
Ref 2021/0668

Applicant: Harron Homes

Description: Reserved matters (layout, scale, appearance and landscaping) pursuant to outline planning permission 2017/0753 for the residential development for approximately 250 dwellings, means of access and associated works (Amended Plans and Supporting Documents proposing a development of 238 dwellings)

Site address: Land to the south of Bleachcroft Way, Stairfoot, Barnsley, S70 3PA

2 objections have been received from local residents.

Site Description

The site lies to the south east of Barnsley Town Centre near to Stairfoot roundabout and is adjacent to the Stairfoot Retail Park. Access is from Bleachcroft Way.

The site is irregular in shape, 10.38 ha in total and is currently undeveloped. To the north lie commercial premises and the currently vacant B and Q store. To the west the site is bounded by the Sheffield-Barnsley Railway line, with open space beyond; to the northwest is an allotment site and Hunningley Primary School beyond the railway line. The south east is bounded by Dob Sike with Green Belt beyond, the east by the disused Barnsley Canal which is designated Green Space in the Local Plan, with the rear elevations of the Tesco superstore and other commercial premises of Stairfoot located adjacent to the site.

At the outline stage vegetation comprised scrub, grassland, bushes and self set and mature trees which are predominantly to the east, and west boundaries and southern portion of the site and along the line of Dob Sike and the disused canal, forming substantial vegetated boundaries. The whole site lies within the Dearne Valley Green Heart Nature Improvement area and is part of Barnsley's strategic Green Infrastructure Network.

The topography of the site falls from west to east by approximately 20m, with some embanked areas within the site. There are existing pedestrian links to the Field Lane/Hunningley Lane and the commercial area of Stairfoot via public rights of way that cross the application site.

Planning History

2017/0753 Outline application including for development of 250 dwellings and associated works (all matters reserved apart from means of access) granted subject to S106 agreement 8th April 2021.

2021/0664 Refused - Variation of conditions 3 (requirement to comply with indicative layout plan ref: 18 5221 SK04), 4 (indicative public open space arrangements), 15 (ecological mitigation) and 19 (requirement to submit archaeological evaluation prior to submission of reserved matters) of planning permission 2017/0753 - Outline planning application for approximately 250 residential dwelling houses (Use class C3), means of access and associated works. Refused on 22nd December 2021 for the following reasons:

- 1 The proposed variations to condition 3 and condition 4 are not accepted as the proposed layout (Drawing 498-PL001 REV G) does not include a broad mix of house size, type, and tenure informed by the BMBC Strategic Housing Market Assessment (SHMA) 2021 and no evidence has been provided to demonstrate that a suitable

housing mix informed by the SHMA 2021 would be unviable. It is therefore contrary to Local Plan Policy H6 Housing Mix and Efficient use of Land.

- 2 The proposal is also contrary to Local Plan Policy GD1 General Development in that it does not provide adequate internal road layout and is contrary to Local Plan Policy D1 High Quality Design and Placemaking, as the layout and design is not of high quality and does not provide an accessible environment. The peripheral location of the Local Equipped Area of Play and informal public open spaces mean they are not easily accessible from the whole of the site, and along with the pedestrian routes, they are not sufficiently overlooked and would mean the development failed to create a healthy, safe and sustainable environment or community. The proposal is also contrary to NPPF (2021) in that it does not reflect adopted Supplementary Planning Documents and guidance, or the ten characteristics of the National Design Guide
- 3 The proposed variation to condition 19 is not accepted as the proposal does not comply with Local Plan Policy GI1 Green Infrastructure and Policy GI2 Canals-Safeguarded Routes in that it does not protect, maintain, and enhance the Barnsley Canal Green Infrastructure asset, nor does it protect it from development. It is also contrary to Local Plan Policy BIO1 Biodiversity and Geodiversity in that it will not protect and enhance the biodiversity interests of the Barnsley Canal Greenspace. Furthermore, the proposed layout does not appear to retain wet woodland habitat corridor, provide landscape screening on the southern boundary, or retain the grassland in the south west of the site, contrary to site specific Local Plan Policy HS27.
- 4 Insufficient information has been submitted to determine the extent, type, quantity and quality of the existing trees on site through a detailed tree survey to British Standard 5837:2012, nor the potential impact on trees of the proposed development through an arboricultural impact assessment. The proposal is therefore contrary to Local Plan Policy GD1 in that it has not been determined that existing landscape features are incorporated into the design or that existing trees that are to remain on site have been considered in the layout. The proposal is also contrary to Local Plan Policy BIO1 in that insufficient information has been provided to ensure that the development will conserve, protect, or improve the biodiversity habitats of the existing trees or enhance the biodiversity features of the site with respect to existing trees.

Proposed Development

The application follows on from the granting of outline application 2017/0753 which approved a residential development of approximately 250 dwellings on the site and associated works. It seeks the approval of the reserved matters which includes appearance, landscaping, layout and scale.

Access is as agreed at outline, with vehicular access off Bleachcroft Way. The outline planning permission also approved off site works on Bleachcroft Way on the approach to Stairfoot roundabout consisting of the removal of the existing bus lane and gate to allow three traffic lanes and the provision of a new bus stop layby which were modelled to improve traffic flow.

