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**Ref 2022/0680**

Applicant: Avant Homes Ltd & Rockley Estate

Description: Residential development of 113no dwellings, associated infrastructure and public open space (Reserved matters of outline planning permission 2020/0577 seeking approval of the details of scale, appearance, landscaping and layout).

Site Address: Land south of Hay Green Lane, Birdwell, Barnsley.

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31no. objection letters have been received in association with the reserved matters application from local residents.

### **Background**

The application follows on from planning application 2020/0577 which granted outline planning permission for the site to be built upon for a development of up to 118 dwellings. That particular application was approved by the Planning Regulatory Board in April 2021 with the decision notice being issued on 24<sup>th</sup> March last year following the completion of a S106 Agreement.

### **Site Description**

The site consists of land that is located to the south of Hay Green Lane in Birdwell. It is 3.6ha in size and is made up of a mixture of disused allotments and fields which are positioned behind existing dwellings that are located on Hay Green Lane and the A61 Sheffield Road which is located to the west of the site. The site is of an irregular shape.

The surrounding area is made up of a mixture of uses. Existing dwellings are the closest neighbours to the site bordering it on three sides to the west, north and north east. This consists of a wide variety of dwelling types including older forms of terraced housing and some larger detached houses and converted former farm buildings. Birdwell Primary School is in close proximity to the site to the north west being located on the corner of Hay Green Lane and Sheffield Road.

The site is located towards the southern part of Birdwell in the vicinity of Junction 36 of the M1 and the Dearne Valley Parkway. This places the development in relatively close proximity to the development that has either taken place or is in the process of taking place on land to the north of the Dearne Valley Parkway. This includes the areas that are known as Gateway 36 phase 1 and the large 10ha site that now has full planning permission to be developed out as a 31,612 sqm industrial warehouse on Local Plan employment allocation site ES15 'Shortwood Business Park Extension'. Positioned in between the application site and Gateway 36 and employment site ES15 are fields that are designated as Safeguarded Land in the Local Plan (site SL4).

Public open space in the form of Birdwell Recreation Ground bordering the south western flank of the site and a small plantation of trees located over Hay Green Lane to the north. Open agricultural land wraps around the site to the south and east with a Grade II listed building, the Granary (List No. 1315079), set approximately 60m further east of the site's boundary. The path forming Public Right of Way 40 (PROW40) crosses the land which separates the site and the listed building and progresses from Hay Green Lane to the south where it crosses SL4 and currently

ends beside Gateway 36 and continues informally to an underpass beneath the Dearne Valley Parkway. An overhead powerline maintained by Northern Powergrid also traverses the south eastern corner of the site.

The site itself is characterised by parcels of open unkempt grassland bound and crossed by hedgerows. The site also features a number of small outbuildings that presumably serviced the redundant allotment use that previously existed in the western section of the site. A number of mature trees are located on the site, notably an oak tree adjacent to the Recreation Ground and an Ash tree on the eastern site boundary. Residential properties back on to the site directly across the northern boundary while residential curtilages facing Sheffield Road to the west are separated by an alleyway.

## **History**

B/75/3303/WB – Outline for residential development – Refused (Submitted for western section of site only).

B/00/0996/WB – Erection of detached house and double garage – Refused (Submitted adjacent to central northern section of the site).

2020/0577 - Residential development of up to 118 dwellings and associated works (Outline with all matters reserved apart from means of access) – Approved subject to conditions & a S106 agreement.

## **Proposed Development**

Following on from the outline planning permission (Ref: 2020/0577) which had all matters reserved except access, the applicant has now submitted a reserved matters application that is seeking approval of the appearance, landscaping, layout and scale details relating to the future development.

The outline planning permission was granted to allow a maximum of 118 dwellings. The plans submitted as part of this reserved matters application propose a total number of 113 dwellings, 102 open market dwellings (44no. 2 bedroom units, 41no. 3 bedroom units and 17no. 4 bedroom units) and 11 affordable units (5no. 2 bedroom units and 6no. 3 bedroom units).

The proposed dwellings are a mix of detached, semi-detached and terraced dwellings with accommodation over 2 and 2.5 storeys. In total there are 12 different house types proposed across the site.

