
2022/0619

Applicant: Rouse Homes Limited

Agent: DLP Planning Limited

Description: Outline planning application for the erection of up to 115 houses with all matters reserved except for access.

Address: Woolley Colliery Road, Darton, Barnsley, S75 5HQ

Site Description

The development site comprises 3.9ha split over two parcels of land located to the west of Woolley Colliery Lane, northwest of Darton. The land formed part of Woolley Colliery Mine, with a sewage works, slurry bed and slag heaps shown as located in the area on historic mapping. There remains evidence of this historic use on site with concrete bases visible in places, albeit the site is also largely covered in vegetation. Existing vehicular accesses are also evident.

The north side of the site is 2.8ha, irregular in shape with woodland and residential properties to the north and west, Woolley Colliery Miners Welfare Ground to the south and Woolley Colliery Open Space to the west. The south side of the site is 1.1ha and lies just to the south of the Welfare Ground with woodland in Woolley Colliery Open Space to the north-west and in the open space to the south. Woolley Colliery Road is to the east of both parcels, beyond which are open fields, currently used for grazing and allocated for housing in the Local Plan.

To the northeast is Woolley Grange, a large housing estate located on the former mine and in the Borough of Wakefield. To the south is Darton with Mapplewell to the east.

The site is identified on the Environment Agency's Flood Map within Flood Zone 1, which places it within the lowest risk category for flooding.

Part of the north and the south side of the site are located within a Development High Risk Area, where shallow coal mine workings are probable. According to the Coal Authority, there are mine entries / adits near the southern boundary of the site. There are two small areas of deciduous woodlands which border the north and the south side of the site to the west. The site lies within close proximity of a range of local community services and facilities which are easily accessible on foot.

Proposed Development

The proposed application has been submitted in outline format, for up to 115 dwellings split as follows:

Up to 75 on the northern site; and
Up to 40 dwellings on the southern site.

Access is included and proposed via Woolley Colliery Road with two independent access points and a new 2m wide footpath is proposed along the site frontage. Further, a new 3m footway is proposed connecting the existing footway on the eastern side of Woolley Colliery Road to the bottom of Bloomhouse Lane (public bridleway).

An indicative layout plan with 110 dwellings has been provided which shows:

A total of 73 dwellings are shown on the northern parcel, with an attenuation pond in the northern most point. The existing access is relocated further south and pedestrian / cycle links are shown into the adjacent Woolley Colliery Open Space which is in the applicant's ownership.

A further 37 dwellings are shown on the southern parcel. The existing access is retained and improved and similar links to the adjacent open space are shown. There is a small greenspace to the northeast of the site. The proposed attenuation pond is located off site.

In terms of the housing mix there are 88 market houses proposed which consist of 54 3 beds and 34 3 beds. The affordable housing mix is split as 10 2 beds and 12 3 beds.

Relevant Planning History

B/03/1662/DT - Reclamation Scheme - former Woolley Colliery No. 2 tip reprofiling – Approved

B/04/1783/DT – Development of site for mixed uses (Outline) – Refused

2005/2050 - Variation of Condition 1 of Planning Permission B/03/1662/DT – Approved

Policy Context

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

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

Site Allocation: Housing Allocation

Site HS1:-

Former Woolley Colliery Indicative number of dwellings 90

Development of the site will not take place until the road layouts are in place for sites HS25 and HS11.

The development will be expected to retain and manage the species-rich grassland and the woodland which forms the north and eastern half of the northern parcel of land.

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, which includes Darton.

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 20% affordable housing in this area

T3 'New Development and Sustainable Travel'. The site is located in the Dearne

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

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

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 Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

SPD's

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

Other

South Yorkshire Residential Design Guide

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. The NPPF as a whole is a material consideration albeit the following, in particular, are relevant to this application:

Paragraphs 74 – 77, Maintaining Supply and Delivery of homes.

Paragraph 104: Transport issues should be considered from the earliest stages of plan making and development proposals.

Paragraph 105, significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

Paragraph 110: Considering Development Proposals including: secure appropriate opportunities to promote sustainable transport modes, safe and suitable access for all users and, impacts from the development on highway safety must be cost effectively mitigated to an acceptable degree.

Paragraph 179 and the protection and enhancement of habitats and biodiversity.

Paragraph 180, including the hierarchy approach: avoid, mitigate or compensate and the requirement to refuse development which results in the loss or deterioration of irreplaceable habitats, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Consultations

Affordable Housing Officer: There is a requirement to deliver 20% affordable homes on the site which, based on the indicative scheme, would equate to 22 units. The tenure mix would need to incorporate First Homes and current need in the area suggests a requirement for family housing including 4 beds alongside the recent SHMA which suggests 2 and 2 bed houses alongside bed flats. The final mix and tenure can be agreed at Reserved Matters stage.