The plans originally submitted with this application closely matched the indicative layout set out in the failed minor material amendment application 2021/0664 detailed in the planning history section above which attempted to vary the original outline permission. However, since the refusal of that application, the applicant and Officers have undertaken protracted

discussions in an attempt to secure a layout which more closely reflect the requirements set out in conditions in outline planning permission 2017/0753 and adopted policies and guidance resulting in multiple layout iterations.

The latest site layout REV V is laid out in a series of long cul de sacs from a central looped internal highway. A central greenspace is proposed with a Local Equipped Area of Play (LEAP). A small pocket park is proposed to the west of the site, with informal open space to the south. The north of the attenuation basin to the east would be covered in meadow grass and would add further informal greenspace to the development. The canal basin in the east of the site which lies outside the housing allocation, is to be retained in its entirety.

A number of the dwellings will be required to have noise mitigation measures due to the railway to the west and the Stairfoot retail park to the west.

The existing public right of way to the east would be diverted along the edge of the canal and then follow the route of one of the new internal roads.

The development is residential with a total of 238 houses proposed. The mix of units is as follows:

64 x 2 beds
107 x 3 beds
67 x 4 beds

Of these units, 10% are proposed to be affordable 12 x 2 beds and 12 x 3 beds. The remaining market dwellings are in the following mix:

52 x 2 beds 24.3%,
95 x 3 beds 44.3%
67 x 4 beds 31.3%

A total of 16 different house designs are proposed, most with hipped roofs and a smaller number having pitched roof styles some with gable elements. Garages are integral or off-street parking. The materials proposed are Hardwicke Lenton Dark multi red with red double roman roof tiles (or similar), or Marshalls Cromwell Pitched Face weathered reconstituted stone with grey plain flat concrete tiles (or similar).

The applicant is proposing to enter into a supplementary Section 106 to provide off-site biodiversity mitigation and £50,000 contribution towards off-site youth facilities.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan Designation: Housing Allocation with a site-specific policy.

Site HS27 Bleachcroft Way Industrial Estate indicative number of dwellings 230

The development will be expected to:

- Provide off site highways capacity works at Stairfoot;
- Retain the wet woodland on the site's southern boundary which forms part of a habitat corridor;
- Retain the areas of more species-rich grassland within the railway cutting and, in the site's, north-eastern corner;
- Provide landscape screening to the site's open southern aspect to the Green Belt which is formed by Dob Syke;
- Retain the grasslands at the south-west and north-east of the site plus the woodland/stream corridor to the east; and
- Safeguard the setting of the Listed Buildings at Swaithe Hall and Ardsley Cemetery.

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

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

SD1 'Presumption in Favour of Sustainable Development'.

GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.

LG2 'The Location of Growth'

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

H2 'Distribution of New Homes' states 43 % of new homes to be built in Urban Barnsley

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

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

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

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

GI2 Canals-safeguarded routes

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

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

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

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 Sustainable Drainage Systems

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

SPD's

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

Other

South Yorkshire Residential Design Guide

NPPF

The National Planning Policy Framework 2021 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. Where proposals are in accordance with the development plan, permission should be granted without delay.

Consultations

Air Quality: A planning condition was required at the outline stage which requires details of Electric Vehicle Charing Points (EVCPs) to be submitted prior to the commencement of construction works. This requirement has now been superseded by changes to Building Regulations which requires all new residential dwellings to be provided with an EV charging point.

Affordable Housing Officer: The overall mix is much better than previous proposals, and the affordable units (2 and 3 beds) align with the Strategic Housing Market Needs Assessment. The affordable properties have been dispersed across the site as per our request. This is welcomed.

Biodiversity Officer: The updated ecology reports are acceptable subject to conditions requiring additional bat boxes, monitoring reports for habitat creation and enhancement, lighting scheme, surveys and non-native species management plan to control the invasive species on site.

Broadband: No objections subject to a planning condition. This was attached to the outline approval.

Coal Authority: Confirmed at the outline stage that the site does not lie within a defined Development High Risk Area and standing advice was applied at the outline stage

Drainage: No objections to the proposal

Education: A secondary contribution of £576,000 for a yield of 36 pupils is required.

Forestry Officer: The key issue is the clearance of the site and particularly the section of woodland which was removed. A restoration plan has now been provided to address the damage done in this area. On balance, the Forestry Officer does not object to the proposed scheme but requires a detailed landscaping scheme.

Highways: Means of access was approved at the outline stage along with a requirement for off-site works. There have been numerous highways safety and technical issues over the various iterations of the internal layout. However, the applicant has now addressed all concerns and the Highways team have no further objections subject to conditions and informative notes.

Network Rail - no objections subject to technical details for construction relating to protection of rail infrastructure.

Pollution Control: No objections subject to conditions requiring a construction method statement, restricted working hours and submission of a noise mitigation scheme. These were also included on the outline decision.

Public Rights of Way: no objections subject to conditions and informative

South Yorkshire Archaeology Service: A planning condition was attached to the outline condition requiring the submission of a written scheme of archaeological evaluation. A satisfactory scheme has been submitted and the first part of the condition can be discharged.

South Yorkshire Police: No comments received.

South Yorkshire Mining Advisory Service: no objections

Urban Design Officer - concerns raised through earlier iterations have been addressed. The Urban Design Officer now offers no objections.