The site is in close proximity to the Birdwell Recreation Ground public open space and at the outline stage a contribution was secured as part of the S106 Agreement to invest in the improvement of the existing facilities at the Recreation Ground to create a neighbourhood facility (a NEAP) and to improve others in the Hoyland area. The committed sum amount is due to be £196,944.70 based upon the proposed plans.

As with the indicative layout submitted with the outline, the layout would include an undeveloped area that would effectively extend Birdwell Recreation Ground into the application site and provide a pedestrian link into it to and from the new development. The development would also include other undeveloped areas in the eastern and south eastern corner which is where the attenuation basin would be constructed.

The gross site area (3.6 hectares (HA)) is proposed to be broken into the following areas:

- Residential – 2.83ha
- Open space – 0.47ha
  - Formal Open Space – 0.33HA
  - Ash Tree Amenity Area – 0.05HA
  - Footpath/Cycleway Amenity Area – 0.09HA
- Basin/Swales Amenity Area (non-usable POS) – 0.29HA

The access point into the site from Hay Green Lane remains as previously approved under the outline planning permission. 4no. of the proposed dwellings would have a frontage onto Hay Green Lane, 2 adjacent to the access road and 2 adjacent to the proposed footpath/cycle connection which sits to the East of No.45 Hay Green Lane. The rest of the proposed dwellings either front the proposed tree lined estate road or one of the off shoots from it.

There are 3no. shared surface off shoot from the main new internal estate road that would be built to serve the development and 4no. private drives accommodating up to 5no. dwellings.

### **Policy Context**

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

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

Site Allocation: Housing Site HS59

SD1 'Presumption in Favour of Sustainable Development'

Policy GD1 'General Development'

Policy LG2 'The Location of Growth'

Policy H1 'The Number of New Homes to be Built'

Policy H2 'Distribution of New Homes'

Policy H3 – Uses on Allocated Housing Sites

Policy H6 'Housing Mix and Efficient Use of Land'

Policy H7 'Affordable Housing'

Policy T1 'Accessibility Priorities'

Policy T3 'New Development and Sustainable Travel'

Policy T4 'New Development and Transport Safety'

Policy D1 'High Quality Design and Place Making'

Policy HE2 'Heritage Statements and General Application Procedures'

Policy HE3 'Developments Affecting Historic Buildings'

Policy HE6 'Archaeology'

Policy GS1 'Green Space'

Policy GS2 'Green Ways and Public Rights of Way'

Policy BIO1 'Biodiversity and Geodiversity'

Policy GI1 'Green Infrastructure'

Policy GB6 'Safeguarded Land'

Policy CC1 'Climate Change'

Policy CC2 'Sustainable Design and Construction'

Policy CC4 'Sustainable Urban Drainage'

Policy CL1 'Contaminated and Unstable Land'

Policy Poll1 'Pollution Control and Protection'

Policy UT2 'Utilities Safeguarding'

Policy PI1 'Infrastructure and Planning Obligations'

#### SPD's

- Design of Housing Development
- Parking
- Sustainable Travel
- Financial Contributions to schools
- Open Space Provision on New Housing Developments

#### 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.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 59 - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

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

Paras 74-77 - Reiterates the importance of a deliverable supply of homes to meet the needs of the district.

Para 92 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places

Para 126 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 131 - Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

Para 134 - Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

## **Consultations**

Biodiversity – No objections following the amendments to the Biodiversity Net Gain Assessment and subject to conditions and infomatives.

Conservation Officer – No objections following the amendments to the Eastern side the development.

Drainage – No objections.

Strategic Housing – No objections following the amendments to the dispersion of the affordable housing across the site and the change in mix of 2 and 3 bed units.

SYMAS – No objections.

The Coal Authority – No objections.

Highways – No objections following the amendments to the layout.

Natural England – Recommend that any habitat enhancements should include scrub creation or maintenance and that enhanced green infrastructure should be incorporated into the development.

PROW – No objections subject to conditions

Yorkshire Water - Initially objected as no evidence had been provided that an application had been submitted to divert the sewer. That process has now been started.