Biodiversity Officer: Recommend approval subject to the development being completed in line with recommendations in the Ecological Design Strategy, Preliminary Ecological Appraisal, Biodiversity Net Gain Assessment, BNG Defra Metric 3.0, Bat Activity Survey, Reptile Survey – Final Report, Badger Assessment and Report and the recommended conditions.

Coal Authority: No objection subject to conditions.

Drainage: No objections subject to conditions.

Environment Agency: No comments received.

Education: to the proposal generates the need for 24 primary school places based on the indicative plan but a recalculation would be required at the Reserved Matters stage. This can be secured through a S106.

Highways: Following amendments to the scheme, including the provision of footpath on the opposite side of Woolley Colliery Road to Bloom House Lane, no objections subject to conditions.

Network Rail: No objection subject to conditions.

Pollution Control: No objection subject to conditions.

Public Health: The HIA has been reviewed and all elements have been considered for this outline planning application. A more detailed assessment will be required at Reserved Matters stage. This can be secured by condition.

South Yorkshire Mining Advisory Service: No objection, subject to conditions.

Superfast South Yorkshire: Email dated 12th September has confirmed the provision of Ultrafast broadband for the site and will be dealt with via Building regulations.

Tree Officer: No objections subject to a condition requiring further detailed assessment be provided with the Reserved Matters Application to inform the final layout on site.

Ward Councillors: Councillors Denton and Hunt have both written in to support the development of a brownfield site which has the potential to link Woolley Colliery and Darton as well as provide investment in the adjacent Woolley Colliery Recreation Ground. This is subject to the following caveats:

- Better access could be provided from the south of the site for pedestrians and cyclists to adjoining land to make it easier to access Darton and the railway station without the need to use the Woolley Colliery Road pavement.
- The proximity of the road access on the Southern part of the site to a nearby sharp bend.
- The impact of the additional traffic. The transport assessment states that no junction changes are needed in Darton as a result of the development but it does add to the pressures on the junction of Church Street and Huddersfield Road which is already known as a problem particularly at peak times.
- It is noted that the local plan states that this site should be developed after the road layouts of HS11 and HS25 are in place. A more detailed understanding is required of the purpose that the HS11/HS25 road layout will have in alleviating congestion. It is unclear how that road layout will ease congestion elsewhere.
- It is noted that the majority of trees on the boundary of the site will be retained. Some will be lost though and the council's biodiversity officer must be satisfied that there is a net gain overall following the enhancements described in the application on the adjacent land.
- Impact on other infrastructure such as doctors and schools. In particular, Darton Primary and whether that school requires expansion as a result of this application which could be facilitated via S106 monies.

Yorkshire Water: No objection subject to conditions

In addition, Barnsley Biodiversity Trust have raised the following points regarding priority species not being referenced in the application form: the site should be assessed as higher than district level; the application should have included a Biodiversity Net Gain (BNG) assessment; the Preliminary Ecological Appraisal (PEA) should be included in the application documents together with the recommended additional survey reports, that recommendations in the PEA should be transferred into a plan for the site and timescales and a commitment to retain features needs to be established; highlighted that a Biodiversity Management Plan (BMP) has not yet been agreed.

Representations

The application was publicised by notices in the press, on site and by individual neighbour notification. A total of 22 letters have been received, 3 stating no objection in principle although raising some issues and the remaining raising concerns or specific issues. These are summarised as follows:-

- The proposal should be considered alongside other applications in the area, to understand cumulative impacts on services and infrastructure.
- Phasing of infrastructure, including new roads and improvements to existing ones (e.g. traffic signals).
- The proposal will add to existing congestion in Darton including the Church Street/Huddersfield Road junction.

- Concerns regarding safety of the section of Woolley Colliery Road that runs around the corner of Fountain Square down to Darton Train Station and includes sharp bends requiring large vehicles to use the full width of the road for manoeuvring. It experiences speeding drivers and on street parking and the proposal will make this worse.
- Pedestrian access from the site to local services is inconvenient and can be dangerous.
- Increased rat running through the Woolley Grange development.
- Lack of and unreliable bus services
- Increased noise and air pollution from the proposed development during construction and from cars associated with it.
- Lack of community facilities within the vicinity of the site.
- Lack of capacity within local schools and doctors are already overrun, which will be exacerbated by the proposed development.
- No planned children's recreational parks, Woolley Grange and Colliery parks exceed capacity.
- Unclear plan for 'link' between the north and south site, presently the area is very poor for leisure and conservation
- Paths should be improved in the area to improve accessibility and connectivity for pedestrians.
- Loss of ecological value as the site includes a variety of grasses, wildflowers and trees which provide a diverse habitat for some of our endangered species, including a range of rare butterflies.
- The site is a valuable local asset providing informal greenspace that can be used for recreational purposes.
- Increased surface water run-off from the Woolley Grange development, which will further increase as a result of this proposal.
- Concern that the small village, Woolley Colliery, is losing its identity and this will continue if this proposal is allowed.