Yorkshire Water: No objections or conditions proposed

Representations

The application was advertised by site notices and a press notice, and 62 letters have been sent to individual properties including local residents and businesses. Two letters of objection were received. Both objectors raised concerns relating to impacts of extra traffic on Stairfoot roundabout.

A further consultation exercise was undertaken in April 2022; however, no additional objections were received.

Assessment

Principle of development

The site already has outline planning permission for a development of approximately 250 dwellings and so the principle of development is already established. The outline application was granted taking into account that the site is allocated for new housing development in the adopted local plan (housing proposal HS27) making the proposal in compliance with the development plan in land use planning policy terms.

Residential development on the site also accords with other strategic policies in the local plan including policies H1 'The Number of New Homes', H2 'The Distribution of New Homes', LG2 'The Location of New Growth and H3 'Uses on allocated housing sites'.

Scale and Housing Mix

Site specific policy HS27 sets an indicative number of dwellings of 230 with the outline planning permission potentially allowing for a slightly higher number being for approximately 250 dwellings. A proposal of 238 is therefore acceptable in meeting Local Plan expectations in yield and lies within the maximum allowed by the outline permission.

The housing mix proposed of approximately 24% x 2 bedroom dwellings (2 beds), 44% x 3 beds and 31% x 4 beds is considered to be a suitably broad mix of various house types which reflects the Strategic Housing Market Assessment (SHMA). 10% affordable housing is proposed and includes a combination, of 2 and 3 bedroom units spread throughout the site as required by policy H7 and the SPD. This contrasts with the proposed mix of only 6% 2 bedroom properties, 37% 3 bedroom properties and 57% 4 bedroom properties that formed part of previously refused application 2021/0664 which failed to include enough smaller unit types.

Of the 238 dwellings proposed, the vast majority are proposed to be of two storeys with only 18 of 2.5 storeys (Stockley House type). Built as pairs of semis, these two and a half storey house types only accounts for 7.5% of the overall number of new dwellings and they are proposed to be spread around the site in several locations. The provision of informal public open space is adequate in size. Overall, the scale of the development is considered acceptable taking into account the outline planning conditions and site specific local plan policy and the type of housing stock in the locality and is in compliance with Local Plan Policies D1 and H7.

Layout

The proposed layout closely resembles the indicative layout in the outline permission as required by condition 3 of the outline permission, with a central area of open space and further informal open space to the west.

The site is permeable, with access to east and west, and north to south via pedestrian linkages and through the open spaces throughout the site. The internal road layout has a central loop and long cul de sacs to address the shape and topography of the site, and also reflects the outline indicative plan. A central Local Equipped Area of Play (LEAP) standard play area is proposed, with adequate buffers and is well overlooked. An additional pocket park would lie in the west of the site. This is also well overlooked, but there is no specific buffer required in the SPD as it is intended for smaller children under supervision. An attenuation basin for SuDs lies to the adjacent the boundary of the disused canal area to the east. The canal lies outside the housing allocation but within the application site and is to be retained.

The north east of the site has now been reconfigured to protect the integrity of the canal basin, which would otherwise have been impacted by proposed highway infrastructure. Members will recall that the canal is safeguarded and is a designated greenspace and Policy GI2 (Canals – safeguarded routes) and GS1 Green Space protect these green infrastructure assets from other forms of development. The disused canal is also important for biodiversity.

Rear gardens on the whole are generous and meet or exceed minimum requirements of 50sqm for private amenity space for a 2 bed dwelling and minimum 60sqm for a 3 bed dwelling. Separation distances are adequate, and room sizes are deemed acceptable having regard to the South Yorkshire Residential Design Guide. Many of the dwellings have ensuites and utility rooms and in some house types, internal spaces are generous.

In summary, the overall layout design is considered acceptable and in compliance with the outline condition 3 of the outline and in accordance with Local Plan Policy D1 and GD1 and also in accordance with Local Plan Policy GI2 Canals-safeguarded routes; GS1 protected greenspace and BIO1 – Biodiversity.

Appearance

There are 16 house types proposed, comprising a mix of detached and semi-detached dwellings which are predominantly pitch roofed. Detailing on the dwellings such as gable elements, kneelers, brick lintols, artificial stone cills, canted bay windows, arched windows, fancy gabling etc , provide interest. A pitch roofed dormer to the Stockley 2.5 storey dwelling is characteristic of Barnsley. The house types are mixed to provide an interesting street scene, and houses will be viewed from various orientations throughout the site. Two types of materials are indicated, a dark red multi brick finish with red double roman tiles or pitch faced weathered reconstituted stone finish with grey flat tiles, but a condition shall be imposed to require samples of the materials before agreeing the final detail. The substantial amount of greenspace at the edges of the site together with the central open space and plentiful landscaping as indicated in the landscape masterplan will serve to soften the appearance of this large residential proposal. Conditions are proposed to secure detailed planting proposals and materials.

The development has a mix of frontage parking and parking to side of dwellings as required in adopted guidance, and the landscape masterplan proposes includes trees to many front gardens, as required by the NPPF (updated July 2021 para 131 which states that planning decisions should ensure that new streets are tree lined). Further, there are a significant number of trees proposed to be planted within the greenspaces around the site which will

provide a buffer to the boundaries of the site and some trees are proposed in front gardens. This will soften the visual impact of the development and the frontage parking areas.

