

## **Report Précis**

Report of the Head of Planning and Building Control to the Planning Regulatory Board

Date: 31.05.2016

### **Subject**

Applications under Town and Country Planning Legislation.

### **Purpose of Report**

This report presents for decision planning, listed building, advertisement, Council development applications and also proposals for works to or felling of trees covered by a Preservation Order and miscellaneous items.

### **Access for the Disabled Implications**

Where there are any such implications they will be referred to within the individual report.

### **Financial Implications**

None

### **Crime and Disorder Implications**

Where there are any such implications they will be referred to within the individual reports.

### **Human Rights Act**

The Council has considered the general implications of the Human Rights Act in this agenda report.

### **Representations**

Where representations are received in respect of an application, a summary of those representations is provided in the application report which reflects the key points that have been expressed regarding the proposal.

Members are reminded that they have access to all documentation relating to the application, including the full text of any representations and any correspondence which has occurred between the Council and the applicant or any agent of the applicant.

### **Recommendation(s)**

That the applications be determined in accordance with the recommendations set out in the main report which is attached. Full report attached for public and press copy (unless Confidential item).

### **Background Papers**

These are contained within the application files listed in the following schedule of planning applications. They are available for inspection at the Civic Hall, Eldon Street, Barnsley, S70 2JL.

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**2015/0961 Approval**

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Demolition of existing hotel and erection of 27 no. dwellings with associated car parking and landscaping.

Ardsley House Hotel, Doncaster Road, Ardsley, Barnsley, S71 5EH

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Residential development of 30 no. dwellings

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**2016/0076 Approval**

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**Ref 2015/0961**

**Applicant:** Arncliffe Homes and Amberton Properties Ltd.

**Description:** Demolition of existing hotel and erection of 27no. dwellings with associated car parking and landscaping.

**Site Address:** Ardsley House Hotel, Doncaster Road, Ardsley, Barnsley, S71 5EH

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20 letters of objection received including one from Ardsley Residents Association.

### **Site Location & Description**

The application site, irregularly shaped in plan and approximately 1.3Ha, is positioned set well back to the south of Doncaster Road, and comprises of the former Ardsley House Hotel and associated parking and infrastructure. The hotel consists of a number of modern extensions built around the historic Ardsley House. Ardsley House was constructed c.1773 in a typically late Georgian design. Located to the northwest are former Hill Top Farm buildings, and to the north the former Lodge House and Park Cottage, that had once formed part of the Ardsley House estate, but are now privately owned.

Ardsley House Hotel has been unoccupied since July 2014 and is currently in a state of decline. The entrance to the Site is from the north, from Doncaster Road, via Earlsmere Drive. Surrounding the building to the north and east is hardstanding for former car parking facilities. To the south and west is a small garden area with woodland beyond.

### **Proposed Development**

The applicant seeks permission to erect 27no. dwellings with associated garden and parking areas. The properties would be as follows;

- 17no. 4 bed detached properties with integral garages (Sunningdale, Wentworth, Woburn, Birkdale)
- 2no. 4 bed semi-detached feature properties with detached garages (Birkshire)
- 4no. semi-detached 3 bedroom properties with off road parking (Mulberry)
- 4no. 2 bed semi-detached affordable homes with off road parking (Birch)

### **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 development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

## The Core Strategy

CSP1 Climate Change  
CSP2 Sustainable Construction  
CSP3 Sustainable Drainage Systems  
CSP 4 Flood Risk  
CSP5 Including Renewable Energy in Developments.  
CSP8 The Location of Growth  
CSP9 The Number of New Homes  
CSP10 The Distribution of New Homes  
CSP14 Housing Mix and Efficient Use of Land  
CSP15 Affordable Housing  
CSP25 New Development and Sustainable Travel  
CSP26 New Development and Highway Improvement  
CSP29 Design  
CSP35 Green Space  
CSP36 Biodiversity and Geodiversity  
CSP39 Contaminated and Unstable Land  
CSP40 Pollution Control and Protection  
CSP42 Infrastructure and Planning Obligations  
CSP43 Educational Facilities and Community Uses

## Consultation Draft Local Plan

The Council has produced a Consultation Draft Local Plan which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation. In the Policies Maps the site is allocated as Urban Fabric and Green Space.

## Unitary Development Plan

The UDP designation is Community Facility

## Saved UDP policies

H4 'Development on Housing Sites' promotes residential development  
H8A 'Existing Residential Areas'

## Relevant Supplementary Planning Documents and Advice Notes

SPD Designing New Housing  
SPD Open Space provision on New Housing Developments  
SPD Parking  
PAN 30 Sustainable Location of Housing Sites  
PAN 33 Financial contributions to School Places

## 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.

Paragraphs of particular relevance to this application include:

Para 32: 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'

Para 49: 'Housing applications should be considered in the context of the presumption in favour of sustainable development.'

Para's 58 & 60: Design considerations

### **Consultations**

South Yorkshire Police – No objections

Drainage – No objections subject to conditions

Yorkshire Water – No objections subject to conditions

Regulatory Services – No objections subject to conditions

Highways DC – No objections subject to conditions

Design – No objections

Education Services – No objections, no contributions required

Affordable Housing Officer – No objections, scheme is policy compliant

Tree Officer – No objection subject to conditions

SYAS – No objections, agree with recommendations of Building Report

SYMAS – No objections

Conservation Officer – No objections, agree with recommendations of Building Report

## **Representations**

The application was advertised by way of a site notice and press notice with immediate neighbours being notified by letter. 20 letters of objection have been received including one from Ardsley Residents Association. The main points of concern are:

- Loss of historic building
- Increase traffic on to an already busy road
- Loss of community facility
- Detrimental to the character of Ardsley
- Loss of outlook
- Loss of privacy
- Overbearing and overshadowing impact
- Impact on trees

Ward Councillor Johnson has raised concerns along the same lines as the local residents.

## **Assessment**

### Principle of Development

Planning law is that decisions should be taken in accordance with the Development Plan unless material considerations indicate otherwise.

The current position is that the Development Plan consists of the Local Development Framework Core Strategy and the saved Policies of the Unitary Development Plan.

The National Planning Policy Framework (NPPF) is also a significant material consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision taking this means:-

- approving development proposals that accord with the development plan without delay
- where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
  - specific policies in the Framework indicate development should be restricted.

The existing Unitary Development Plan notation on the proposed housing site is Housing Policy Area whereby new residential developments are acceptable in principle in accordance with UDP policy H8. In addition the location of the site accords with the Core Strategy in that it is located in Ardsley which is part of Urban Barnsley. Furthermore, the site is brownfield, within an established residential area, within close proximity to services, and would help to meet the housing supply needs. The proposed development therefore accords with the Development Plan for the Borough in that respect.

## Loss of the Building

The site comprises an 18th-century former house, a non-designated heritage asset, which was converted to a hotel in the early 1970s, with late 20th-century extensions to all elevations of the historic former house. The building does not stand in a Conservation Area. It is mentioned briefly in Pevsner's Buildings of England Series where it is described as 'Early Victorian, still strictly classical. Five bays and three storeys'.

It is believed the house was built circa 1773 by the Micklethwaite family. It is also believed that the house was sold to the then newly formed National Coal Board in the later 1940's and it became their area headquarters. It remained in their ownership until 1972 when it became Ardsley House Hotel.

In 2015 Historic England received an application to add the building to the List of Buildings of Special Architectural or Historic Interest. The assessment stated that the house does clearly demonstrate quality in its use of Ashlar sandstone as the principle building material, and the craftsmanship of the staircase hall. Houses constructed around the period of Ardsley House probably warrant listing if they survive without substantial alteration. However, the original slate roof of the house has been retiled and it is completely enveloped by modern extensions. These have seriously compromised the integrity of the original house as they have resulted in the ground floor level being subsumed and the modern opening-up of original external walls to link between the different elements.

The report concluded that from a national perspective Ardsley House does not meet the criteria for statutory listing but did state that did not mean it cannot be considered to have local interest in the context of Ardsley as one of the principle houses of the village.

Given the comments above, the applicants were asked to commission an Archaeological Assessment and Building Appraisal for a more detailed report. This document states the demolition of the extant non-designated Ardsley House will lead to the complete loss of the heritage asset of local importance which constitutes a moderate negative impact.

The buildings aesthetic value has been substantially negatively impacted on, however, due to the addition of modern extensions surrounding the former house, which detract from the significance of the historic structure. Not only do the modern additions detract, they have also resulted in physical damage to the historic fabric throughout the ground floor.

There will be no intervisibility between the proposed development and any designated heritage asset within the Study Area, though clear sightlines between the site and nearby non-designated heritage assets are unavoidable. The proposed development is deemed to have the potential to result in a moderate positive impact on the current setting of the nearby non-designated heritage assets.

The potential for below-ground archaeological remains may have been substantially impacted on previously by the construction of modern structures within the site, however, the scale of the impact on any potential archaeological remains is currently unknown. Overall, it is therefore considered that the proposed development will have a minor negative impact.

The Archaeological Assessment and Building Appraisal concluded, should consent for redevelopment that includes full demolition of Ardsley House be granted, it is recommended that a programme of archaeological works is undertaken that would include a Historic England Level 3/4 survey of the historic Ardsley House structure, including a structural watching brief during soft strip and demolition works.

The Councils Conservation Officer and South Yorkshire Archaeological Service concur with the findings of both Historic England's Report and the Archaeological Assessment and Building Appraisal. They agree that the building has some merit locally but given the extensions and

alterations over the years a lot of the building's originality has been lost, as such, a refusal of the application as a result of the demolition of the building could not be substantiated. A condition will be recommended that an archaeological survey is undertaken including structural watching brief, in line with the recommendations of the aforementioned report.