Superfast South Yorkshire – No objections subject to recommendations

## **Representations**

The application was initially advertised by neighbour notification letters, site and press notice. 31no. objection letters have been received. The main points of concern are:-

- Access
- Increase in traffic
- Traffic conflict, especially at school drop off and pick up times
- Increased overlooking/loss of privacy
- Increased overshadowing/loss of day light
- Impact on maintenance of boundary treatments
- Impact of development on neighbouring trees
- Negative impact on the wildlife within the area
- Impact on existing hedgerows
- Increase in noise and air pollution
- School cannot accommodate the additional children
- Safety implications within the immediate area during construction
- Negative impact on the local drainage systems
- Damage to surrounding road network during construction

It should be noted that the vast majority of the objections cite the access and impact of the development on the surrounding road network. However, access was fully considered at the outline stage and will not be reconsidered under this application. Only the internal highways arrangements/layout within the site are under consideration.

## **Assessment**

### Principle of development

The site is allocated for Housing in the Local Plan (site HS59) and has the benefit of an outline planning permission, including access, for up to 118 dwellings which was approved under planning application 2020/0577. As such, the principle of residential

development on the site is already established. This particular application is therefore only about establishing the acceptability of the appearance, landscaping, layout and scale of the proposed development.

#### Scale and mix of housing

The application is for 113 dwellings which meets the 40 dwellings per hectare as set out in Local Plan Policy H6 'Housing Mix and Efficient Use of Land' which is expected in Urban Barnsley and Principal towns.

Local Plan Policy H6 also states Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. The development is for 113 dwellings with a mix of 2 bed (40no units (35%)), 3 bed (56no. units (50%)) and 4 bed (17no. units (15%)) properties and has been informed by the Strategic Housing Market Assessment (SHMA). As such, it is considered to provide a broad mix of house size, type and tenure, in line with policy H6.

#### Design/appearance/layout

The access would be from a new give way priority junction on Hay Green Lane to the North East of the site, as per the access details that were approved at the outline stage. The majority of the dwellings would front a tree lined spine road which runs through the development site, consistent with paragraph 131 of the NPPF, which emphasises the importance of street trees. Off the main spine road are several off shoots which consist of private drives and shared surfaces. This reflects the 'Design of Housing Development' SPD which states 'all new streets should be defined by the fronts of plots with buildings orientated to face the public highway, space or private street space to create an active frontage'.

The SPD goes on to state that blank side elevations facing onto streets should be avoided. There are a few instances, especially on corner plots, where there would be gables fronting highways, however, the applicants have predominantly addressed these instances through fenestration, adding hipped roofs instead of gables or separating the plots from the street with areas of soft landscaping. As such, the side elevations of the properties would not be overly prominent or detrimental to the visual amenity of the streetscene.

Plots 1, 111, 112 and 113 are immediately adjacent to Hay Green Lane, which is made up of a mixture of property types, sizes, styles and ages. The character of the section of the street immediately adjacent to the site entrance is more spacious and made up of detached dwellings. The proposed development reflects this by incorporating detached dwellings and larger semi detached dwellings for the initial stretch of the spine road. The views along the spine road from Hay Green Lane are also towards the proposed public open space and fields beyond giving an open feel. There is also an additional area of open space to the East of the spine road where an existing mature tree sits just off site, again giving a more open and greener feel to the site entrance.

Once in the site and away from the existing public vantage points the density of the development increases and is at its most dense to the Western side of the site which is reflective of the existing density of the smaller terraced and semi-detached dwellings to the West of Hay Green Lane and along Sheffield Road which share a boundary with the site. Even then there are green areas and public open spaces

incorporated which break up the development pattern and afford views to the open fields and recreation ground beyond.

The proposals include 12 house types comprising a mix of detached, semi detached and townhouses with accommodation set over 2 (66no.) and 2.5 (47no.) storeys. This aids to create a varied and interesting streetscene, as demonstrated on the submitted streetscene drawing. It should also be noted that the affordable housing units have been separated into 3 small groups which are dispersed around the Western part of the site and would be indistinguishable from the market housing, as is good practice. Furthermore, the design of the market and affordable house types themselves are appropriate for the site and sit comfortably within their surroundings, in accordance with the SPD and Local Plan Policy D1.

The vast majority of properties have buffer gardens to the front, or at least an area to incorporate some soft landscaping, this aids to soften the front elevations of the dwellings and results in a more attractive and greener street scene to the benefit of visual amenity.

There are a mix of parking solutions proposed including front of dwelling parking and side parking, with some plots having garages. The majority of the front parking is limited to a run of 4no. cars at most which avoids car dominated frontages and streetscenes. Each plot also has pedestrian access to their rear gardens which allows bins and recycling containers to be stored to the rear of the properties and away from public vantage points.