Over and above the standard 1.8m fence separating rear gardens, boundary treatments include pier and panel fencing, 1.8m brick wall to corner gardens, 1.2m black estate fencing and knee-high rails to greenspaces. This approach provides some visual interest whilst ensuring privacy and security is maintained.

Overall, the proposal includes some variation in house designs and materials and incorporates a good amount of greenspace and tree planting. Therefore, its design and appearance is considered to be sufficiently in compliance with Local Plan Policy D1.

Landscaping

In landscaping terms, a woodland restoration scheme is proposed, and a landscape masterplan has also been submitted which proposes to restore high value grassland and introduce flower meadow grass to some areas of open space, native and ornamental hedgerow, native woodland /shrub buffer mix to the railway line in the west and the western boundary beyond the disused canal in the east. Native shrub planting is also proposed to the north-west of the site screening the commercial properties from the proposed dwellings. Small growing ornamental tree species are proposed to be planting in front gardens. The disused canal is shown on the plans to be retained as reedbed.

The Forestry Officer notes that no detailed landscaping plans have been provided at this stage, only a landscape masterplan which shows a significant amount of tree planting to be provided on both the open spaces and outside properties. The proposed species for these are generally acceptable but wherever possible large growing native species should be used. The native hedgerow mix proposed is also acceptable, but the areas of proposed native woodland and shrub mix are limited as they do not contain any large growing native specimens. Despite this, the landscape masterplan appears acceptable subject to detailed plans required by condition and the proposal is acceptable on this point.

Other Issues

Further Residential Amenity considerations

There would be a minimal impact for the existing residents of existing dwellings in the immediate area with the nearest properties located to the north west of the site beyond allotments on Field Lane and Kay's Terrace and on the other side the railway line at Hunningley Lane and Lockeafash Crescent to the south west. The impact of the development on existing residential amenity is not a concern therefore, other than during the construction period.

In terms of the residential amenity levels for the new residents the site lies between a railway line to the west and the Stairfoot retail park to the east which may result in noise impacts. A noise impact assessment was submitted with reserved matters as required by condition 20 of the outline permission. The Pollution Control Officer is now satisfied that appropriate mitigation can be provided to the affected dwellings and a planning condition requiring a noise mitigation scheme is proposed.

In relation to construction impacts, condition 18 of the outline permission required the reserved matters application to be accompanied by a noise and dust management plan detailing how noise and dust shall be controlled during construction. The Pollution Control Officer has assessed the proposal and has no objections subject to planning conditions. The proposal is therefore compliant with Local Plan Policy POLL1 on this point.

Overall, residential amenity for proposed residents will be to an acceptable standard in accordance with the adopted SPD's and best practice guidance. In addition, the noise mitigation proposals have been found to be satisfactory and the application is therefore considered to be compliant with Local Plan Policy D1 and POLL1.

Highway's considerations

Highways Development Control have confirmed that the network impacts were assessed through the provision of a Transport Assessment (with associated framework Travel Plan) at the outline stage. This detailed assessment identified the need for offsite highway improvement works in the vicinity of Stairfoot roundabout and developer contributions of £164,000 were secured through a Section 106 Agreement, together with a Sustainable Travel Contribution (totalling £180, 749.10) based on the 238 proposed number of units shall need to be provided. As a reminder the approved off site highway mitigation works would be carried out on Bleachcroft Way on the approach to Stairfoot roundabout consisting of the removal of the existing bus lane and gate to allow three traffic lanes and the provision of a new bus stop layby to allow them to buses to stop without causing a blockage to one of the lanes whilst stationary.

Access to the site is taken from Bleachcroft Way and Stairfoot Way which are existing adopted public highway, however in order to facilitate the development there is a need for a short section of Bleachcroft Way to be stopped up under Section 247 of the Town and Country Planning Act.

The site layout has been subject to numerous changes during the planning process and the latest revisions due to the need to protect the integrity of the retained canal basin. Layout (Rev V) has been assessed together with relevant swept path analysis and is considered satisfactory. As such there are no objections from a highways perspective subject to planning conditions and the proposal is considered to be in conformity with Local Plan Policy T3 and T4.

Biodiversity/Ecology

An updated ecological impact assessment, a biodiversity metric and a Woodland Restoration Plan has been submitted to accompany the reserved matters application to demonstrate compliance with Condition 15 of the outline permission.

The Biodiversity Officer confirms that the updated ecology reports and Biodiversity Management Plan are acceptable subject to conditions requiring additional bat boxes, monitoring reports for habitat creation and enhancement, lighting scheme, surveys and non-native species management plan to control the invasive species on site. The Woodland Restoration Plan is also deemed appropriate.

However, the proposed on-site biodiversity/ecology mitigations fall far short of fully mitigating the overall habitat loss and the applicant has additionally agreed to enter into a supplementary S106 agreement to provide off-site mitigation for the vegetation loss. Should the applicant fail to secure appropriate off-site habitat mitigation and enhancement and long-term management, compensation will be payable. As a result, the proposal is considered to be in compliance with Local Plan Policy BIO1.