### Affordable Housing

Core Strategy policy CSP 15 expects 15% of the proposed units to be affordable unless the requirement would render the scheme unviable. The application commits to the delivery of 4 onsite affordable units and is considered to be policy compliant with CSP 15.

### Green Space

There is no existing formal Green Space within the site boundaries. Some areas along the Southern boundary would remain undeveloped and accessible by future residents; however, this is a result of a number of protected trees along the boundary and would not form dedicated on site Green Space.

The SPD 'Open Provision on New Housing Developments' requires a minimum of 15% of the gross site area of new housing development must be open space of a type appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses. Where it is impossible to make such provision on land either within or immediately adjacent to the site, suitable off-site open space facilities may be acceptable.

Appendix 2 of the SPD sets out the required contribution formula;

4 x 2 bedroom properties at £1436.82 = £5747.28  
4 x 3 bedroom properties at £1723.66 = £6894.64  
19 x 4 bedroom properties at £2013.13 = £38249.47

As such, in this case the total off site contribution for Green Space would be £50,891.39. This can be secured through a Section 106 agreement.

### Education

PAN 33 'Financial Contributions to School Places' states that a financial contribution will be needed for planning applications for housing developments where the scheme provides 20 or more homes; and there is insufficient capacity in local schools. The Council's Education Officer has indicated in this instance that there is sufficient space in secondary schools but insufficient space in local primary schools.

The forecasts for the schools in this area reflect those for the whole Borough in that there is a significant fall in the numbers of pupils accessing a Reception place which results in an overall reduction in pupil numbers. The formula we use to estimate additional pupils from this site has generated a forecast of only 6 pupils from this development.

In light of the reduction in numbers it is not anticipated that there would be a shortage of school places, as such, the Education Officer has not objected to the development and has clarified that an education contribution is not required for this development.

### Highway Safety

The proposed development would utilise the existing access which served the hotel, from Doncaster Road via Earlsmere Drive. Given the size of the hotel and associated bar,



restaurant and leisure complex (including swimming pool and spa open to the public), Highways DC, have not raised objection to the utilisation of the access for the proposed 27no. dwellings.

Highways DC have also had some involvement with the internal design of the road layout with the initial plan being revised as a result of their consultee comments, as such, turning and manoeuvring spaces are acceptable

All the properties on the site would have the required number of parking spaces as outlined in SPD 'Parking'.

Given the above, it is not considered that the proposal would result in conditions prejudicial to highway safety.

### Residential Amenity

There is an apartment block to the North East of the Site (Leecrest House) and a Mews development to the North West (Ardsley Mews), the rest of the boundaries are shared with a crematorium and it's associated grounds and access.

Plots 1-4, which are the closest to Leecrest House, would have adequate separation distances, as set out in SPD 'Designing New Housing Development' and have mature planting and trees retained on the rear boundaries. As such, residential amenity would be to a reasonable degree for both existing and future residents.

Plot 27 would be in relatively close proximity to 11 Ardsley Mews and would fall short of the required separation distances set out in the SPD. However, the property has been positioned to the far South of the plot so that it would not sit directly to the rear of the neighbouring dwelling and, as such, would not be an overbearing feature or increase overshadowing to an unreasonable degree.

Ardsley Mews has rear windows facing plot 27 and small gardens between the elevations and the shared boundary. The windows on the ground floor of plot 27 would have limited views of the neighbouring properties and amenity spaces given the boundary between the spaces and the layout and angle of the first floor windows would also result in minimal overlooking, as such, the privacy levels of existing residents would be maintained.

It is acknowledged that the garden area of plot 27 would be overlooked as the windows of Ardsley Mews would face part of it. However, there would be private areas of the garden available and the potential buyers of the plot would be aware, it would not be imposed upon them.

Plot 25 would also back onto Ardsley Mews and partially short of the requirements of the SPD. However, the majority of the proposed rear elevation would be 10m from the boundary, only a small section to the North East of the plot would fall short of this. Furthermore, a mature tree on the rear boundary of plot number 25 would be retained which would limit views to the communal amenity space serving the Mews.

With regards to the internal separation distances of the remaining layout of the site, the properties would adhere to the requirements of the SPD and provide adequate amenity levels for future residents.

### Design & Visual Amenity

Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which

would enhance the existing area. The scale and density of the development is reflective to that of properties within the locality which allows the developments to integrate successfully and promote the regeneration of the area. It is therefore considered that the proposal adheres to the objectives of CSP policies 14, 17, 29 which stress the importance of achieving high quality design.

The scheme incorporates a hierarchy whereby on entry to the site there are quality detached stone built dwellings conducive of the immediate surroundings. There is also an imposing 3 storey stone built pair of semis at the head of the access road (plots 18-19) which would be in a similar position to Ardsley House and provide design similarities. The semis would in no way replace the existing house but would provide a focal point when entering the site, similar to what the current building does.

Once past the main entrance and focal plot, the roads reduce in size with the 2m wide footways giving way to 700mm margins. The materials also change from stone to brick, with some of the smaller 2 and 3 bedroom units located to the South Eastern corner but still very much integrated into the scheme as a whole.

The majority of the dwellings would also be viewed against the backdrop of the existing mature trees which are to be retained along the site boundaries. These would soften the development and aid the properties settling within their surroundings.

With regard to parking arrangements the layout does not appear to be car dominated, parking areas are provided to the front and sides of the properties and their dominance/impact will be softened as a result of soft landscaped front gardens and landscaping within the highway. All of the properties are served with front to rear access which allow for the storage of bins outside of the public domain.

### Ecology

A Habitat Survey was submitted alongside the application which included extended phase 1 habitat survey (including desk study), internal and external building inspections for bats, and, three dusk emergence and dawn re-entry bat detector surveys.

The site contains a limited range of habitat types, of value to biodiversity. Over half of the site comprises the hotel building and a large hard standing car park. Areas of dense scrub, introduced shrub, scattered trees and hedgerow are situated along the borders of the site, and an area of broad-leaved woodland is located to the south and west of the hotel building, growing within amenity grassland. The woodland and border habitat provide favourable foraging opportunities for bats, as well as for nesting birds. The site does not provide suitable habitat for reptiles or amphibians. No evidence of other protected species was found during survey.

A European Protected Species Licence (EPSL) would need to be obtained from Natural England before demolition of the area of the building containing the soprano pipistrelle roost could take place

The EPSL application would need to include a detailed Method Statement, describing how the works would be undertaken in a manner that would avoid harming bats, along with the measures that would be taken to compensate for the loss of the original roost. Considering that the roost within the building is most likely to be a maternity colony, a comprehensive

mitigation strategy would need to be applied, in order to ensure that alternative roosting opportunities, suitable for a maternity colony, are provided.

The Ecology report recommends that, in order to accord with best practice, those trees which are scheduled for removal, and which have been identified as having potential to support roosting bats should be subject to a 'confirmatory' dusk or dawn bat detector survey, or to a 'climb-and-inspect' survey by, or under the direct supervision of a Natural England licensed bat ecologist, before they are felled.

In terms of vegetation the report recommends that this should be removed outside of the main bird breeding season (which for most species extends between March and August inclusive). Should this not be feasible, then it is recommended that a check for nesting birds should be undertaken immediately prior to removal or disturbance of habitats that have potential to support nesting birds. Should nesting birds be encountered, an exclusion zone around any active nests would be required to prevent damage of the nests and injury to the young birds until they had fledged. Furthermore, it is recommended that a range of new nesting opportunities should be provided within the proposed development. This could be achieved by additional tree and scrub planting, and by the erection of a range of bird boxes, suitable for house sparrow, starling, blue tit and great tit, on trees and/ or new or existing buildings.

The series of enhancement measures outlined above align with the objectives of the NPPF and CSP 36. These measures can be conditioned as part of any approval.

### Trees

There are 73 subject trees and three groups of trees, almost all of which are peripheral to the site, with 21 trees and one group being off site. Of this total 24 trees and one group are to be removed, which includes three which are of poor potential. All the other trees are to be retained and several are to have their crown overhang into the site pruned back. The Tree Officer has raised no objections to the trees to be removed and supports the retention of the majority of trees along the site boundary.

The protection of retained trees can be effected in accordance with current standards and guidance, and there are no matters of post development pressure upon trees that could not be managed with routine maintenance. The proposal is therefore sustainable in arboricultural terms.

### **Conclusion**

The buildings aesthetic value has been substantially negatively impacted on due to the addition of modern extensions surrounding the former house, which detract from the significance of the historic structure. Not only do the modern additions detract, they have also resulted in physical damage to the historic fabric throughout the ground floor. As such, there are no objections to the demolition of the building subject to the required archaeological reports/watching brief.

The proposed site is located in Urban Barnsley which is identified in the Core Strategy as the priority settlement for growth. Furthermore the scheme would be a redevelopment of a brown field site within a highly sustainable area, close to services and facilities.

Taking into account the relevant development plan policies and other material considerations, subject to mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated

with the granting of planning permission. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

#### Recommendation

Members resolve to grant subject to conditions & s106 agreement:

- 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 unless required by any other conditions in this permission.

