detached dwellings and associated works including access from Rother Croft (Outline seeking approval over means of access and layout) <b>Land to the rear of 55 Market Street (fronting Rother Croft), Hoyland, Barnsley, S74 0ET</b>	Dismissed 14/04/2023	Delegated
2	2022/0361	Conversion of existing detached garage into granny flat residential annex with associated internal and external alterations including new windows and doors <b>Ivy Cottage, 14 First Avenue, Royston, Barnsley, S71 4DA</b>	Allowed 14/04/2023	Delegated
3	2022/0532	Change of use of agricultural land to allow for caravan storage <b>Land at Hazelhead Hall Farm, Lee Lane, Millhouse Green, Sheffield, S36 9NN</b>	Dismissed 05/05/2023	Delegated
4	2022/0937	Erection of single storey sider/rear extension and erection of chimney stack positioned on roof plane of the extension (Amended plans compared with previously approved application 2022/0098) <b>3 Hall Place, Monk Bretton, Barnsley, S71 2EX</b>	Allowed 20/06/2023	Delegated
5	2022/0660	Installation of payment machine, ANPR camera and solar panel, battery box and associated infrastructure <b>Langsett Flouch Car Park, Langsett, Sheffield</b>	Allowed 28/06/2023	Delegated

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