Public Rights of Way

There is an existing PROW (FP 427) running through the site which is proposed to be diverted so it runs along the embankment of the disused canal to the east and north through the site to link to the Trans Pennine Trail close by. Works to temporarily close or divert existing public rights of way are subject to separate legislation. This is in accordance with Local Plan Policy GS2 Greenways and Public Rights of Way, and T3 Sustainable Travel.

The boundary of the site is a little smaller than the outline and no longer extends west from Stairfoot Way along the existing public right of way to meet Field Lane. As the footpath falls outside the site, improvements to the PROW shall be secured using monies from the Sustainable Travel Contribution, in accordance with the adopted SPD Sustainable Travel.

Drainage

The site is located within Flood Zone 1 (low risk of fluvial flooding). The proposed development shows surface water drainage via an attenuation basin to the west of the site adjacent to the disused canal and an attenuation tank in the north of the site. The reserved matters application has been accompanied by a detailed drainage scheme as required by condition 11 at the outline stage. The Council drainage officer has assessed the proposal and is satisfied with the drainage proposals. Overall, therefore the proposal is regarded as being acceptable with regards to flood risk and drainage considerations in accordance with Local Plan Policies CC3 and CC4.

Air Quality

Condition 5 of the outline permission required the reserved matters submission to be accompanied by details of actions for mitigation of air quality impact, taking into account the Barnsley MBC Air Quality Best Practice Guidance. Since the outline permission was granted, there has been a change to Building Regulations which requires all new dwellings to be provided with EV charging points to the same specification as required in the BMBC guidance. The proposal would therefore be considered acceptable on this point.

Archaeology

A Written Scheme of Investigation has been submitted in compliance with Condition 19 of the outline permission. The findings of the report have been agreed by South Yorkshire Archaeological Service (SYAS) and the condition can be discharged subject to confirmation that the report has been lodged with the archives. On this basis, the condition is sufficiently progressed to allow the Reserved Matters to proceed without objection.

Planning obligation and infrastructure requirements

A S106 agreement was signed with the outline application which includes provisions and contributions towards specific infrastructure requirements to be calculated based upon the final number of dwellings agreed at the reserved matters stage. The S106 will therefore secure the following:-

10% Affordable Housing - Local Plan Policy H7 states that housing developments of 15 or more dwellings will be expected to provide affordable housing, with 10% affordable housing provision expected in the urban Barnsley area. The full 10% is provided for in the layout plan and proposes 12 x 2 bed dwellings and 12 x 3 bed dwellings.

Education – Secondary contribution would be £576,000 for a yield of 36 pupils. There is sufficient capacity in primary schools therefore no primary school contribution is required.

Greenspace – The adopted SPD and outline planning permission require the provision of 15% onsite greenspace, including a LEAP standard play area. A contribution of £235,971.31 will be secured for offsite investment in formal recreation in accordance with Local Plan Policy GS1 and the adopted SPD “Open Space Provision on New Housing Developments”.

Sustainable Travel – Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel, where levels of accessibility through public transport, cycling and walking are unacceptable. The site is in the Accessibility Improvement Zone therefore this contribution is required and is calculated to be $238 \times 10 \times £101.26 \times 0.75 = £180,749.10$

The S106 Agreement signed at the outline stage also included a contribution of £164,000 to be paid to the Council towards the off site highway works explained earlier in the report.

Supplementary S106 agreement

In order to achieve compliance with Local Plan Policy BIO1 and some of the criteria that formed part of the site-specific policy, the applicant has agreed to enter into a supplementary S106 agreement which will provide for off-site mitigation and long term management to replace the habitats lost. The applicant will be required to find a suitable off-site location which will be subject to a detailed ecological assessment and a long term biodiversity enhancement management plan (BEMP) which will compensate for the biodiversity shortfall of approximately 31 habitat units. Short, medium and long term aims, and objectives will be agreed, including a scheme of works and timetable for implementation to achieve the required biodiversity compensation, all to be agreed with the Council. Should there be a shortfall in the number of habitat units delivered, then the applicant will be required to pay compensation of £25,000 per habitat unit.

The applicant has also agreed to provide a commuted sum for off-site youth facility which was required by condition 4 of the outline permission but which will not now be provided on the site, with the agreement of Parks Services. A commuted sum of £50,000 in accordance with the adopted SPD is therefore considered appropriate to be invested in youth facilities in the area and secured by the supplementary S106 agreement.

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

Planning Balance and conclusion

The site is allocated for new housing development in the Local Plan (site reference HS27) making the proposal in compliance with the development plan in land use planning policy terms and the principle of allowing a residential development of approximately 250 dwellings was established by the extant outline planning permission.

The assessment of the plans has determined that the proposed layout and scale of the proposed development is very similar to the indicative plans approved at outline stage in relation to the general layout, the areas of the site that were viewed to be developable and undevelopable and the locations of the areas required for public open space and biodiversity. The development would also contain a suitable mixture of different housing types and 10% affordable housing as required by policies H6 and H7.

The proposed layout provides pedestrian linkages throughout, a Local Equipped Area of Play, a separate pocket park, ample open space, and will preserve the canal basin greenspace. Furthermore, it achieves the spacing and private rear garden standards that are required by the SPD and so would deliver the required standards of residential amenity for future residents. The overall layout design is therefore considered in accordance with Local Plan Policy D1 and GD1 and also in accordance with Local Plan Policy GI2 Canals-safeguarded routes; GS1 protected greenspace and BIO1 – Biodiversity.