#### Plans;

2020-202-H - Site Plan

2020-210-C - GA's & Elevations plots 1, 4, 26

2020-211-C - GA's & Elevations plots 7,8, 22,23

2020-212-C - GA's & Elevations plots 2

2020-213-C - GA's & Elevations plots 20, 25

2020-214-C - GA's & Elevations plots 3

2020-215-C - GA's & Elevations plots 6, 17, 21, 24

2020-216-B - GA's & Elevations plots 13-14, 15-16

2020-217-C - GA's & Elevations plots 9-10, 11-12

2020-218-C - GA's & Elevations plots 5

2020-219-C - GA's & Elevations plots 27

2020-220-C - GA's & Elevations plots 18-19

**Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.**

- 3 The development hereby approved shall be carried out in accordance with the recommendations set out in section 4.0 of the 'Extended Phase 1 Habitat Survey and Bat Surveys' prepared by SLR Global Solutions dated November 2014 (REF: 402.05154.00001.00002).  
**Reason: in the interest of protected species and in accordance with CSP 36 'Biodiversity and Geodiversity'.**

- 4 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be

carried out in accordance with the approved details.

**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.**

- 5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before any dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP 29, Design.**

- 6 No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. Discharge from the northern section of the site into the public surface water sewer network via the existing surface water connection shall be restricted to a maximum of 42.7 (forty two point seven) litres per second.

Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

**Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

- 7 No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. The peak pumped foul water discharge shall not exceed 3 (three) litres per second. Furthermore, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
- Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

- 8 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of

motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**

- 9 Prior to commencement of development full highway engineering construction details, (including highway retaining structures, and phasing of the highway works) shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.

**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 10 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.

**Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**

- 11 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

**Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.**

- 12 No development or other operations being undertaken on site shall take place until the following documents have been submitted to and approved in writing by the Local Planning

Authority:

Tree protective barrier details

Tree protection plan

Arboricultural method statement

The documents shall be in accordance with British Standard 5837:2012 (Trees in relation to design, demolition and construction - Recommendations)

The development shall be carried out in accordance with the approved details and the approved fencing shall be installed before 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.**

- 13 No development shall take place until a Historic England Level 3/4 survey of the historic Ardsley House structure, including a structural watching brief during soft strip and demolition works, is submitted to, and approved by, the Local Planning Authority. The works shall be carried out in accordance with the approved document.

**Reason: In the interest of the Historic Environment and in accordance with CSP 30.**

- 14 Prior to demolition a 'confirmatory' dusk/ dawn bat detector survey should take place, the findings of which shall be submitted to, and approved in writing by, the Local Planning Authority. Furthermore, a sensitive demolition protocol should be followed in order to minimise the risk of killing or injuring bats during building works. Sensitive demolition will involve the careful hand-removal of ridge tiles, fascia boards, soffit boxes, hanging tiles, lead flashing and loose roof tiles. Should bats, or signs of bats (such as droppings) be found, work should stop locally and an ecologists consulted.

**Reason: in the interest of protected species and in accordance with CSP 36 'Biodiversity and Geodiversity'.**

- 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:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Siting of sales cabin
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

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

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

**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

- 17 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

**Reason: To ensure a safe and adequate highway network, in the interest of road safety in accordance with CSP26**

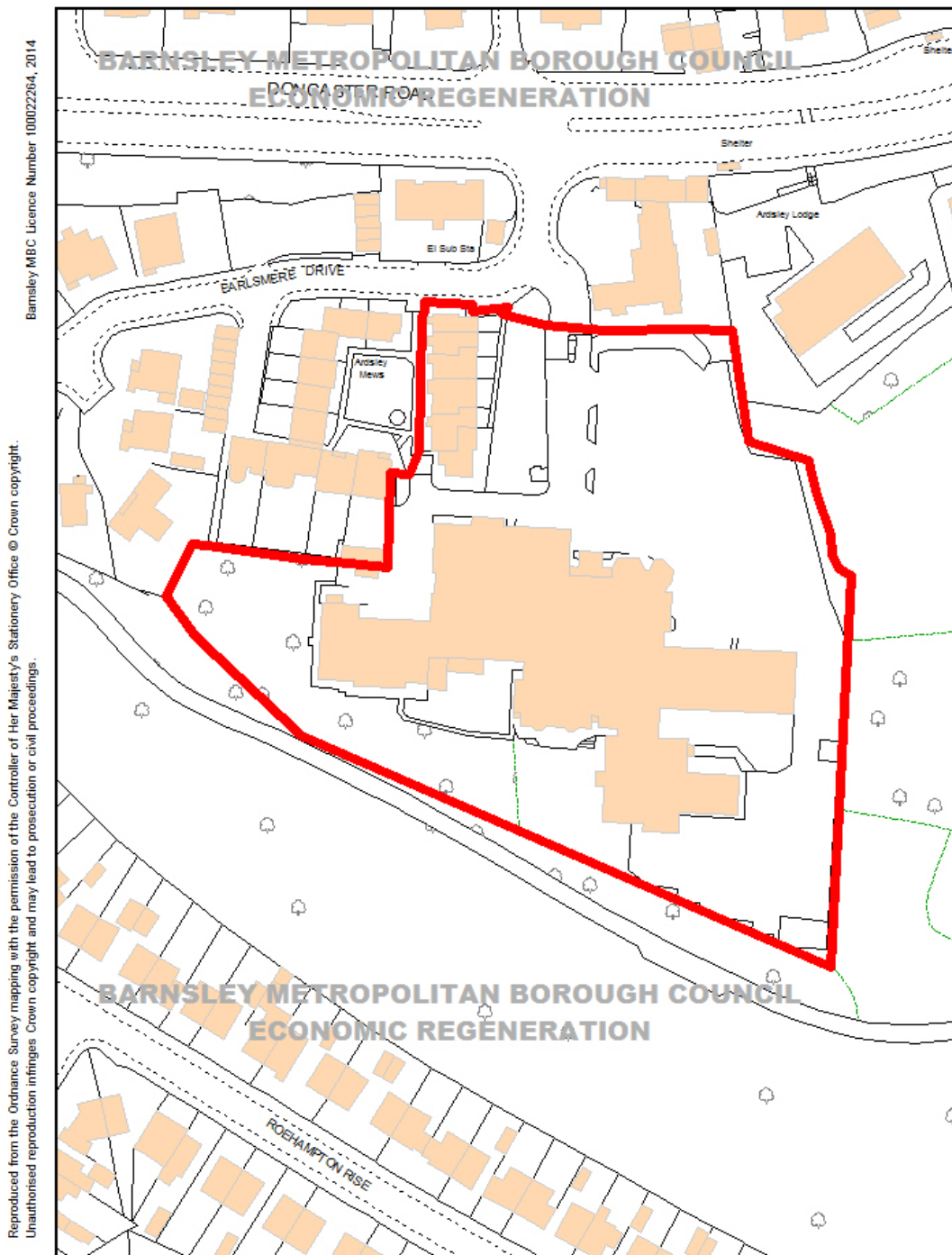
- 18 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority,

**Reason: To ensure a safe and adequate highway network, in the interest of road safety in accordance with CSP26**



PA reference :-

2015/0961



Barnsley MBC Licence Number 10002264, 2014

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**BARNSELY MBC - Economic Regeneration**

Service Director: David Shepherd  
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Scale 1:1250

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**Ref 2015/1425**

**Applicant:** D J Atkinson Construction Limited

**Description:** Residential development of 30 dwellings

**Site Address:** Land off Havelock Street adjacent to Snape Hill Road, Darfield

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Objections from 3 local residents.

### **Site Description**

The site forms a 0.7ha area of land which is located off Snape Hill Road in Darfield. The site consists part of a hillside that is located behind the existing terraced properties on Snape Hill Road.

The site is irregular in shape and is grassed over. It is relatively clear of features apart from minimal amounts of vegetation. The site is however surrounded by existing development on all sides by properties located on Snape Hill Road, Verona Rise and Hill Street. The levels differences are such that the land slopes from Snape Hill Road to be up to 7m higher on the northern boundary which is shared with the 2 existing large detached dwellings on Hill Street. A high level retaining wall exists on this boundary which is faced with stone.

The site does also have two separate roads that come part way into the site before forming dead ends. Despite being separated at present both spurs of road have the same name, Havelock Street. The roads serve the purpose of providing rear access to a number of the existing properties located between Nos 88-116 Snape Hill Road. A bus stop is located immediately adjacent to the south west boundary of the site.

### **Proposed Development**

The application seeks full planning permission for a development of 30 houses. The supporting documents state that the properties would all be provided as affordable housing for the Together Housing Group and offered on long term assured tenancy to those in local housing need.

Overall it is proposed to build 21 two bed houses and 9 three bed properties. All would be two storeys. The works would also see the two ends of Havelock Street reconnecting with each other to provide an internal estate road to serve the development.

The plans show that the site would be made suitable for development by the land being excavated as it rises to the north to create a development platform whereby the levels differences across the site would be much reduced compared with the existing situation. This would ensure that the houses, gardens and roads would all be constructed on conventional gradients that would achieve an acceptable standard of appearance. A new retaining wall would be constructed at the new base of the reduced banking.

## **History**

Previous planning applications at the site are as follows:-

2005/1806 - Residential Development - Erection of 20 no. three and four bedroomed houses and 10 no. one and two bedroomed apartments. Decision: Refused planning permission 07/02/2006. The main reason can be summarised as concerns about the amount of previously developed sites that were available as an alternative to the site being developed and that the development would weaken the Council's ability to achieve national and regional targets for the number of new houses built on previously developed land. Concerns were also stated about the early release of a phase 2 UDP housing proposal site.

2006/1126 – Proposed erection of 20 no. three and four bedroomed houses and 10 apartments (Resubmission). Decision: Refused planning permission 25/08/2006. The reasons for refusal were similar to application 2015/1806. However an additional reason for refusal was added due to concerns about the proximity of the apartment block to land located adjacent to the site which was felt could prejudice future development and that it would provide substandard amenity space for future residents.