The Woolley Grange Residents Association have also submitted a letter of representation which raises the following additional points:

- Extremely positive response from residents regarding the proposed development.
- New development will significantly improve the appearance of the area and prevent fly tipping and anti-social behaviour that currently takes place on the undeveloped land.
- Residents are positive about the proposed footpaths which will give access to an ecological area and will encourage biodiversity for wildlife.

Assessment

Principle of development

The Presumption in Favour of Sustainable Development remains at the heart of the National Planning Policy Framework (NPPF) and the Local Plan as set out in Policy SD1. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The site is allocated for housing in the Local Plan with site specific policy HS1 which states that development of the site will not take place until the road layouts are in place for HS25 and HS11. In addition, the policy requires development to retain and manage the species-rich grassland and the woodland which forms the north and eastern half of the northern parcel of land.

Taking each matter in turn:

Off Site Highway & Pedestrian Safety and the Phasing of Local Plan Housing Allocations HS1, HS11 and HS25

Notwithstanding the Local Plan requirement regarding phasing of sites HS11, HS25 and this application site (HS1), it is asserted within the Design & Access Statement submitted in support of these proposals that there is no justification for the requirement for the HS11 and HS25 sites to be developed prior to HS1 and that all essential services and facilities can already be accessed safely on foot from the HS1 site via existing footways. This has not been accepted by officers and has resulted in extensive dialogue throughout the processing of this application.

At present, there is no continuous designated pedestrian route between the HS1 site and the numerous services and facilities in Darton. The pedestrian route to the south of the site via the off-road path from Woolley Colliery Road to the car park of Darton Railway Station subsequently leads to Station Road at which point there are no designated crossing points to allow pedestrians to safely cross the road to the nearest continuation of footway. The alternative route for pedestrians would be to stay on Woolley Colliery Road but there is a 100m gap in footway provision so this route does not afford safe passage for pedestrians either. The Local Plan therefore requires a new spine road and associated pedestrian routes through site HS11 and site HS25 to link Woolley Colliery Road with Darton Lane, thereby diverting a demonstrable proportion of traffic from the Woolley area away from Station Road.

To address this concern regarding pedestrian safety, off site enhancements have therefore been explored and the proposals now include the provision of a 3m wide shared footway/cycleway along the southern boundary of the HS25 allocated site which would provide a continuous footway link from Darton to the proposed pedestrian crossing facilities along the development site frontage. This shared footway/cycleway link is to be secured by way of a S106 agreement which will be signed by the owner of the HS25 allocation and in return, the owner of the HS1 site has agreed to dedicate a strip of land they own on the eastern side of Woolley Colliery Road as public highway. This is essential to ensure that when site HS25 comes forward it will be possible to provide a new connection through the site to Woolley Colliery Road, as the Local Plan requires. An added benefit of the 3m wide shared footway/cycleway will be to improve forward visibility for drivers when travelling around the bend closest to the proposed entrance to the southern parcel of the application site.

At the time the Local Plan was adopted, the feasibility of providing a shared footway/cycleway across the bottom of site HS25 (which also had the potential to improve forward visibility) had not been considered. Since then, a further scheme has emerged to enhance pedestrian safety and improve access to Darton Train Station, which involves closing the tunnel below the railway line to traffic thereby removing conflicting manoeuvres where Woolley Colliery Road meets Station Road. In addition, it was also not anticipated that site HS11 would be delayed in coming forward. This was because a planning application had been submitted in 2017 for 214 dwellings on the HS11 site with a link shown through the HS25 site to Woolley Colliery Road. That application remained under consideration in early 2019 when the Local Plan was adopted and so it was reasonable to assume that had planning permission been granted, the site (HS11) would have been well under construction by now with the prospects of planning applications subsequently arriving on sites HS25 and this site (HS1). As it happens, no planning permission has been forthcoming on site HS11 and no planning application has been lodged to develop site HS25.

Allowing site HS1 to come forward first would therefore constitute a departure from the phasing envisaged in the Local Plan. However, the improvements to Woolley Colliery Road that can be secured through granting this application, combined with the dedication of land as highway which will be necessary to eventually divert traffic onto a new spine road running through sites HS11 and HS25, will demonstrably improve the likelihood that the new spine road required in the Local Plan will be delivered earlier in the plan period than if this application were to be refused. These factors therefore constitute material considerations that justify a departure from the phasing in the Local Plan and the improvements to Woolley Colliery Road ensure the proposal is deemed acceptable having regard to policy T4.