In design and appearance terms the majority of dwellings will be of two storeys which reflect local character. Furthermore, the internal and external dimensions for the majority of plots meet and exceed the minimum requirements set out in the New Housing Development SPD meaning that the dwellings would provide an acceptable standard of residential amenity for future residents. This is provided that the noise mitigation measures are installed in accordance with the recommendations of the noise survey which is proposed to be conditioned.

In terms of the highway's implications, means of access was approved at the outline stage and is not a consideration with this application. The existing S106 Agreement makes provision for a commuted sum of £164,000 which is due towards reconfiguration works on Bleachcroft Way comprising of the removal of the existing bus lane and gate to allow three traffic lanes and the provision of a new bus stop layby to improve traffic flow. On this occasion therefore the highways assessment has been about the internal layout which following several amendments is now acceptable with regards to the relevant technical specifications. Internal road layouts are appropriately designed for safe vehicular movement and provide adequate off street and visitor parking. The proposal is therefore in compliance with Local Plan Policies T3 and T4.

The applicant has agreed to enter into a supplementary S106 agreement to provide off-site mitigation for the vegetation loss or pay a commuted sum in order to compensate. Landscaping will reintroduce substantial numbers of trees to soften the layout and improve visual amenity and the amended plans preserve the canal basin Green Space. The applicant has provided an onsite Woodland Restoration Plan and an offsite mitigation scheme and long term management will be secured via a supplementary S106 agreement. Subject to the completion of this agreement the proposal complies with Local Plan policy BIO1.

Furthermore, the applicant has agreed to other Planning obligation and infrastructure requirements that are required by this proposal covering formal recreation and youth facilities on top of the off site highway works, secondary school places and sustainable travel contributions, 10% affordable housing and a LEAP standard children's play area on site that were all secured at the outline stage within the S106 Agreement. The proposal is therefore acceptable in relation to local plan policy I1 subject to a supplementary S106 Agreement being signed.

In addition to the above, the proposal has been assessed in relation to other material considerations including the drainage, coal mining risk and public rights of way and is considered acceptable in relation to each of those areas with consultees offering no objection subject to the imposition of suitably worded conditions and informative notes.

In summary, following various amendments and subject to the proposed Section 106 agreement and suggested conditions the proposal is considered to be in accordance with the development plan as a whole and having regard to other material considerations.

Recommendation - Grant reserved matters approval subject to conditions and a S106 agreement that is supplementary to the existing S106 that was signed at the outline stage (to cover off site mitigation for loss of biodiversity and the provision of youth facilities)

Conditions:-

1. The development hereby permitted shall be begun before the expiration of 2 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

Site Layout PL-001 REV V

Red line plan 498-RLP-01 rec 080422

Woodland Restoration Plan ER-4066-09b rec'd 05/01/23

Arboricultural Method Statement 16747 REV D rec 040522

Arboricultural Implications Assessment 16747 REV C rec 040522

Arboricultural Report 16747 rec 080422

Tree Constraints Plan 16747 rec 080422

Archaeological Desk Based Assessment

Archaeological Written Scheme of Investigation V3 rec 220422

Biodiversity Metric RHW JAR amended rec 090622

Biodiversity Management Plan ER-4066-07a rec'd 06/01/23

Preliminary Ecological Appraisal Report

Landscape Masterplan P20-2345.100 REV P rec'd 10/01/23

Materials Layout 498-PL-003 REV H rec'd 09/01/23

Air Quality Impact Assessment 074796 rec 230622

Noise and Dust Mitigation Statement REV 1 rec 290422

Proposed Drainage and Engineering Plan REV 1 Y19071-D001 rec 290422

T4 The Windslow plans and elevations

T6 The Hurley plans and elevations

T7 The Brackley plans and elevations

T8 The Mawsley plans and elevations

T10 – The Stockley plans and elevations

T11 – The Netherton plans and Elevations

T13 The Faversham plans and Elevations

T14 The Oakham plans and Elevations

T18 The Langford plans and Elevations

T16 The Shelford plans and elevations

T17 v1 The Empingham plans and elevations

T18 The Langford Plans and elevations

T23 The Chearsley plans and elevations

T 25 The Bircham plans and Elevations

T32v1 The Bourton plans and elevations

BY-01 The Bayford Plans

BY-02 The Bayford Elevations

MR-01 The Moreton Plans

MR0-02 The Moreton Elevations

G2-01 Double Garage Plans and Elevations

unless required by any other conditions in this permission.

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

3. The construction method statement required by condition 22 of the outline planning permission shall be supplemented by the following:-

The Statement shall provide for:

- vii. Details of the provision of an on-site water supply or water storage facility;
- ix Measures to control the emission of dust and dirt during earthworks or cut/fill; viii Measures to control noise emissions during earthworks or cut/fill;
- x. A scheme for recycling/disposing of waste resulting from earthworks or cut/fill

No works shall take place until the 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 period of engineering operations and construction.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

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

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

Thereafter development shall proceed in full accordance with the approved details.