Given the comments above, the proposed development would maintain the visual amenity of the existing area and also create a policy compliant layout in its own right, in accordance with Local Plan Policy D1, SPD 'Design of Housing Development' and the NPPF.

### Residential Amenity

There are no existing residential properties beyond the Eastern and Southern elevations of the site. However, there are existing dwellings fronting Hay Green Lane which back on to the site to the North and existing dwellings fronting Sheffield Road which border the site to the West. There is a vehicular access track separating the site boundary from the neighbouring rear boundaries. The required separation distances of 21m between habitable room windows and 12m from neighbouring habitable room windows to side elevations have been met or exceeded, in accordance with SPD 'Design of Housing Development'. Furthermore, existing mature hedging on sections of the Northern boundary is to be retained.

In terms of the amenity for the future residents, the internal layout meets the separation distances set out in the SPD. The proposed house types also meets or exceed the required internal spacing as set out in the South Yorkshire Residential Design Guide. The external garden areas also reflect or exceed the 50m<sup>2</sup> requirement for a 2 bedroom property and the 60m<sup>2</sup> requirement for 3 bed plus properties. Home offices are also included in a number of the house types.

The residents also have access to on site public open space and there are also footpath and cycle connections from within the site to the neighbouring green spaces and public rights of way. There is also direct access to the recreation ground in the South Western corner of the site which has an existing play area and is proposed to have a NEAP as a result of this application.



### Highways/active travel considerations

Highways Development Control have confirmed that the impacts of the development on the highway network were assessed through the provision of a Transport Assessment at the outline stage.

In addition, the proposed means of access remains the same as what was approved at the outline stage with the plans including a new give way priority junction that would be built from Hay Green Lane in the north east part of the site.

The main highways considerations with this application have therefore been about ensuring the acceptability of the internal layout and detailed design for the development.

The applicants have been in consultation with the Councils Highways Officers in order to make a number of amendments to the internal layout including incorporating raised tables on the access road as a traffic calming feature every 70m. Swept paths have also been supplied showing that refuse vehicles can manoeuvre around the proposed junctions to demonstrate that the layout is acceptable.

In terms of parking, the dwellings meet the requirements for off street parking set out in SPD 'Parking' and the main access route has been widened to 6m which will adequately accommodate visitor parking.

Other provisions secured at the outline stage include a contribution towards enhancing the existing zebra crossing on the A61 Sheffield Road and £124,600.00 towards upgrading public right of way No40 into a bridleway to provide a connection to the Dearne Valley Parkway and the new developments in that area. A further point is that the pedestrian connection provided with Birdwell Recreation Ground would enable residents to access it, and Sheffield Road along with its shops and bus stops without walk the long way around using Hay Green Lane.

As a result of the above, the proposed plans meets the relevant technical design standards and is considered acceptable in highways terms in accordance with Local Plan Policies T1, T3 and T4. Highways have raised no objections to the proposal subject to conditions.

### Biodiversity

The Biodiversity Officer and the LPA's independent consultant's Wildscapes have confirmed that the retained and improved habitats on-site and the proposed biodiversity enhancements off-site are acceptable to achieve no net loss of biodiversity. Indeed the on-site habitats take the form of retention of the majority of the site's hedgerows and mixed scrub alongside installation of standing water (from the swales) while the off-site enhancements take the form of a 0.25HA fruit and nut orchard within the Birdwell Recreation Ground (agreed with BMBC Parks) as well as retention of 0.42HA of neutral grassland between the site's eastern boundary and PROW40 that is currently a part of Safeguarded Land allocation 4 which neighbours the site (SL4).

Following on from the submission of a Biodiversity Net Gain Assessment and metric the development will result in a net gain of 6.92 habitat units and 12.27 hedgerow units.

The measures proposed are deemed to be acceptable in respect of the no net loss of Biodiversity requirement as set out in the Biodiversity/ Geological Conservation SPD, LP Policy BIO1 and para 175 of the National Planning Policy Framework and shall be required to be installed and maintained for a period of no less than 30 years into the future. The measures are partially secured through the S106 agreement associated with the outline permission and partially through suitably worded conditions.