2012/0256 - Residential Development comprising of 32 no. dwellings (Outline). Decision: Granted outline planning permission with conditions 30/05/2012.

2013/1309 - Removal of conditions 10, 12 and 13 (Relating to renewables, affordable housing and open space requirements) of previously approved 2012/0256 - Residential Development comprising of 32 no. dwellings (Outline). Decision: No decision as the application was withdrawn.

In addition the land to the north of the site was the subject of planning application 2007/1699 and 2010/1502 (extension of time) for a development of four detached and ten semi-detached houses with integral garages. This permission was scheduled to time expire 14<sup>th</sup> February 2014. However Building Control records indicate that foundations of 2 of the plots were constructed prior to this date indicating a material start.

## **Policy Context**

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

The Council has produced a Local Plan Consultation Draft 2014, which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

## Local Development Framework Core Strategy

CSP3 'Sustainable Drainage Systems'  
CSP4 'Flood Risk'  
CSP8 'The Location of Growth'  
CSP9 'The Number of New Homes to be Built'  
CSP10 'The Distribution of New Homes'  
CSP14 'Housing Mix and Efficient Use of Land'  
CSP15 'Affordable Housing'  
CSP26 'New Development and Highway Improvement'  
CSP29 'Design'  
CSP36 'Biodiversity and Geodiversity'  
CSP39 'Contaminated and Unstable Land'  
CSP40 'Pollution Control and Protection'  
CSP42 'Infrastructure and Planning Obligations'

## Saved UDP Policies

UDP notation: Housing Proposal  
H4 'Development on Housing Sites'

## SPD's

- Designing New Residential Development
- Parking
- Open Space Provision on New Housing Developments

## Other

South Yorkshire Residential Design Guide

## Draft Local Plan

Proposed allocation: Urban Fabric

## 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 – No objections provided that arrangements are in place for the dwellings to be constructed for affordable rent purposes.

Coal Authority – No objections. The site is in a Coal Mining Referral Area. However the ground investigation work has demonstrated that the site is safe and stable for the proposed development.

Contaminated Land – No objections as the ground investigation work has not identified any elevated levels of contamination on the site.

Drainage – No objections subject to conditions requiring full surface and foul water drainage details to be submitted prior to the commencement of development.

Education – No objections.

Highways – No objections subject to conditions.

Regulatory Services – No objections. However a construction method statement should be provided prior to the commencement of development.

Tree Officer – No objections subject to a good standard of soft landscaping being provided as part of the development.

SYMAS – No objections taking into account the conclusions of the mining investigation report.

Waste Management – No objections.

Yorkshire Water – No objections subject to a condition requiring full foul and surface water drainage details to be provided prior to the commencement of development.

## **Representations**

The application was advertised by neighbour notification to 58 properties, 3 site notices and a press notice. Objections have been received from 3 local residents. The main concerns expressed are as follows:-

The main concerns relate to the loss of land located within the site for parking of existing residents on the properties located on Snape Hill Road. It is also stated that Havelock Road is used for parking by customers of the Fish and Chip Shop and Dancing School which are also located nearby.

The plans are criticised for not providing enough parking provision for the new houses and for existing dwellings whereby it is stated that 4 dwellings would be left without any off street parking. Concerns are raised that the effects of this could result in inappropriate parking obstructing the strip of land located behind the properties on Snape Hill Road which is used by a number of the residents to access vehicular parking to the rear of the dwellings. One resident stated that she is 84 years old and disabled and requires unobstructed access at all times.

Additional concerns are expressed that any increase in parking on Snape Hill Road would be dangerous due to the busy nature of the road and because it is used by buses.

In addition a separate concern has also been raised about the impact of the development on the stability of the land and the existing retaining wall located on the northern boundary with Hill Street. It has also been requested that the proposed ground levels or roof pitch heights adjusted for plots 9-12 and 19-22 so that the ridge heights of the plots do not exceed plots 13-18. This is in order to avoid the development having negative effects on the proposed housing development to the north of the site that is related to planning application 2010/1502 (14 dwellings).

## **Assessment**

### Principle of development

The site is allocated for housing development in the UDP (policy DA1/1) and has previously been the subject of an outline planning permission in the recent past for a development of 32 houses. In addition to the above, the site is in a location which is a priority to accommodate new housing growth being located in a Principal Town surrounded by existing residential development(CSP8, 9 and 10).

Advice in the NPPF is that proposals which comply with the development plan should be approved without delay. However, the other implications of the development still need to be fully assessed.

### Visual amenity

The relevant local planning policies for assessing the plans are the Designing New Residential Development SPD, CSP29 'Design', CSP14 'Housing Mix and Efficient Use of Land'.

The first aim of CSP14 'Housing Mix and Efficient Use of Land' is to ensure that housing developments achieve a mixture of house size, type and tenure. The proposal is limited to providing 2 and 3 bedroom properties. However as they would be suitable for up to 5 people the properties would still be suitable to meet the needs of most types of household and contribute towards addressing the affordable housing accommodation needs identified by the most up to date update of the Strategic Housing Market Needs Assessment (SHMA). Evidently the proposals would not achieve a mixed tenure. However the development would make a positive contribution towards addressing the shortfall in the number of affordable houses. The proposals are also viewed positively from a housing delivery perspective in that the development would achieve the minimum density aimed for by CSP14 of 40 dwellings per hectare.

In terms of the plans themselves one of the main issues is overcoming the challenging site topography in order to accommodate the development. The plans show that the site would be made suitable for development by the land being excavated as it rises to the north to create a development platform whereby the levels differences across the site would be much reduced compared with the existing situation. This would ensure that the houses, gardens and roads would all be constructed on conventional gradients that would achieve an acceptable standard of appearance. A new retaining wall would be constructed at the new base of the reduced banking.

The houses themselves would be conventional two storey houses. This might be considered an improvement compared with the previous application which included 14 x 2 and 2 ½ storey dwellings that would have 3 floors internally. Three of the dwellings would infill a gap between the existing houses on the Nanny Marr Road frontage. As these would form a small terrace of their own and be of two storey red brick and grey tile construction I am content that they would assimilate with this street scene to an acceptable degree.

The layout does not allow many opportunities for planting trees within the street scene. As such a high quality soft landscaping scheme would be expected. A condition would be required to agree the specifications. The use of a block paving shared surface rather than a standard tarmac road would also add value to the appearance of the development.

In summary the plans are judged acceptable in relation to housing planning policy and design/visual amenity considerations taking into account a range of policies including CSP14 'Housing Mix and Efficient Use of Land', the Designing Residential Development SPD and CSP29 'Design'. However conditions should be imposed to ensure an appropriate high standard of soft landscaping.

### Residential Amenity

The site has a degree of sensitivity from a residential amenity perspective because of the high number of existing properties located adjacent to the site. However the design of the layout and the proposal to lower the land levels in the northern area of the site results in the plans not conflicting with the SPD to any significant degree regarding overlooking and overshadowing considerations. The separation distances between the plots 15-22 and the houses subject of planning permission 2010/1502 would be below the recommended distances. However given the difference between the floor levels of the two sites overlooking at a harmful level would be avoided provided that a suitable wall or fence is constructed on the boundary between the two sites. In any case I would only afford limited weight to this issue given the delays with the development being constructed affords no guarantee that it shall ever be completed.

The main conflicts are internal within the scheme in terms of the separation distances and some of the gardens being below the minimum standards recommended in the SPD. However the awkward shape of the site and the remaining part of the embankment are constraints which have an effect on the full standards being achieved. The case for larger gardens was put to the applicants. However they have explained that their emphasis is on achieving internal floor space for the dwellings which complies with that recommended by the South Yorkshire Residential Design Guide which is higher than the new National standards. On balance and taking into account the overall merits associated with the development I am minded to accept the proposals subject to condition removing permitted development rights for future extensions. The usual construction method statement would need to be put in place to mitigate the effects of noise and dust during the construction phase.

Representations have been submitted raising concerns about the effect on enjoyment of living conditions based upon the threat to the continued access to parking spaces located to the rear of dwellings on Snape Hill Road. This is addressed in the section below on residential highway safety.

The issue has also been raised about the effect of the development on the stability of the land and existing retaining wall located to the north of the site. However this is not a planning matter meaning that legal responsibility would lie with the developer to ensure that the stability of the land and property is not damaged during the construction work.

### Highway Safety

The main criteria for assessing this issue are CSP26 'New Development and Highway Improvement' and CSP25 'New Development and Sustainable Travel'.

Highways have confirmed that the proposed design is acceptable from a highway design perspective in that the proposed shared surface, manoeuvring and parking arrangements would meet the required standards. In addition the layout makes provision for bin storage and collection points.

Concerns have been raised by residents about inadequate parking provision. However provision for the new dwellings would achieve the standard required by the SPD in terms of 1 space per dwelling being provided to the 2 bedroom properties and 2 spaces per dwelling for the 3 bed dwellings. The development is for affordable rent purposes where a lower rate of car ownership can be expected. In addition a bus stop to a primary bus route is located immediately outside the site entrance. Parking provision for the new houses is judged to be acceptable therefore.