Reason : In the interests of biodiversity and in accordance with Local Plan Policy BIO1

5. The development shall not commence until an Invasive Non-Native Species Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall detail measures to be implemented in order to minimise the risk of aiding the spread of the invasive plant species that are known to be located at the Site. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: For protection of native species and biodiversity in accordance with Local Plan Policy BIO1

6. Development shall not commence until a detailed badger survey of the site is undertaken. The results of which will be submitted to and approved in writing by the Local Planning Authority. If the survey confirms the presence of badger on site, a licence from Natural England may be required to legally close any badger setts.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1

7. Development shall not commence until details of all highway retaining structures, including specification and calculations have been submitted to and approved in writing by the Local Planning Authority, and the development shall then be carried out in strict accordance with the approved details.

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

8. Development shall not commence on each phase until details of the siting of the sales centre and parking for staff and customers visiting the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter those facilities shall be implemented in accordance with the approved details and shall be retained for the entire construction period of that phase. **Reason: In the interest of highway safety, in accordance with Local Plan policy T4.**

9. No development shall take place unless and until full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage details shall include scheme for disposing of surface water by means of a sustainable drainage system and shall include the following:

Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

1. A timetable for its implementation; and
2. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

Thereafter the development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the proper drainage of the area to comply with Local Plan Policy CC4

10. No construction works shall commence until a phasing plan and arrangements have been submitted to and agreed in writing with the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and timescales.

Reason: In the interest of highway safety, in accordance with Local Plan policy T4.

11. Upon commencement of the development, a noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority detailing measures to ensure that any noise sources from the areas surrounding the development does not cause adverse impacts on health and the quality of life to the proposed residents. The mitigations may include but not be limited to, acoustic gazing and/or acoustic fencing:

1. Bedrooms: LAeq (8 hours) -30dB (2300 to 0700 hours);o
2. Living Rooms & Bedrooms: LAeq (16 hour) -35dB (0700 to 2300 hours);
3. Bedrooms: LAFmax -45dB (2300 to 0700 hour

Where the above noise criteria cannot be achieved with windows partially open, the scheme shall include a system of alternative acoustically treated ventilation to all habitable rooms. The scheme shall be accompanied by a plan which clearly identifies the different types of mitigation measures proposed, where watch type of mitigation is proposed, and a programme of implementation.

The approved scheme shall thereafter be implemented in full prior to occupation for the plots including but not limited to, those identified on approved site plan REV V as requiring acoustic treatment, and those identified in the scheme, and shall ensure that the above sound levels are achieved within all the dwellings. The approved scheme shall be maintained thereafter for the duration of the development.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

12. Upon commencement of the development, a Biodiversity Enhancement Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority. The document shall include the following:

1. a plan of the areas to be maintained, enhanced and/or created on site;
2. a schedule of actions to create or enhance and maintain each habitat at the required quality for a period of 30 years;
3. a schedule of ecological monitoring for the 30 year period identifying when key indicators of habitat maturity should be achieved. Monitoring would be required within years 2, 5, 10, 20 and 30; and
4. a schedule of actions to be undertaken in case signs of failing are identified.
5. the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council. .
6. Survey of non-native invasive species and measures to prevent their spread
7. Provision of additional bat, bird and bee boxes over and above the number set out in amended ecology survey/assessment

Thereafter the measures set out in the approved document shall be implemented in full.

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

13. Notwithstanding the submitted details, upon commencement of the development details of any permanent external lighting proposed to illuminate the open space areas shall be submitted to and approved in writing by the Local Planning Authority. The details shall be provided by a suitably qualified ecologist and clearly demonstrate that light pollution will not impact upon residential amenity and will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:

1. A drawing showing sensitive areas, dark corridors and buffer areas;
2. Technical description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
3. A description of the luminosity of lights and their light colour;
4. A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
5. Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
6. Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.
7. All external lighting shall be installed in accordance with the specifications and locations set out in the approved details and shall be maintained thereafter in accordance with these details.
8. All temporary lighting for construction purposes shall be turned off during night-time hours.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection

14. Upon commencement of the development, protective fencing shall be erected along the whole length of the temporary footpath diversion route adjacent to the west bank of the retained canal basin to protect users from accidentally entering the canal basin area. The protective fencing shall be retained in full until the public right of way diversion is constructed

and brought into use. Within one month of the public right of way diversion being brought into use, the protective fencing shall be removed and the ground along the temporary footpath route shall be fully reinstated and planted in accordance with approved landscape scheme.

Reason: In the interests of public safety.

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

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

16. Upon commencement of the development, a public right of way and non-adoptable ways and spaces specification and maintenance scheme shall be submitted to the Local Authority for approval in writing. The scheme shall include constructional details and timing of construction, future status and future maintenance plans of existing and proposed footways and footpaths / cycleways / bridleways, carriageways and landscaped areas not put forward for adoption by the Local Authority. Once agreed, the development shall, thereafter, be constructed and maintained in accordance with the approved details.