### Archaeology and Heritage

Site specific policy HS59 states; *Development of (the site) shall respect the historic setting of the listed barn opposite Herons Way by retaining the existing mature field boundary with its existing hedge and trees to the east, and by the use of appropriate site layout, sympathetic design that reflects the setting, scaling, massing, details and materials.*

At outline stage the Senior Conservation Officer was satisfied with the indicative layout with the provision of several open spaces across the eastern boundary of the site in the form of the Ash Tree stand-off space and the swale basins. When the current application was first submitted the eastern section of the site was more densely developed and did not reflect the outline application. However, this has since been amended to more closely follow the outline and is now acceptable to the Senior Conservation Officer. The number of dwellings in this section has been reduced to 8, compared with 11 on the outline, and also includes the Ash tree stand off open space, a tree lined street, the retention of the hedge along the Eastern boundary and the public open space and attenuation basin in the South Eastern Corner.

As such the development respects the historic setting of the listed barn and accords with site specific policy HS59 and Local Plan Policies HE1 and HE3. It is noted that the Conservation Officer has requested better quality materials in this section of the site and a materials palette will be conditions to be submitted for approval.

In respect of Archaeology, South Yorkshire Archaeology Service (SYAS) has stated that archaeological evaluation in the form of field work shall be required. prior to submission of reserved matters for this site as part of the outline application. That work has been done and is subject to a separate discharge of conditions application under reference number 2022/0691 which is being assessed by SYAS.

### Public Open Space

Around 17% of the site is proposed to be public open space, which complies with Local Plan policy GS1. Moreover, the site is adjacent to Birdwell recreation ground which further amplifies the public open space available to future occupants of the site.

The proposed public open space remains predominantly in the same position as that set out on the indicative plan submitted alongside the outline application. As such the required stand-off from the LEAP of 20m remains, the stand-off from the ash tree to the East of the site is included as is the supplementary space beside the cycle access, from Hay Green Lane through the site which links to the cycle connection to the recreation ground in the South Western corner of the site.

The S106 agreement signed as part of the outline application requires off site formal contributions inline with the SPD and also requires;

- Additional play equipment to upgrade the child and youth provision from LEAP to NEAP standard on Birdwell Recreation Ground
- Improvements to access footpaths, lighting, pedestrian gateways and to provide welcoming signage/notice boards
- Improvements to the existing sports pitches, changing facilities, grass sward and drainage improvements, and
- Provision of extra standard trees, spring bulbs and landscaping works to the wider public open space

In terms of the off-site formal contribution the total, given the current layout of the reserved matters application, is £196,944.70

The proposals therefore comply with Local Plan policy GS1 and the SPD.

### Drainage/Flood Risk

The applicant provided a Drainage and Flood Risk Assessment alongside the outline application. The report stated that flooding from multiple sources including adjoining land, groundwater, sewers, reservoirs, canals and other artificial sources was considered low due to the location of the site, its topography and features.

In respect of surface water, the assessment identified a mix of attenuation basins in the south-eastern corner of the site and an outfall to Short Wood Dike to be an appropriate drainage strategy. The discharge of surface water would need to be restricted to Greenfield run-off rates via a requisition sewer to the dike and the development shall be so designed as to ensure the following parameters are achieved:

- No surcharge of pipes occurs in the 1 in 2-year rainfall event.
- No surface flooding occurs in 1 in 30-year rainfall event.
- No flooding to buildings and adjacent properties occurs in 1 in 100-year rainfall event (including an allowance of 40% for the effects of future climate change), as defined in NPPF Technical Guidance.
- Infrastructure drainage shall be put forward for adoption under a Section 104 agreement with the local Water Company (YW).

A condition was recommended by Highways Drainage at outline stage and that condition would need to be satisfied prior to the commencement of the development.

The Council's Drainage engineers have been consulted on this application and have raised no objections. Yorkshire Water did initially raise concerns regarding the diversion of a sewer across the site as they had not been provided with a signed S185 approval letter or evidence that that process had commenced, however, the applicants have since provided evidence that the process has begun. As such, the development complies with policies CC1, CC3, CC4 and UT2.

### Trees

The forestry officer is content with the preliminary arboricultural report and the retention of the majority of the trees and hedgerows on-site notably the mature oak (T14) adjacent to Birdwell Recreation Ground and the mature ash tree upon the eastern site boundary.

2no. conditions were recommended at outline stage to ensure existing trees and hedgerows are protected throughout the course of the construction process and that

the site is to be suitably provisioned with new trees and hedgerows. A full landscaping plan has also been submitted alongside this application detailing the retained trees and hedgerows as well as the proposed landscaping throughout the site.