Ecology

Turning to the requirement to retain and manage the species-rich grassland and the woodland which forms the north and eastern half of the northern parcel of land. In accordance with paragraph 9.6 of the Local Plan, the indicative yield for the site has been set at 90 to allow for this requirement.

The indicative figure of up to 115 houses therefore exceeds the indicative yield in the Local Plan but it represents an upward limit which may not necessarily be realised at the reserved matters stage (if outline permission is granted).

The application has been supported by various documents which have been amended throughout the application, these include a Preliminary Ecological Appraisal Report, a Badger Assessment report, Reptile Survey, Invertebrate Assessment, Bat Activity Survey, Biodiversity Net Gain Assessment and Ecological Design Strategy (EDS).

The submitted invertebrate report concludes that there is a population of dingy skipper and small blue butterflies within the northern and southern compartments and small heath within the northern compartment. These species are listed on Section 41 of the Natural Environment and Rural Communities Act, 2006. As such they are considered to be species of principal importance for the conservation of biodiversity in England; they are also UK BAP species. Dingy skipper is also listed as a Barnsley BAP species. The invertebrate report noted that the site is of district level importance. However, after further review and discussion, the Ecological Design Strategy (EDS) details that the site is of county level importance, based on the presence of dingy skipper, small heath, small blue and leaf beetle and the Council's Planning Ecologist agrees with the updated assessment for the site.

However, without a management plan for butterfly conservation, the site will continue start to scrub over and in turn this will remove the distinct value that it currently has as a habitat for butterflies. This would mean that the Small Blue, and many of the other notable butterfly species, would naturally be lost from the Site in the coming years, regardless of whether the Site is developed or not. Development of the Site can therefore be seen to provide a mechanism by which to manage

and maintain the underdeveloped parts of the site, providing essential mitigation to secure the habitat for Small Blue and other notable invertebrate species at the Site.

This would include scrub management both within the grassland and as a standalone habitat and the layout has been amended to increase the amount of Open Mosaic Sward habitat on site (primarily for butterflies). Translocation, is also now included in the EDS and that this will be undertaken in partnership with local butterfly experts. It is considered that this, in addition to the other measures aimed at butterfly mitigation can be front loaded into the proposed development. The Developer has confirmed that if Outline Consent is secured, they will start translocation and habitat creation measures at the earliest available window (and at the latest one year prior to development). The report also illustrates how the biodiversity value of onsite land, within Public Open Space, can be maximized, generating habitat units that contribute towards the site's Biodiversity Net Gain score. It is therefore considered that the EDS clearly demonstrates how mitigation and enhancement measures can be designed into the residential scheme. Further, the developer will be responsible for the creation and establishment works for a 30 year period and the biodiversity management plan will detail in full the habitat creation, establishment, management and monitoring works for the 30 year period, which can be secured within a Section 106 agreement.

In terms of other biodiversity matters, the updated EDS identifies species of importance and notes that there are additional surveys underway for the Common Lizard to determine whether the species has colonized the site as the Council's Biodiversity Officer previously raised concern that the majority of the surveys were completed in a one-month period.

The Site and wider colliery could be expected to attract reasonable levels of bat activity and currently supports a mix of 'medium distinctiveness' habitats, including grassland (mostly moderately diverse neutral, but with elements of acid and calcareous influence), species-poor scrub and deciduous woodland. Further surveys will be carried out for the Common Lizard and Bats to inform the reserved matters application.

The Biodiversity Metric demonstrates that the total on-site net % change plus off-site surplus (including all on-site and off-site habitat retention, creation and enhancement) would be 84.25% which can be secured through a Section 106.

Taking all of the above into consideration, the Council's Planning Ecologist raises no objections subject to conditions requiring that the development be completed in line with the recommendations in the Ecological Design Strategy and accompanying reports and surveys.,

As such, whilst it is acknowledged that the application would not strictly adhere to the wording of Local Plan Policy HS1 in respect of the features expected to be fully retained on site, it is considered the strategy to protect and enhance biodiversity is a material consideration that justifies a departure from the precise wording of policy HS1. Accordingly, subject to the necessary conditions and Section 106 agreement, the proposal is deemed acceptable having regard to policy BIO1 (Biodiversity & Geodiversity), Green Infrastructure policy GI1, and the SPDs Biodiversity & Geodiversity and Trees & Hedgerows.

Visual Amenity

The proposed application is submitted in outline form and therefore there is limited information to assess the visual amenity of the proposal at this stage with appearance, scale, landscaping and layout all being reserved for a subsequent application. However, an indicative masterplan has been submitted which shows that trees and native hedgerows could be planted within the scheme and that surface water storage ponds could be provided on site. Further, the indicative layout illustrates how land outside of the allocation but under the control of the applicant will be delivered for purposes of informal recreation and landscaping. At this stage, there is nothing to suggest that a high-quality

development, consistent with Local Plan policy D1 and the Design of Housing Development SPD cannot be achieved.