Reason: To ensure that all existing and proposed footpaths / cycleways / bridleways are constructed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4

17. Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include large growing native tree species and a minimum of 239m of species rich native hedgerow as proposed on page 13 of Biodiversity Management Plan ER-4066-07a by Brooks Ecological. The landscaping scheme shall include large growing native tree species. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

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

18. All out of plot planting, seeding or turfing shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.

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

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

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

20. Before any dwelling hereby approved is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway) in accordance with details to be submitted to and subsequently approved in writing by the

Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details. **Reason: To ensure satisfactory development of the site and in the interests of highway safety, in accordance with Local Plan policy T4 – New Development and Transport Safety.**

21. Within three months of first occupation, a detailed travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be based on the Framework Travel Plan produced by Bryan G Hall, dated November 2016 and include details of specific measures / initiatives, targets, timescales and budgets to encourage sustainable travel to and allow for regular monitoring and reporting to be undertaken. The plan shall be fully implemented in accordance with the approved details thereafter.

Reason: In accordance with Local Plan Policy T3 - To support sustainable transport objectives

22. Except in case of emergency, operations including construction or remediation work shall not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays including all visits to the site by Heavy Goods Vehicles. There shall be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority shall be notified in writing at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Reason: To protect the amenity of nearby residents and businesses in accordance with Local Plan Policy POLL1.

23. Best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

Reason: To protect the amenity of nearby residents and businesses in accordance with Local Plan Policy POLL1

24. Effective steps shall be taken by the operator to prevent the deposition of mud, dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.

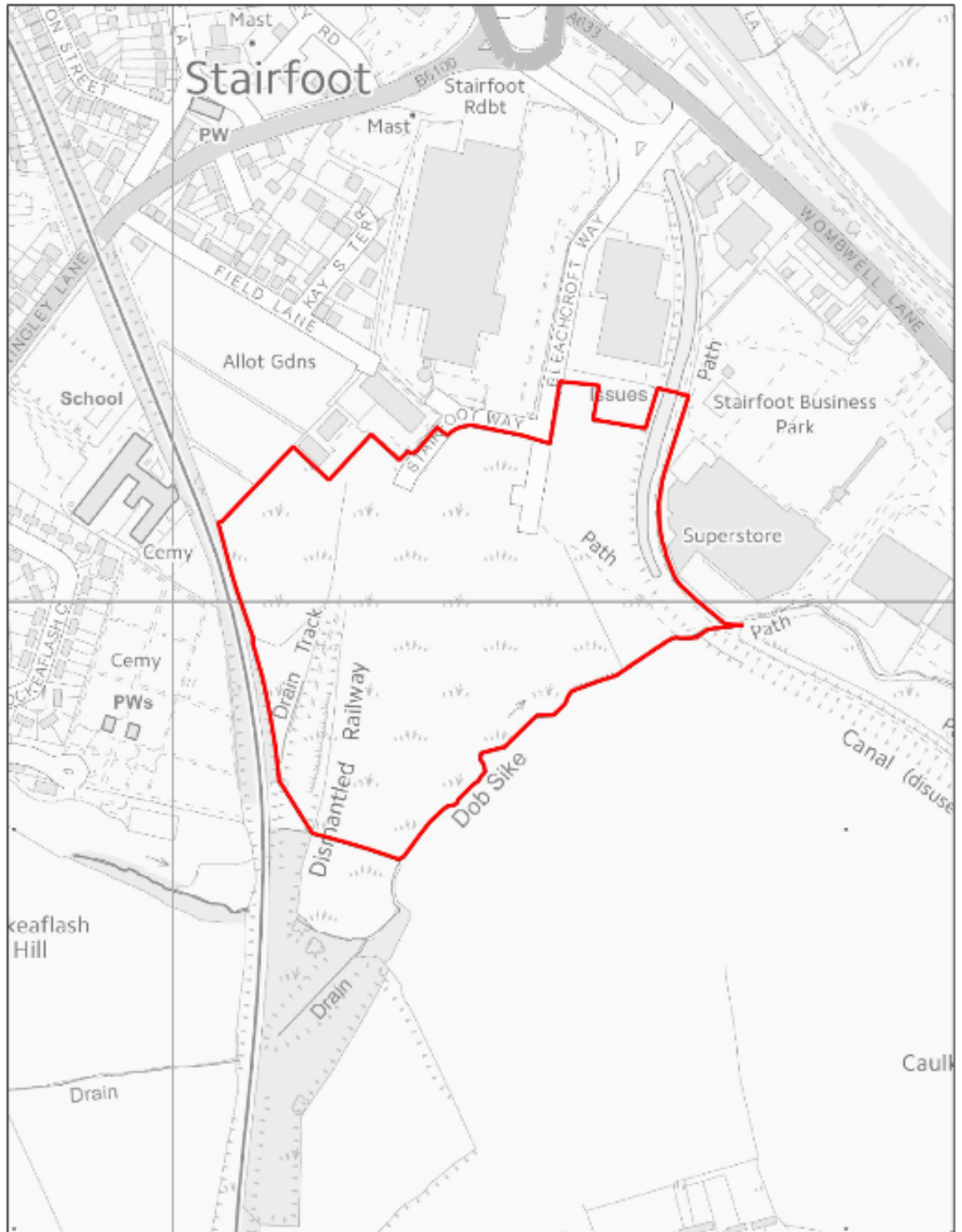
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 6 metres of the watercourse shown on the approved plan.

Reason: To prevent damage to the existing water infrastructure

PA Reference:-

2021/0668



BARNSELY MBC - Regeneration & Property

Scale: 1:4016