The submitted details are considered satisfactory and secure the future of existing habitats and valuable landscaping features on-site in accordance with LP Policies D1 High Quality Design and Placemaking as well as LP Policy BIO1 Biodiversity and Geodiversity.

#### Planning obligation and infrastructure requirements

As outlined above, the outline planning permission was subject to a S106 Agreement to secure open space provision, Education contributions, on site affordable housing and a sustainable travel contribution. The majority of the contributions are secured in line with the formula's in the relevant SPD's. As such, there is some variation in the figures quoted in the outline application report due to the overall number of dwellings being less than the maximum that was indicated at the outline stage (113 dwellings compared with the 118 indicated at outline).

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 this area. 11 no dwellings are proposed including 5no. 2 bedroom properties and 6no. 3 bedroom properties at the request of the Strategic Housing Team. The houses will be a mix of 7no. plots for rent and 4no. plots for first homes.

Following amendments to the layout of the development the affordable units have also been distributed in 3 areas around the site to better integrate them.

Education – The S106 Agreement for the outline application sets out the requirements for contributions for both primary and secondary school contributions based on the formula set out in SPD 'financial Contributions for Schools'. Based on 113 dwellings the contributions are £379,680.00 for primary school places which would be directed towards Birdwell Primary School in the first instance.

In terms of Secondary school contributions the required figure is £271,200.00 which would be used towards an extension at Kirk Balk.

The total combined figure for both primary and secondary school places is £650,880.00.

Greenspace – As outlined in the public open space section above, the total contribution for formal off site, given the current layout of the reserved matters application, is £196,944.70.

Sustainable Travel – Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel. The developer has agreed to both a policy compliant (trip-based calculation dependent on site yield) and uplift to total £124,800.00 to ensure deliver the upgrade of PROW40 to bridleway status. This has been secured by the S106 agreement.

Given the applicant signed a legal agreement at outline stage, and in accordance with the details set out above, the proposal is considered to be compliant with the requirements of Policy I1 Infrastructure and Planning Obligations which states that

development must contribute as necessary to meet all onsite and off-site infrastructure requirements to enable development to take place satisfactorily.

## **Conclusion**

Outline planning permission, including means of access, has already been granted and so the reserved matters under consideration as part of this proposal are layout, design, scale and landscaping. The details submitted have been amended following officer and consultee concerns regarding the original plans. Following these amendments, the layout, design, scale and landscaping are considered acceptable subject to the conditions proposed with the planning obligation and infrastructure requirements already secured by the S106 Agreement that was signed at the outline stage.

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies H6, GD1, D1, GS1, I1, BIO1 & T4) and the relevant SPD's including Designing New Housing Development and is assessed to be a suitable form of development. The application is also considered acceptable in relation to the other considerations set out in the assessment section of the report including design/appearance/layout, residential amenity, highways matters, biodiversity, drainage and archaeology and heritage subject to appropriately worded conditions.

Based upon the above the proposals are in compliance with the development plan meaning that the presumption in favour of sustainable development set out in Local Plan policy SD1 and in paragraph 11 is considered to apply. In such circumstances proposals that accord with an up to date development plan should be approved without delay. The recommendation is therefore to approve the reserved matters subject to the conditions listed below.

**Recommendation:-** Grant reserved matters approval subject to the following conditions which supplement those already imposed on outline planning permission 2020/0577:-

1. The development, hereby permitted, shall be begun before the expiration of two years from the date of approval.

**Reason: In order to comply with the provision of Section 92 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 (listed below) unless required by any other conditions in this permission.

### Layouts

Location Plan, Drawing Number 4203/01.

Colour Planning Layout, Drawing Number 4203/04 Revision J.

Materials Layout, Drawing Number 4203/06, Revision C.

Storey Height Layout, Drawing Number 4203/07, Revision C.

Street Scenes, Drawing Number, 4203/SC, Revision B.

Accommodation Plan, Drawing Number 4203/07, Revision B.

Desire Routes to Local Amenity Plan, Drawing Number 4203/50 Revision A.

Detailed Landscape Layouts (sheet 1), Drawing Number 3903/1, Revision G.

Detailed Landscape Layouts (sheet 2), Drawing Number 3903/2, Revision G.