Residents have also raised concerns that the development would take away land used by existing residents to park their cars and by visitors to the Fish and Chip Shop and Dance Studio. However the plans are to retain vehicular access provision to the accesses which exists to the rear of some of the dwellings on Snape Hill Road and so this would not be prevented. In addition it would not be reasonable to require parking provision within the development for the properties and businesses which do not have any legal rights to park within the land at present. Existing double yellow lines would prevent vehicles parking legally on large sections of Snape Hill Road that span across in front of where the site is located. Overall the development is assessed to comply with CSP26 'New Development and Highway Improvement'.

#### Other S106 considerations – education, public open space and affordable housing

Education – Education has confirmed that there is adequate capacity in local primary and secondary schools to accommodate any children from the development.

Open space provision – The provision of new green space is normally required on all developments of 20 more in accordance with the Open Space Provision on New Housing Developments SPD. However, given the scheme is for 100% affordable housing it is not considered appropriate to seek contributions in this instance due to the impact it would have on the viability of the site.

Affordable housing – The development is intended for affordable housing purposes in its entirety and therefore there are no issues with the proposal failing to comply with policy CSP15 'Affordable Housing'. However a S106 Agreement would be required to secure this arrangement.

#### **Other considerations**

##### Drainage/Flood Risk

The site is located outside of flood zones 2 and 3 and therefore the part of policy CSP4 and national policy requiring developments to be steered towards areas of low flood risk is complied with. The main drainage issues therefore relate to the management of surface water whereby it is a requirement that the development is constructed with suitable systems to ensure that surface water run off rates do not exceed the existing greenfield run off rate. A sustainable drainage statement accompanies the application which indicates that this would be achieved either through ground infiltration or discharge into the public network at an attenuated rate. The Council drainage section and Yorkshire Water have considered the application and raised no objections subject to the finer details being agreed via a condition.



## Ground conditions

The site is located in a Coal Mining Referral Area. However intrusive investigations have been carried out found that all coal located below the site was intact with no evidence of workings being encountered. As such the Coal Authority and SYMAS were content not to raise any concerns about the risks to the development from unstable land. The investigations also concluded that no elevated levels of ground contamination resulting in no objections from Pollution Control.

## Trees

There is a small multi stemmed Sycamore and a smaller sapling located on the boundary of the site. These trees are not of any significant value and their removal as part of the scheme is not considered an issue. The only tree of note within the vicinity of the proposal is a tree located in the garden of 116 Snape Hill Road. However given the boundary walls it is not considered that the development poses a threat to this tree. Nevertheless it is expected that some new tree planting will be included as part of the landscaping. This has been insufficiently detailed and as such a condition would be required to agree the specifications.

## Conclusion

In summary the site is allocated for housing development in the UDP (policy DA1/1) and has previously been the subject of an outline planning permission in the recent past for a development of 32 houses. In addition to the above the site is in a location which is a priority to accommodate new housing growth (CSP8, 9 and 10). Advice in the NPPF is that proposals which comply with the development plan should be approved without delay.

An assessment of the other impacts of the development has been carried out. However in the opinion of the Local Planning Authority there are no significant or adverse impacts that would outweigh the benefits of allowing the application in that:-

- The plans are judged to be acceptable in relation to housing planning policy and design/visual and residential amenity considerations having regards to the Designing New Residential Development SPD, CSP29 'Design', CSP14 'Housing Mix and Efficient Use of Land'.
- The access, road design and parking provision for the development are judged acceptable taking into account highways design guidance and the parking SPD. Accordingly proposal is judged acceptable when considered against policy CSP26 'New Development and Highway Improvement'.
- The proposals are considered to satisfy the relevant Core Strategy policies covering other material considerations including flood risk, coal mining risk, trees and pollution control issues.

Therefore it is recommended to the Board that the application is granted planning permission, subject to the conditions listed below and a S106 Agreement to secure the affordable housing arrangements.

## Recommendation

Grant planning permission with conditions subject to a S106 Agreement:

- 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:-  
14-041-10 rev M Site Layout Proposed  
14-041-1 rev C House types as proposed. Type 1A: 2B 4P x 2  
14-041-12 rev C House types as proposed. Type 1B: 2B 4P x 3  
14-041-13 rev C House type as proposed. Type 1C: 2B 4P x 3  
14-041-14 rev C House type as proposed. Type 2A: 3B 5P x 2  
14-041-15 rev C House type as proposed. Type 2B: 3B 5P x 3  
14-041-16 rev C House types as proposed. Type 3A: 3B 5P x 2, 2B 4P  
-The recommendations contained within Eastwood and Partners Ground Investigation report ref 28489  
-The recommendations contained in the Inspire Design and Development Ltd 'Sustainable Drainage Statement'  
-the email 05/05/2016 stating the proposed external facing brick types to be used and the detailing that windows shall be set back within the reveal.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 4 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**

- 5 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 6 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:  
-The parking of vehicles of site operatives and visitors  
-Means of access for construction traffic  
-Loading and unloading of plant and materials  
-Storage of plant and materials used in constructing the development  
- Siting of sales cabin  
-The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate  
-Wheel washing facilities  
-Measures to control the emission of dust and dirt during construction  
-Measures to control noise levels during construction  
**Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.**
- 7 Vehicular and pedestrian gradients within the site shall not exceed 1:12.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 8 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 9 No development shall take place until:
- (a) Full foul and surface water drainage details, including a scheme to reduce surface surface water run-off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:
  - (b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;
  - (c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;
- Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and the scheme shall be retained throughout the life of the development.
- Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.**
- 10 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the dwellings.
- Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**
- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**
- 12 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details.
- Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29.**

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages shall be erected.  
**Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property in accordance with Core Strategy Policy CSP 29.**
- 14 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the roofs of the dwellings (excluding plots 3-5 and 23-25) which would otherwise be permitted by Parts B and C of Schedule 2 of that Order shall be carried out without the prior written consent of the Local Planning Authority.  
**Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property in accordance with Core Strategy Policy CSP 29.**
- 16 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway,  
**Reason: In the interest of road safety in accordance with CSP26.**
- 17 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway,  
**Reason: in the interest of road safety in accordance with CSP26.**

18 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- Measures to prevent parking on Snape Hill Road.

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.

**Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**

19 Prior to the commencement of development, details of the transition from conventional road to shared surface, including ramp detail, shall be submitted to and approved in writing by the Local Planning Authority, the approved detail shall then be constructed on site,

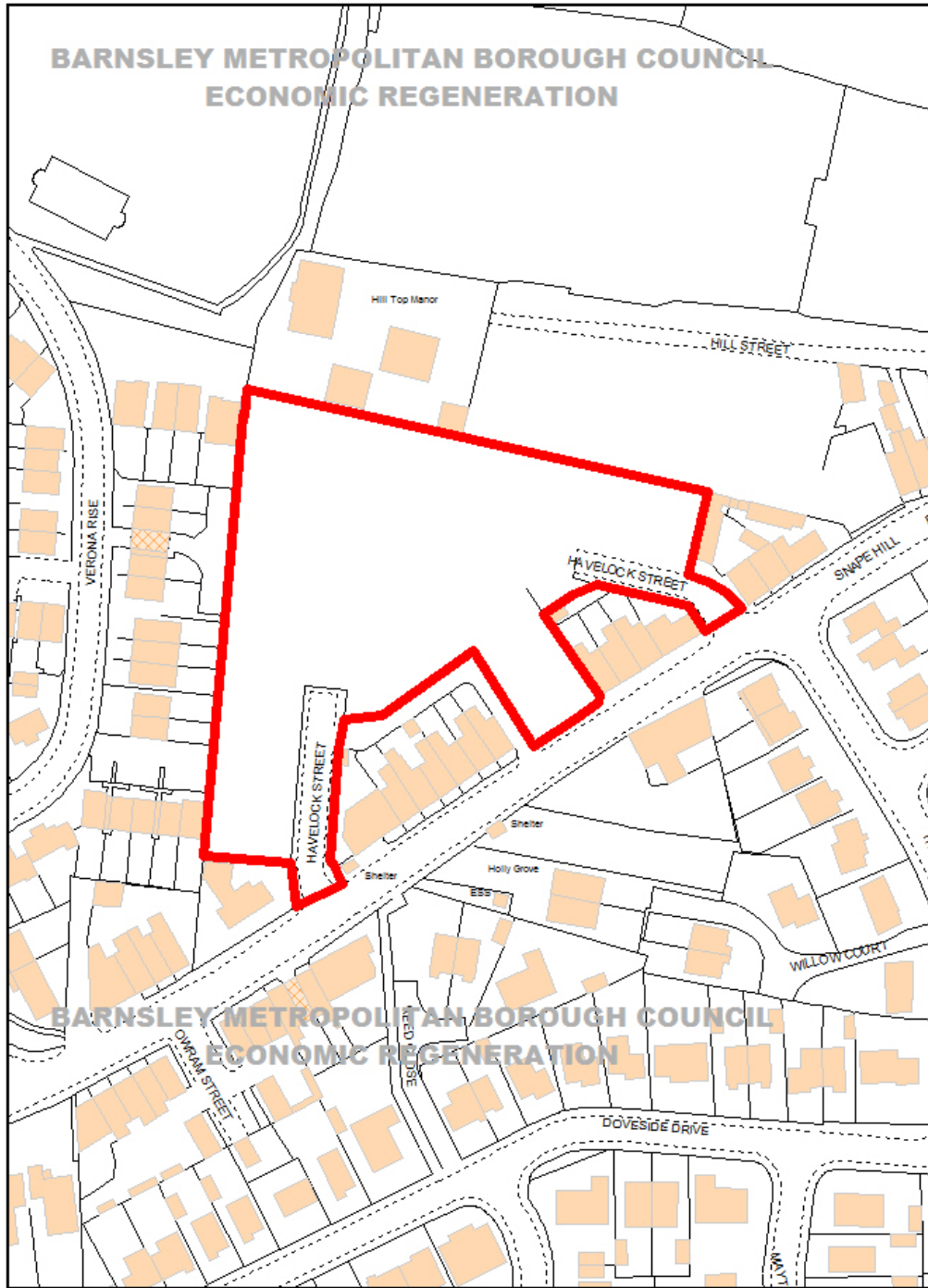
**Reason: In the interest of road safety in accordance with CSP26.**

PA reference :-

2015/1425

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**BARNLSLEY MBC - Economic Regeneration**

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Tel: 01226 772621



Scale 1:1250

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**Ref: 2016/0076**

**Applicant:** Premier Construction (Northern) Ltd

**Description:** Residential Development of 14 no. dwellings and associated works.

**Site Address:** Land at Newsome Avenue, Wombwell, Barnsley

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One letter of representation received.