Residential Amenity

The site has been assessed as suitable for residential use when it was allocated in the Local Plan having regard to its relationship with adjoining land and uses. As this is merely an outline application, there is nothing to suggest that will not remain the case. If outline permission is granted, residential amenity issue will therefore be of greater significance when assessing the reserved matters (design, layout, scale and landscaping). As the site does not border existing residential properties, such an assessment would focus on whether residents of the proposed dwellings would be afforded adequate levels of amenity. At the reserved matters stage, a detailed assessment would therefore be undertaken to ensure the proposal accords with the separation distances and space standards as set out in the Design of Housing Development SPD and South Yorkshire Residential Design Guidance.

The applicant has provided a noise assessment which states that with appropriate mitigation, the proposed development will not give rise to significant adverse impacts on health or quality of life. A glazing and ventilation strategy has been provided which achieves both ventilation and internal ambient noise level requirements in all residential living spaces and bedrooms of the proposed development. Standard double glazing will be acceptable at the majority of locations throughout the site with alternative ventilation and enhanced glazing required for bedrooms most exposed to road and rail traffic noise. Noise levels meet BS 8233 requirements in the majority of external amenity areas, however fences of an increased height of 2.2m are required for gardens most exposed to road and rail traffic noise along the south-western boundaries. The report has been accepted by BMBC Pollution Control and a suitable condition has been recommended that is based on the report's findings. In addition, a condition requiring a construction method statement is recommended requiring measure to control noise and dust alongside a condition restricting hours of operation.

Housing Mix

If outline permission is forthcoming, the housing mix would be a detailed consideration at the reserved matters stage but at the outline stage it is necessary to ensure the required level of affordable housing (20% is secured by way of a S106 agreement) with the mix agreed at the reserved matters stage being informed by the latest Strategic Housing Market Assessment (SHMA), the Affordable Housing SPD and Choice-Based Lettings Data available at the time.

Accordingly, given the affordable housing provision can be secured under a s106 agreement and the mix and tenure can be agreed at reserved matters, the proposal is deemed to comply with Local Plan policy H7.

Other Highways Issues

In regard to other highways matters, the Transport Assessment submitted in support of the proposals concluded that the traffic impacts associated with the development are not considered to be significant in terms of the impact on the wider network."

Nevertheless, officers required a The Supplementary Junction Assessment to better understand the likely impact on the A637 Barnsley Road/Church Street/Churchfield Lane junction during peak times. That assessment demonstrates that the impact of the development traffic on the junction will be to marginally increase queuing, particularly during the AM peak period. However the queuing was shown to be short-lived and can be satisfactorily accommodated without impact on upstream junctions and accordingly, no further detailed assessment or mitigation in respect of the junction is therefore considered to be necessary.

In terms of sustainable travel, the site is in very close proximity to Darton Railway Station and the proposals include the provision of bus stops along the site frontage which is welcomed and can be secured by a suitably worded condition. In accordance with the recently adopted Sustainable Travel SPD, there will be a requirement for the applicant to provide a contribution towards sustainable transport and active travel measures through negotiation via a Section 106 agreement.

The proposed access points into the site are also considered acceptable having regard to design standards, including visibility and the on-site road network and parking and manoeuvring arrangements would be assessed at the reserved matters stage.

Accordingly, it is concluded that the delivery of the proposed development will not result in unacceptable highway safety impacts or result in a severe impact within the context of Paragraph 111 of the NPPF and Local Plan policies T3 and T4.

Greenspace

The applicant has provided an indicative layout and has set out the approach to greenspace within their supporting planning statement. The applicant proposes to provide the necessary greenspace provision through a combination of on and off site provision which can be secured by way of a Section 106 contribution with the detailed site layout and associated provision of on-site open space dealt with at the reserved matters stage.

Subject to the required Section 106 agreement the proposal is deemed to comply with Local Plan policy GS1.

Trees

The tree cover within the northern and southern sites is relatively young, self-set, pioneer species as a result of the site being left vacant. The better quality more established trees are located close to or just outside the boundaries and as such it is expected that these are retained and would remain unaffected by any proposal put forward at the reserved matters stage.

The principle of development and access are the only considerations under this outline application with all other matters reserved and therefore the tree officer has raised no objections to the application. However, a full tree survey will need to be submitted at reserved matters stage to inform the final layout, in addition to an arboricultural impact assessment and replacement tree planting as part of a landscaping plan.