#### Supporting Information and Reports:-

Tracking Layout for Refuse Vehicle (sheet 1 of 3), Drawing Number, HGL-BWB-GEN-XX-DR-TR-101, Revision. P1

Tracking Layout for Refuse Vehicle (sheet 1 of 3), Drawing Number, HGL-BWB-GEN-XX-DR-TR-102, Revision. P1

Tracking Layout for Refuse Vehicle (sheet 1 of 3), Drawing Number, HGL-BWB-GEN-XX-DR-TR-103, Revision. P1

Biodiversity Nett Gain Report and associated Metric 3.1 (all planting specification and quantities to remain equal to previously assessed to avoid re-consultation). Revision P02 Dated November 2022

Design & Access Statement - Dated February 2023.

#### House Type Plans and Elevations:-

Askham Elevations, Drawing Number, AV22/ASK/0-002

Askham Floor Plans, Drawing Number, AV22/ASK/0-003

Baildon Elevations, Drawing Number, AV22/BAI/0-002 Revision C.

Baildon Floor Plans, Drawing Number, AV22/BAI/0-001 Revision C.

Cookridge Elevations, Drawing Number, AV22/COO/0-002 Revision C.

Cookridge Floor Plans, Drawing Number, AV22/COO/0-001 Revision D.

Fernlee Elevations, Drawing Number, AV22/FER/0-002 Revision B.

Fernlee Floor Plans, Drawing Number, AV22/FER/0-001 Revision B.

Horbury Elevations, Drawing Number, AV22/HOR/0-002 Revision C.

Horbury Floor Plans, Drawing Number, AV22/HOR/0-001 Revision D.

Leyburn Elevations, Drawing Number, AV22/LEY/0-002 Revision B.

Leyburn Floor Plans, Drawing Number, AV22/LEY/0-001 Revision B.

Maltby Elevations, Drawing Number, AV22/MAL/0-002

Maltby Floor Plans, Drawing Number, AV22/MAL/0-001

Netherton Elevations, Drawing Number, AV22/NET/0-002

Netherton Floor Plans, Drawing Number, AV22/NET/0-001

Oakwood Elevations, Drawing Number, AV22/OAK/0-002 Revision B.

Oakwood Floor Plans, Drawing Number, AV22/OAK/0-001 Revision B.

Ripon Elevations, Drawing Number, AV22/RIP/0-002 Revision B.

Ripon Floor Plans, Drawing Number, AV22/RIP/0-001 Revision B.

Saltaire Elevations, Drawing Number, AV22/SAL/0-002 Revision C.

Saltaire Floor Plans, Drawing Number, AV22/SAL/0-001 Revision C.

Walburn Elevations, Drawing Number, AV22/WAL/0-002 Revision C.

Walburn Floor Plans, Drawing Number, AV22/WAL/0-001 Revision D.

#### Boundary Treatments

1.8m High Screen Fence Detail, Drawing Number, 2101/208.15

1.8m High Pier & Panel Wall Detail, Drawing Number, 2101/208.01

1.2m High Post & Rail Fence Detail, Drawing Number, 4143/208.11

0.45m High Knee Rail, Drawing Number, 4153/208.18

**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 development shall be completed in line with the Biodiversity Net Gain Assessment V2 (January 2023) and the conditions of the planning permission. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

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

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

- 25% of the dwellings on site to comprise integrated bat roosting boxes and bee bricks, to be installed in suitable locations within the new dwellings;
- 100% of the dwellings to comprise integrated swift boxes, to be installed in suitable locations within the new dwellings; and
- Hedgehog highways to be installed in all boundary fencing, including fences between dwellings. The hedgehog highways will be signposted to prevent residents blocking the gaps.

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

5. A Biodiversity Enhancement Management Plan (BEMP), completed by a suitably qualified ecologist will be submitted to the Local Planning Authority prior to the commencement of works on site. The BEMP will include the following:

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

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

6. Notwithstanding the submitted details, prior to first occupation of the site, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall be provided by a suitably qualified ecologist and clearly demonstrate that lighting will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:

- o A drawing showing sensitive areas, dark corridors and buffer areas;

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

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

**Reason: In the interests of residential amenity in accordance with policy Poll1.**

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

- o Risk assessment of potentially damaging construction activities;
- o Identification of 'biodiversity protection zones';
- o 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);
- o 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);
- o Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- o The times during construction when specialists ecologists may need to be present on site to oversee works;
- o Responsible persons and lines of communication;
- o The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);

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

8. No building or use hereby permitted shall be occupied until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption as maintainable at public expense within the site have been submitted to and approved in writing by the LPA. On occupation of the first dwelling (or building) within the site, the streets shall be maintained in accordance with the approved management and maintenance details.

**Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4**

9. Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor

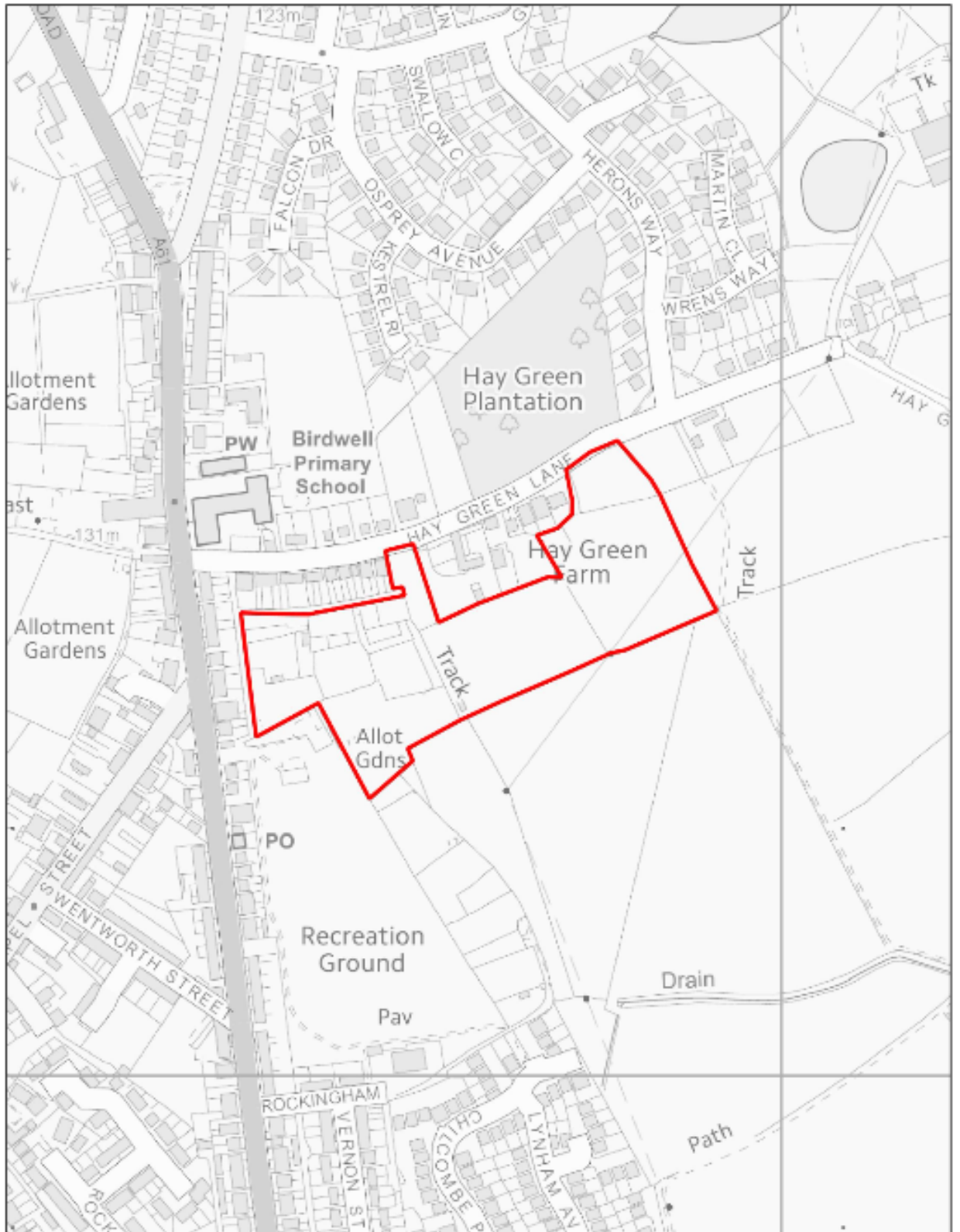


levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.

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

PA Reference:-

2022/0680



**BARNSLEY MBC - Regeneration & Property**



Scale: 1:3597