The application is presented before Board Members as it is the subject of a S106 agreement for loss of green space.

### **Site Description**

The site comprises a former Council owned youth centre building and its access and parking areas, along with a green space at the rear of the building. In the past the site also formed part of the grounds of Highfield Junior and Infant School.

The youth centre and associated land covers 0.41 hectares. The building that housed the youth centre is accessed via a long driveway so the site is long and narrow. Access is taken from Newsome Avenue to the south west.

The north-west boundary of the site borders onto rear gardens of houses fronting onto Wainwright Avenue. The north east boundary borders the site that was previous occupied by Highfield Grange Resource Centre, although the building has been cleared from the site. This adjoining site was recently granted planning permission for 43 dwellings under planning permission 2015/1302. The south eastern boundary borders the car park for a recently built three storey 50 bedroom Sheltered Housing Scheme. This is built around a central courtyard and contains habitable room windows on all elevations.

### **Proposed Development**

The proposal is to build 14 dwellings served off a long cul-de-sac. There would be 6 houses along the northern part next to the turning head, where a further three houses are shown at right angle to the new road. A pair of semi-detached houses would be located at the entrance to the site. The remaining three houses are shown along the western side of the cul-de-sac.

Access would be gained off Newsome Avenue. The properties proposed would be a mix of detached, semi-detached and terraced properties and all would be two or two and a half storeys in height.

### **Policy Context**

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



## Core Strategy

CSP1 Climate Change  
CSP2 Sustainable construction.  
CSP3 SuDS.  
CSP14 Efficient use of land  
CSP26 New Development and Highway Improvement  
CSP29 Design.

## Saved UDP Policies

The site is within Housing Policy Area on the UDP.

## SPD's

- Designing New Residential Development
- Parking
- Open Space Provision on New Housing Developments

## Other

South Yorkshire Residential Design Guide

## Draft Local Plan

Proposed allocation: Urban Fabric

## 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**

Highways -. No objections subject to conditions.

Trees - No objections

Highways drainage - No objections subject to conditions.

Yorkshire Water - No objections subject to conditions.

Pollution Control - No objections subject to conditions.

South Yorkshire Police - No objections in principle

## **Representations**

One letter received that raises a concern about potential loss of sunlight to a rear garden.

## **Assessment**

### Principle of development

Planning law is that decisions should be taken in accordance with the Development Plan unless material considerations indicate otherwise.

The current position is that the Development Plan consists of the Local Development Framework Core Strategy and the saved Policies of the Unitary Development Plan.

The National Planning Policy Framework (NPPF) is also a significant material consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision taking this means:-

- approving development proposals that accord with the development plan without delay
- where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
  - specific policies in the Framework indicate development should be restricted.

The existing Unitary Development Plan notation on the proposed housing site is as an existing community facility given its previous use as a school site. Core Strategy policy CSP 43 'Educational Facilities and Community Uses' is therefore relevant. This policy provides protection for sites previously used for community facilities unless it can be demonstrated that sites are no longer required by the existing use, or for an alternative community use. As with the land now developed for sheltered housing, the education needs of the site ceased with the opening of the new Highfield Junior and Infant School and an exercise was undertaken in 2007 to establish whether there was demand for alternative community uses but none were forthcoming. The part of the site that forms this application was retained to facilitate the use for the scout hut but this has now ceased operating and as such the site was put out to the market by the Council. No other interests other than for residential development were received and, given the awkward linear nature of the site, and the previous exercise to find other uses, it is therefore considered that this demonstrates that the requirements of the policy have been satisfactorily addressed and other uses can be considered for the site.

The site is located within predominantly residential surroundings and is within a Principal Town where there is priority to accommodate housing growth. The site is a brownfield site with bus stops in close proximity along Newsome Avenue allowing ease of access to shops and services in Wombwell whilst there is also a school in walking distance to the site. As such the proposal is considered to be in a sustainable location where the principal of residential development would be considered appropriate.

Part of the application site is designated as green space.. Core Strategy policy CSP35 'Green space' states that we will only allow development proposals that result in the loss of green space where the loss would not affect the provision of and need for greenspace in the area; an appropriate replacement greenspace is provided; the development is small scale facilities to support/improve the greenspace function. There is therefore a conflict with policy CSP35. In this instance the principle of loss of greenspace will only be considered acceptable subject to receipt of compensation provision in accordance with CSP35. A figure of £2000 per dwelling on those properties on the area of green space (6 dwellings in total) is considered appropriate in this instance and this would be subject of a Section 106 agreement.

With reference to the proposed scale of development, Core Strategy policy CSP14 'Housing mix and Efficient use of land' includes requirement for a broad mix of house size, type and tenure and a minimum density of 40 dwellings per hectare. However, the proposed scale of development (approximately 34 dwellings per hectare) is considered appropriate given site constraints including the site shape and the existing sewer.

### Residential Amenity

The main issues relate to the impact of overlooking due to short rear gardens on houses fronting Wainwright Avenue and overlooking and overshadowing of the site from the adjacent sheltered housing scheme.

Due to the constrained width of the site three plots (3, 4, and 5) would have short rear gardens (circa 6-8m) although in area the smallest garden area would still be 90 square metres. Nevertheless, there could therefore be overlooking of the adjacent rear gardens from upper floor habitable room windows. However, the neighbouring rear properties are in excess of 30m away from the new dwellings having the benefit of very long rear gardens. As such the distance from habitable room windows between the properties would far exceed the 21 m distance guidelines in the SPD. As such it is not considered that there would be any significant overlooking to these near neighbours. The distance between the properties would also assist in ensuring there are no significant overshadowing impacts to these near dwellings.

The site is next to a new development of sheltered housing on three floors so there is potential for overlooking of front habitable room windows in the new houses and overshadowing given that the orientation is east west. However, the distance between the closest plots and the sheltered housing is circa 21m. It should be noted that as this is the front and there is a road between, and in this case the relevant SPD recommends that for opposing developments of the same height the minimum recommended distance would be 12m. However, the sheltered housing is one storey higher and this is not a traditional streetscene relationship so 21m would be a suitable distance in the circumstances.

Consideration has also been given to the relationship between plots 9 to 14 and the approved development to the rear off Blythe Street, to ensure adequate separation distances are maintained.

### Visual Amenity

The site is currently a long driveway up to a single storey flat roofed brown brick building. It is bounded by metal fencing and there are some trees in adjacent gardens. It has no physical features of any particular worth that would require special consideration. Most of the plots would either face the new estate road or be situated around a turning head at the northern part of the site that backs onto the Highfield Grange Resource Centre and is well away from Newsome Avenue.

The redevelopment of the site would result in a pair of semi-detached houses being located facing on to Newsome Avenue and there would be views of the proposed development across the adjacent Sheltered Housing car park. Therefore, the visual relationship between this modern three storey development and the proposed two storey houses will be an important factor. There is sufficient separation distance to ensure that the juxtaposition of the two developments would not be jarring or inappropriate.

There is little opportunity to provide substantial landscaping alongside the new estate road due to the width constraints but landscaping in the Sheltered Housing site which will mature would augment this and eventually lead to a softening of the outlook.

On the basis of the above there would be no grounds to raise any objection in terms of the impact of the development on the character and appearance of the area and this proposal would accord with Core Strategy policy CSP29 Design.

### Highway Safety

The site would utilise the existing access off Newsome Avenue and would provide adequate off-street parking facilities for all the dwellings. Off-street car parking is not dominant along the frontage of the development and as such the visual appearance of the streetscene can be enhanced by views of the buildings and appropriate soft planting measures. The Council's Highways Section have raised no objections to the scheme.

### Drainage

The applicants have submitted a Drainage Strategy which proposes that all surface water from the development is disposed of by Infiltration with a soakaway strategy proposed to deal with this. In terms of foul water the proposal is to connect all foul water to one of the public foul/combined sewers located in the locality. These proposals have been assessed by the Council's Drainage Section and Yorkshire Water who have both raised no objections to the scheme.

### Section 106 Contributions

The loss of green space requires a compensatory sum which the applicants have agreed to. The scale of the development means that there are no requirements for contributions to affordable housing or public open space.

### Conclusion

The scheme is considered a suitable use for this brownfield site in predominantly residential surroundings. The proposal is not considered to result in conditions detrimental to highway safety, visual amenity or residential enmity and as such is recommended for approval subject to the relevant conditions and the signing of the Section 106 Agreement.