Drainage/Flood Risk

The application has been accompanied by a detailed Flood Risk Assessment and outline drainage strategy has been undertaken. It has been established that the sites are located within fluvial Flood Zone 1 as defined in the EA flood maps, and there are medium/high risks from surface water flooding on both sites which require mitigation. Mitigation has been proposed in this report which will render the development safe in accordance with EA guidance and LLFA development control policy. The SUDS hierarchy in NPPF and Building Regulations has been reviewed in terms of surface water disposal and recommendations in line with BC development control policy has been made which will ensure that the development is not at risk of flooding and that flood risk is not increased in the surrounding area.

Yorkshire Water consider that the FRA and Surface Water Drainage Strategy are acceptable and have recommend approval of the application subject to conditions. Further, the Council's Drainage officer has also recommended conditional approval of the site. As such, it is considered the development is acceptable from a drainage/flood risk point of view.

Ground Conditions

The submitted 'Phase 1 Geotechnical and Geo-Environmental Site Investigation' for the proposals as prepared by Eastwood & Partners Consulting Engineers ref: 47124-001 dated 19th May 2022 analyses the various mining legacy issues that will need to be addressed for safe development.

At the Local Plan stage, ground stability was considered and it was deemed that the site was suitable for development, albeit a mitigation and remediation strategy may be necessary following more detailed site investigations.

Planning conditions will be required to ensure that both the required Phase 2 site investigation works and subsequent remediation and protective measures are competently addressed in consideration of best practice guidance (CIRIA C758D) and Coal Authority requirements.

S106 considerations

Education – There is a requirement for school places to mitigate the proposed development. This would be calculated when the Reserved Matters Application is submitted, in accordance with the Financial Contributions for Schools SPD.

Open space provision – New green space provision is required to be provided as part of the development in accordance with SPD: Open Space Provision on New Housing Developments. This would be calculated when the Reserved Matters is submitted, based on the number and mix of units and allowing for any onsite provision.

Affordable housing – The site is an area where affordable housing provision required under policy H7 is 20%. The mix and tenure would be agreed at Reserved Matters Stage.

Sustainable Travel – This is sought in accordance with Local Plan Policy T3 and the accompanying Sustainable Travel SPD. This is calculated when the Reserved Matters application is submitted in accordance with Section 5 of the SPD.

Shared footway/cycleway link- To be secured by way of a S106 agreement which will be signed by the owner of the HS25 allocation and in return, the owner of the HS1 site has agreed to dedicate a strip of land they own on the eastern side of Woolley Colliery Road as public highway.

Biodiversity- Biodiversity net gain secured by Ecological enhancements / translocation and the provision of stepping stones as detailed in the Ecological Design Strategy.

Other Matters

An Air Quality Assessment has been submitted to support the application, the recommendations of which will be conditioned as part of any planning approval.

Conclusion

The site is an allocated housing site within the local plan which largely establishes the principle of development being acceptable. The Local Plan expected this site to come forward after a spine road had been provided through site allocations HS11 and HS25 to link Woolley Colliery Road to Darton Lane thereby improving vehicular and pedestrian routes between the services and amenities in Darton and this site, Woolley Village and Wooley Grange. To justify this site come forward ahead of the others, the applicant has proposed a new 3m wide shared footway/cycleway on the opposite side of Woolley Colliery Road and to dedicate a strip of land in their ownership as public highway to enable the spine road through site HS25 to connect through to Woolley Colliery Road in the future. This proposal has been assessed in detail by Highways Officers and is deemed acceptable having regard to road and pedestrian safety considerations.

Whilst it is acknowledged the proposal includes development on some parts of the site that the site-specific policy expected to be undeveloped, a robust on-site and off-site mitigation strategy has been put forward which reflects the sites county-wide importance to butterflies. This strategy will prevent the site losing its habitat and biodiversity value over time and will result in a Biodiversity Net Gain of 84.25% and so the Council's Planning Ecologist has raised no objections. In all other respects, the proposal is deemed to comply with Local Plan and the proposal is deemed acceptable at this outline stage having regard to other material planning consideration, subject to the recommended conditions and the completion of a Section 106 agreement.

Recommendation

Approve subject to conditions and a S106.

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

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

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

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

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

3. The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission:

Hedgerow Regulations Assessment- ER-6218-07 dated 23/01/2023

Forward Visibility- 100-P-1001 dated 31.01.2023

Existing Footway Extension General Arrangement- 100-P-1000 REV B dated 17.01.2023

Biodiversity Net Gain Defra Metric 3.0- BM-6218-01B

Biodiversity Net Gain Assessment- ER-6218-06-B Revised 13/12/2022 CS

Ecological Design Strategy- ER-6218-05C REV C-12/12/2022

Preliminary Ecological Appraisal Report- ER-6218-01-A- Revised 07/06/2022

Badger Assessment and Report- ER-6218-04 dated 29/09/2022

Reptile Survey- Final Report- ER-6218-03B- 27/09/2022

Invertebrate Assessment- 27.19

Bat Activity Survey-ER-6218-02A- 27/09/2022

Proposed Access to Residential Site Key Plan- 100-P-001- REV B- 25.11.2022

Proposed Access to Residential Site General Arrangement- 100-P-002 REV B- 25.11.2022

Proposed Access to Residential Site Engineering Layout- 100-P-003 REV B- 25.11.2022

Proposed Access to Residential Site Swept Path Analysis RCV- 100-P-004- REV B- 25.11.2022

Supplementary Junction ASSESSMENT: A637 Barnsley Road/ Church Street/ Churchfield Lane (2022/0619)- Version 1- 27/09/2022

Highways Response Note- Version 1.1- 08/09/2022

Health Impact Assessment- By Strategic Planning Research Unit- July 2022

Transport Assessment- Version 1.0- 7/07/2022

Statement of Community Involvement- June 2022

Sustainability Statement- June 2022
Residential Travel Plan- Version 1.0- 07/07/2022
Planning Supporting Report- June 2022
Phase 1- Geotechnical and Geo-Environmental Site Investigation- 19/05/2022
Site Location Plan-100- 07/06/2022
Flood Risk Assessment and Surface Water Management Strategy- 5124/FRA01- June 2022
Design and Access Statement- June 2022
Arboricultural Walkover Assessment- 17/05/2022
Air Quality Assessment- 784-B038976- 27/05/2022

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

4. Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of buildings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Local Plan Policy D1.

5. Prior to the occupation of any of the houses on the development hereby approved, the mitigation measures described in report 'Wooley Colliery Road, Darton, S75 5HY Noise Assessment 784-B038941' produced by Tetra Tech Limited dated 12th August 202s, ref: 784-B038941, shall be implemented so that any noise associated with the development avoids significant adverse impacts on health or the quality of life as required by noise planning policy, especially to those living and working in the vicinity. The scheme shall be maintained as such thereafter.

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

6. No development or other operations (except those required to deliver the Biodiversity net Gain) being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree survey
Arboricultural impact assessment
Tree protective barrier details
Tree protection plan
Arboricultural method statement

The Tree Survey and Arboricultural Impact Assessment shall accompany the reserved matters submission.

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Local Plan Policy BIO1.

7. As part of the reserved matters submission full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to

be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping details shall be implemented prior to the occupation of the building(s).

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and to protect the safety, operational needs and integrity of the Darton Railway Station in accordance with Local Plan Policy T2.

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

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

9. Notwithstanding the submitted Air Quality Assessment (784-B038976- dated 27/05/2022) and prior to the commencement of the development, the developer shall submit an Air Quality Assessment Report, for approval by the Local Planning authority. This report shall consider the advice provided within the 'Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance', with regards the Air Quality impact, and any mitigation measures that may be required.

The development shall thereafter be undertaken in accordance with the approved details.

Reason: In the interest of air quality, in accordance with Local Plan Policy POLL1.

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

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

The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".

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

11. The development shall be carried out in strict accordance with the details indicated within the submitted report , 'Flood Risk Assessment & Surface Water Drainage Strategy ' 5124/FRA01 prepared by ID Civils Design , dated June 2022.

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

12. Prior to, or concurrent with the submission of the first reserved matters application, a scheme of intrusive site investigations shall be undertaken, including ground gas monitoring, which shall be designed by a competent person in compliance with Construction Industry Research and Information association publication C758D "Abandoned mine workings manual" where applicable in order to establish the exact situation regarding coal mining legacy issues on the site.

As part of the reserved matters application a report of findings arising from the intrusive site investigations/gas monitoring and any remedial and / or measures necessary, including the submission of the proposed layout plan which identifies the location of any on-site mine entries (if found present) including appropriate zones of influence for all mine entries, and the definition of suitable 'no-build' zones shall be submitted for approval in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.

In the case of further remediation works and/or mitigation measures or stabilisation works being required, then the condition will not be discharged until details of such works have also been submitted.

Reason: To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

13. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

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

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

15. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation into the watercourse has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with an approved programme and details.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network in accordance with Local Plan Policy CC3.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 6 metres, measured horizontally, of any watercourse.

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

17. No development shall commence until full construction, engineering, drainage and street lighting details of the streets proposed for highway adoption have been submitted to and approved

in writing by the LPA. The development shall thereafter be constructed in accordance with the approved details.

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

18. Before any dwelling is first occupied, the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway (Woolley Colliery Road) in accordance with details submitted to and subsequently approved in writing by the LPA.

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

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

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

20. Pedestrian visibility splays having dimensions of 2m x 2m shall be safeguarded at driveway entrances/exits. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6m to the rear of the footway/verge which would obstruct the visibility splay. The visibility splay shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

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

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

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

22. Any redundant vehicular accesses shall be reinstated as kerb (and footway) prior to the development being brought into use.