## Recommendation

Grant subject to conditions and signing of Section 106:

- 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 15-126-Rev C, 15-126-FS-1, 15-126-FS-2, 15-126-FS-3, 15-126-FB-, 15-126-FB-2, 15-126-FB-3, 15-126-F/H-1 RevA, 15-126-F/H-2, 15-126-F/H-3 RevA, 15-126-GS1 RevA, 15-126-GS2, 15-126-GS3, 15-126-GS4 RevA, 15-126-D1, 15-126-D1, 15-126-D2, 15-126-D3, 15-126-C1RevA, 15-126-C2, 15-126-C3RevA and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 3 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 enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected (on plots, 3,4 and 5).  
**Reason: To safeguard the residential amenities of the adjacent residential occupiers in accordance with Core Strategy Policy CSP29, Design.**
- 4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.  
**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP 29, Design.**
- 5 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Core Strategy Policy CSP 29, Design.**

- 6 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.**
- 7 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**
- 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**
- 9 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 10 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

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

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

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

12 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

**Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**

13 No development shall take place until:

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

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

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

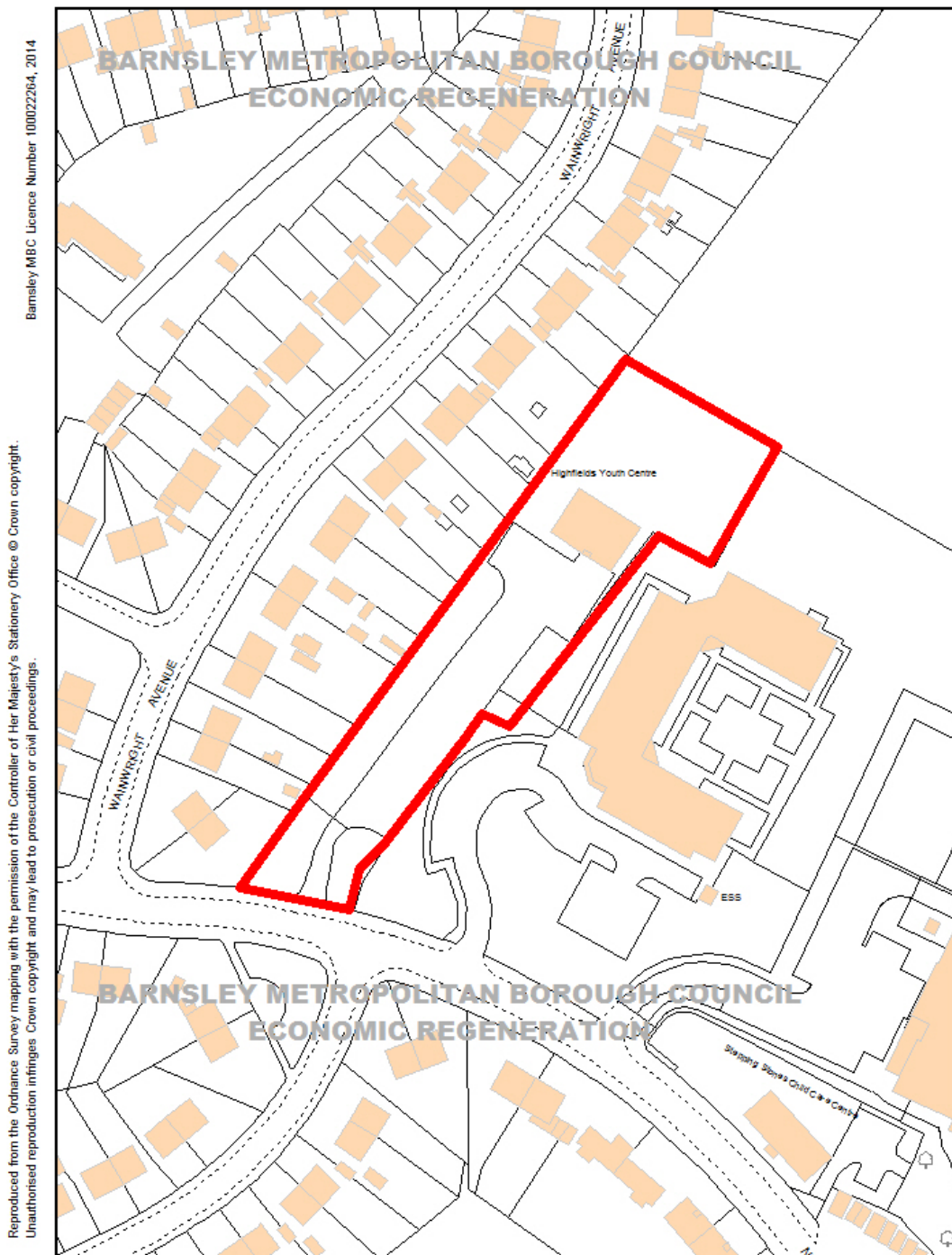
Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

**Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**



PA reference :-

2016/0076



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**BARNESLEY MBC - Economic Regeneration**

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



Scale 1:1250

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**Ref: 2016/0302**

**Applicant:** Mr & Mrs Chris Groom

**Description:** Erection of dwelling and garage with alterations to existing access.

**Site Address:** Old Quarry Site, Common Road, Brierley, Barnsley.

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One letter of support

This application is before Members as it involves a Section 106 Agreement

### **Site Description**

The site is located on the Northern side of Common Road in Brierley. Common Road is the main road through Brierley, linking Brierley to neighbouring villages. The site in question is a disused and overgrown quarry at the eastern margin of the Brierley Conservation Area, which provided much of the original building stone in the village.

Brierley village and its historic core exhibits a range of architectural styles and ages from stone farmhouses and farm buildings typical of the upland vernacular found elsewhere in the Borough, through pre-war semi and detached dwellings, to a modern estate development. The prevalent traditional elements of the Conservation Area still lend significant character to the Conservation Area. These include Brierley Hall, Grange farm, Hall Farm, and Lilac Farm, as well as buildings at the eastern end of Common Road. These traditional elements invariably include buildings with relatively simple forms, some terraced rows, not exceeding 2 stores in height.

The site itself has a total area of 0.26Ha. It has an existing access to Common Road. The site is the extent of a former Quarry used to extract local stone but has been redundant for many years.

The site is roughly rectangular with a frontage to Common Road of 64 metres and a depth of 40 metres. There is a difference in level between the road at the land at the rear of approximately 4.5m to the lowest point. At the rear of the site the quarry wall is approximately 10 metres high.

### **Previous Planning History**

The site has been the subject of previous planning applications. Those of relevance to the application are as follows:

2013/0645 - Residential development - erection of 3 no. detached dwellings with garages and access improvements. This application was granted planning permission on the 22<sup>nd</sup> January 2014 and as such is still extant and able to be implemented.

2011/0337 - Erection of 6 dwellings refused and dismissed on appeal.

## **Proposed Development**

To construct a large two storey built dwelling, single storey annex and garage that will allow the majority of the existing trees to be retained. The proposed core dwelling would be in the centre of the site set back 20m from the road at the end of a long drive. The attached garage would be set further forward (12m from the road) as it is in front of a swimming pool. The one bedroom annex would be on the opposite side of the main part of the dwelling and has a sitting room and kitchen dining room.

The core dwelling would have 4 bedrooms, an attic, kitchen breakfast room, family room, dining room, lounge study, utility room and halls.

This is a bespoke design that has broken up the mass of this large house. It is split up in its massing with hipped roofs and it has a basic symmetry. It has a lot of depth and a lot of modelling in terms of there being three distinct elements, it has a glazed entrance porch, stone quoins, discreet dormers with lead cheeks and a chimney stack.

The proposed building materials are artificial stone slates for the roofs and natural coursed walling. The windows would have a regular horizontal emphasis with glazing bars, stone heads and cills.

The application is supported by a Design and Access Statement, Tree Survey, Arboricultural Method Statement and Geotechnical and Geo Environmental Site Investigation report. A draft section 106 has been submitted agreeing a compensatory figure of £10,000 for loss of greenspace which matched that compensatory figure agreed as part of planning permission 2013/0645.

## **Policy Context**

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

### Core Strategy

CSP 26 – New Development and Highway Improvement –

CSP29 – Design .

CSP30 – The Historic Environment

CSP35 – Green Space .

CSP36 - Biodiversity

### Saved UDP Policies

The site is within a Housing Policy Area on the UDP.

H8A – The scale, layout, height and design of all new dwellings proposed within the existing residential areas must ensure that the living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy, landscaping and access arrangements.

H8D – Planning permission for infill, backland or tandem development involving single or a small number of dwellings within existing residential areas will only be granted where development would not result in harm to the local environment or the amenities of existing residents, create traffic problems or prejudice the possible future development of a larger area of land.

#### SPDs/SPGs

SPD 'Designing New Housing Development'

SPD 'Parking' provides parking requirements for all types of development.

#### Emerging Local Plan

The Draft Local allocates the site as urban greenspace.

#### Other material considerations

South Yorkshire Residential Design Guide - 2011

#### NPPF

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

In respect of this application, relevant policies include:

General principles para 17  
Design para 58 – 65

#### **Consultations**

Highways - No objections to the proposed development in a highway context, subject to conditions.

Pollution Control - No objections

Highways drainage - No comments

Trees - No objections subject to conditions.

Conservation - No objections subject to conditions.

## **Representations**

One letter has been received supporting the redevelopment.

## **Assessment**

### Principle of development

This site has an extant planning permission for residential development of three houses. Therefore, the principal of residential usage of the site has been established.

The site is considered as green space but development was accepted under the previous planning permission subject to a compensatory figure for green space being provided. The applicant has agreed to match that previously agreed figure which can be secured by a Section 106 agreement. As such Policy CSP35 is considered to be complied with.