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

23. No works shall commence on site until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: In the interests of encouraging use of sustainable modes of transport.

24. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the proposed 3m shared footway/cycleway along the southern boundary of the HS25 allocated site for the length of Woolley Colliery Road where the existing facility ends and its junction with Bloomhouse Lane have been submitted to and approved in writing by the LPA. The footway/cycleway shall be completed prior to the occupation of any dwelling and shall be constructed in accordance with the approved details.

Reason: To ensure that the local highway network is upgraded in good time and to a satisfactory standard for use by the public in the interests of highway safety.

25. Notwithstanding the details shown on the submitted plans, no dwelling shall be first occupied until details have been submitted to, approved in writing by the Local Planning Authority, and implemented, which secure the following off-site highway works:

- Creation of a new 2m footway along the Western (site) side of Woolley Colliery Road.
- Creation of pedestrian crossing facilities along Woolley Colliery Road.
- Creation of bus stops on Woolley Colliery Road.
- Any necessary relocation of statutory undertakers equipment
- Any necessary alteration to signing/lining;
- Any necessary alterations to street lighting;
- Any necessary alterations to highway drainage;
- Any resurfacing/reconstruction as necessary.

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

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

26. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail.

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

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

Reason: In the interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety, 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 and to protect the safety, operational needs and integrity of the Darton Railway Station in accordance with Local Plan Policy T2.

27. No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- i. A plan to a scale of 1:1250 showing the location of all defects identified
- ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety.

28. The Travel Plan hereby approved shall be implemented in accordance with the measures set out therein. Within three months of first occupation, evidence of the implementation of measures set out in the Travel Plan shall be prepared, submitted to, and agreed in writing with the LPA. Ongoing monitoring and review shall be in accordance with the Travel Plan monitoring strategy contained within the plan.

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

29. The development shall be completed in line with the recommendations in the Ecological Design Strategy, Preliminary Ecological Appraisal, Biodiversity Net Gain Assessment, BNG Defra Metric 3.0, Bat Activity Survey, Reptile Survey – Final Report, Badger Assessment and Report, Hedgerow Regulations Assessment, 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: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

30. Mitigation works to create and enhance habitats as per the Ecological Design Strategy will commence at least 12 months prior to the start of works on site.

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

31. 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:

- a. ·A recent landscape plan detailing the location of mitigation works and the size of each habitat area to be enhanced and/or created;
- b. ·Management aims and prescriptions detailing the methods required to create and/or enhance each habitat at the required quality for a period of 30 years;
- c. ·A timetable of delivery for each habitat created and/or enhanced;
- d. ·A schedule of ecological monitoring for a minimum 30 year period, identifying when key indicators of habitat maturity should be achieved;
- e. ·Details on the monitoring of habitats 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 created and/or enhanced and any necessary management or replacement/remediation measures required to deliver the Net Gain values set out in the BEMP for each habitat;
- f. ·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.
- g. ·Details of translocation of turves/larvae for key butterfly species on site.

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

32. Notwithstanding the submitted details, before above ground works commence, details of external/internal lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall be provided by a suitably qualified ecologist and clearly demonstrate

that lighting will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:

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

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

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

33. 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:

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

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

34. Prior to commencement of the development, an appropriately experienced and qualified Ecological Clerk of Works (ECoW) shall be appointed by the applicant/developer. The ECoW shall be in post during appropriate stages of the development, as agreed in writing with the Local Planning Authority. The ECoW's scope of work shall include monitoring compliance with the mitigation measures as detailed within the Ecological Design Strategy, Preliminary Ecological Appraisal, Biodiversity Net Gain Assessment, BNG Defra Metric 3.0, Bat Activity Survey, Reptile Survey – Final Report and the Badger Assessment and Report, and the conditions of the planning permission.

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

35. Prior to the commencement of the development, a plan to demonstrate a suitable trespass proof fence adjacent to Network Rail's boundary must be submitted to and approved in writing by the Local Planning Authority. The plan must show a 1.8m high fence and accompanied by a statement to show provision for its future renewal and maintenance.

Reason: To protect the operational needs and integrity of the Darton Railway Station in accordance with Local Plan Policy T2.

36. Except in case of emergency, operations should not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays. There should be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority should be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided. Further, heavy goods vehicles should only enter or leave the site between the hours of 08:00 - 18:00 on weekdays and 09:00 - 13:00 Saturdays and no such movements should take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).

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

37. The development hereby approved shall be completed in line with the recommendations as per the submitted Health Impact Assessment- By Strategic Planning Research Unit- July 2022.

Reason: To ensure that any potential negative health and wellbeing impacts of the proposed development continue to be minimised in accordance with Local Plan Policy POLL1.

PA Reference:-

2022/0619