### Residential Amenity

The Council's SPD Designing New Housing Development is concerned with ensuring that the separation distances allow sufficient space about building for there to be no overlooking, overshadowing or over dominance. In this regard the development meets the requisite standards. The South Yorkshire Residential Design Guide is also relevant in relation to minimum garden sizes which again are met.

This site is ample to accommodate one dwelling as it previously had permission for three dwellings. At the rear and sides there are the walls of the former quarry, which are masked by mature trees. The nearest neighbour is No.3 Royd View Cottages. This is close to the road so would be in front of the proposed dwelling and is on land that is 2m higher.

For these reasons, there would be no implications in terms of residential amenity.

### Visual Amenity

This is a vacant overgrown former quarry that is bounded by a stone wall, it is within a conservation area and the trees have a TPO on them. Previously the Council has granted permission for three dwellings so the visual implications need to be considered in this context.

Clearly one house, albeit a very large house with a swimming pool and annex, would be more appropriate in terms of retaining trees. The opportunity to keep more of the mature trees and the front stone wall mean that there is minimal impact on the character and appearance of the conservation area. Furthermore, it would be almost opposite Bollingbrooke House, which would be a precedent for or a substantial residence in mature landscaped grounds.

Discussions have taken place with the Conservation Officer and the design is acceptable in this context and is not considered to be of detriment to the Conservation Area or the streetscene

## Trees

A Tree Survey and an Arboricultural Method Statement accompany this application. The survey reports that the majority of trees within the site are self set Category C Trees. The trees of most significance are along the banking and therefore would not be affected by the development. The scheme has however been designed to retain more trees than was previously agreed under application 2013/0645. The Council's Tree Officer is therefore satisfied that the works are acceptable and the retention of more of the trees is of benefit to the site and its surroundings.

## Ecology

There is an extant planning permission that could be carried out. There has been a previous bat survey carried out that found no signs of bat roosting in any part of the site. It was concluded that the retention of vegetation on the quarry walls and around the westerns and southern boundaries would ensure the proposal retained a good level of greenery which would also help local wildlife. This scheme is considered to have a lesser impact on the wildlife of the site than the previous extant scheme and as such is considered acceptable.

## Highway Safety

Highways DC have raised no objections to the proposal subject to conditions. Adequate parking can be provided within the site and given the access off the main road it is not anticipated that any increase in on street parking would result. Visibility is adequate from the entrance and therefore it is concluded that highways safety would be maintained to a reasonable degree in accordance with CSP 26 and H8D

A condition is recommended to ensure that details of the construction period, including parking of vehicles and storage of equipment, are submitted prior to the commencement of development.

The Council's Highways Section have considered the information and have raised no objections to the scheme subject to the imposition of suitable conditions.

## Conclusions

Whilst the proposal results in the loss of Green Space the site is overgrown and under utilised with fly tipping taken place, as a result the compensatory sum of £10,000 for its loss is considered acceptable and is in accordance with the previous permission for the site.

The scheme is of high quality design and materials and is laid out in a way that means that the majority of trees would be retained and the proposal would be respectful of its siting within a Conservation Area. The proposal complies with spacing standards in terms of residential amenity and provides sufficient visibility and parking to meet the standards of the highways department as such approval is recommended.

## Recommendation

Grant subject to section 106 and 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 (Nos P1 REV A, P2 and P3) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 3 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.**
- 4 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 enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.  
**Reason: To safeguard the openness and visual amenities of the Conservation Area in accordance with Core Strategy Policy CSP 29, Design.**
- 5 No development or other operations being undertaken on site shall take place until the following documents in accordance with BS 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 - including specification for proposed tree worksNo development or other operations shall take place except in complete accordance with the approved methodologies.  
**Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.**

6 The erection of barrier's for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

**Reason: To safeguard existing trees, in the interest of visual amenity.**

7 No development shall take place until:

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

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

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

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

**Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

8 Sight lines, having the dimensions 2.4m x 70m, shall be safeguarded at the drive entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.0m above the nearside channel level of the adjacent highway.

**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

9 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

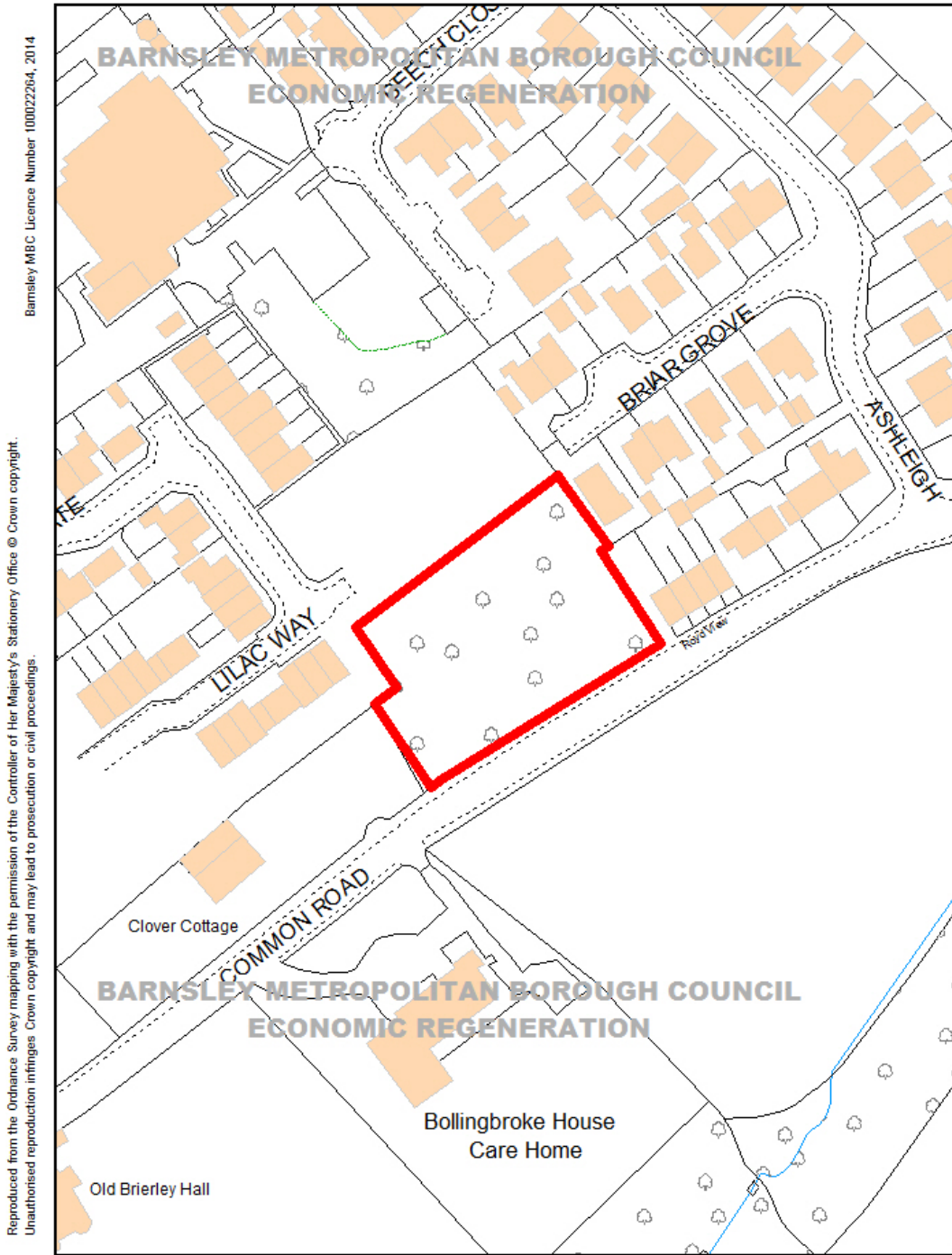
**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**



- 10 Vehicular and pedestrian gradients within the site shall not exceed 1 in 12 to ensure safe and adequate access.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 11 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 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:
- 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
  - Wheel washing facilities
  - Measures to control the emission of dust and dirt during construction
  - Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**
- 13 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway  
**Reason: In the interest of road safety, in accordance with Core Strategy Policy CSP26**

PA reference :-

2016/0302



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**BARNESLEY MBC - Economic Regeneration**

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Scale 1:1250

**BARNSLEY METROPOLITAN BOROUGH COUNCIL**

**PLANNING APPEALS**

**01 April 2016 to 30 April 2016**

**APPEALS RECEIVED**

2 appeals were received in April 2016:

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Committee/ Delegated</u></b>
2014/1449	Erection of boundary fence (Retrospective) at 60 Wath Road, Elsecar, Barnsley, S74 8HR	Written representation	Delegated
2015/0720	Variation of condition 4 of application 2013/0960 (Residential development of 58 dwellings) in relation to surfacing of parking/manoeuvring facilities at Land off Lowfield Road, Bolton Upon Dearne, Rotherham, S63 2TF	Informal hearing	Delegated

**APPEALS WITHDRAWN**

No appeals were withdrawn in April 2016.

**APPEALS DECIDED**

1 appeal was decided in April 2016:

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Committee/ Delegated</u></b>	<b><u>Decision</u></b>
2015/0894	Change of use from function room of a Working Men's Club (D2) to house in multiple occupation (C4) with associated external changes including erection of pitched roof with new openings at Great Houghton WMC, 20 High Street, Great Houghton, Barnsley, S72 0AB	Written representation	Committee	Dismissed

**2016/2017 Cumulative Appeal Totals**

- 1 appeal decided since 01 April 2016
- 1 appeal (100%) dismissed since 01 April 2016
- 0 appeals (0%) allowed since 01 April 2016