
2022/0965

Applicant: RMH Properties Ltd

Description: Residential development of 45 dwellinghouses and associated works (Amended Plans)

Address: 28 Paddock Road, Staincross

Site Description

The subject site of the application is an irregular shaped vacant parcel of land to the north and east of Mapplewell Park and to the south of Paddock Road. The site slopes down from north to south with a site area of 1.94ha.

The site was previously predominantly grassland although there were also a number of scattered trees within the site and along the site boundaries along with some hedges. The site was cleared prior to the application being submitted although vegetation does still remain on the site boundaries.

The access into the site is off Paddock Road utilising an access that was created for a small development of 3 properties. This development is currently under construction. The remainder of the site borders onto residential properties to the north and a care home and residential properties to the west. To the south it borders onto Mapplewell park and a small number of residential properties. To the east the site borders onto allotments and an area of open grassland/trees that has planning permission for the development of 239 houses.

Proposed Development

This application seeks full planning for the erection of 45 dwellings with associated access, open space and landscaping. Large housing developers usually have a standard set of house types that they put forward on their developments. In this case the applicant is a local small housing developer who has put forward a very bespoke mix of housing that includes 25 different house types. These house types range in size from one bed apartments through to a 6 bed dwelling although the majority of properties either 3 or 4 bed units. The properties also range in height from single storey bungalows to two and a half storey dwellings.

Access into the site would be off Paddock Road utilising an access that was created for a small development of 3 properties. This access would lead through the development with properties accessed directly off it or from private drives leading off the main access. There are four areas of open space throughout the development site with various tree planting also proposed.

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

- Design and Access Statement;
- Planning Statement
- Geo-environmental Appraisal
- Mining investigation report
- Heritage Statement
- Drainage Strategy
- Flood Risk Assessment
- Landscape Strategy
- Arboricultural Impact Assessment
- Ecological Impact Assessment
- Transport Assessment and Travel Plan

History

The majority of the site has no relevant planning history to the site. However, part of the access onto Paddock Road has the following past history:

2017/1387 - Demolition of existing dwelling and outbuildings and erection of up to 6 dwellings (Outline) – Approved

2020/1453 - Reserved matters application for 3 dwellings (in connection with outline permission 2017/1387) – Approved

2021/1420 - Variation of condition 2 of application 2020/1453 (Reserved matters application for 3 dwellings (in connection with outline permission 2017/1387 to allow changes to site layout including alteration to road and addition of detached garage – Approved

2022/1034 - Variation of condition 2 of application 2020/1453 (Reserved matters application for 3 dwellings (in connection with outline permission 2017/1387)) to allow for addition of detached garages to plots 2 and 3

In addition to the above, the adjoining site to the east had the following planning applications approved:

2014/0249 - Erection of residential development of up to 250 no. dwellings. (Outline - All Matters Reserved) (Resubmission)

2016/0337 - Application for approval of reserved matters of outline planning permission 2014/0249 for 46 dwellings including means of access, laying out of internal access roads, open space and associated works.

2017/0520 - Erection of 193no. dwellings, including means of access, laying out of internal access roads, suds, open space and associated works (Reserved Matters)

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 HS8: Site West of Wakefield Road, Mapplewell Indicative number of dwellings 135

The allocation states the following:

The development will be expected to retain, buffer and manage all the hedgerows; significant areas of the existing grassland and scrub should be retained and managed as the greenspace provision.

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

Information identifying the likely location and extent of the remains, and the nature of the remains;

An assessment of the significance of the remains; and

Consideration of how the remains would be affected by the proposed development

Other relevant policies would be as follows:

SD1 'Presumption in Favour of Sustainable Development'.

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

LG2 'The Location of Growth'

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

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

H7 'Affordable Housing' seeks 20% affordable housing in this area

T3 'New Development and Sustainable Travel'.

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

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

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

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

SPD's

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

Other

South Yorkshire Residential Design Guide

NPPF

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

Consultations

Affordable Housing- 20% required in this location. 9 properties have been put forward for affordable housing which meets the requirement. This would need to be secured via a S106.

Biodiversity Officer- Recommend approval, subject to conditions.

Coal Authority- No objections raised

Drainage – No objections raised

Education Services- Contribution only required for primary school places. 10 pupil spaces required so a contribution of £160,000 would be required.

Forestry Officer- No objections subject to conditions to ensure protection for retained trees and adequate landscaping scheme.

Highways DC- No objections subject to conditions. .

Pollution Control- No objections subject to conditions

PROW – No recorded public rights of way across the site but 3 routes well used. Agent has been made aware of this and that applications could be made to claim these routes.

South Yorkshire Archaeology Service- No objections subject to conditions

South Yorkshire Police- No objections. Recommend the development is designed and built to Secured by Design Standards

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

Urban Design Officer- No objections subject to conditions

Yorkshire Water Services Limited- No objections subject to conditions.

Representations

The application was publicised by notices in the press, on site and by neighbour notifications letters. Re-consultation has also been carried out on the latest plans. At the time of preparing the report 46 representations had been received either objecting to the proposal or raising issues with it. The main issues raised are summarised as follows:

- Too many houses proposed
- Impact on schools
- Impact on doctors
- Impact on surrounding infrastructure
- Concerns over drainage from development
- Don't want existing hedgerow affected
- Concerns over highway safety and access into site
- Impact of traffic on Paddock Road where cars already drive too fast
- Congestion on roads
- Shouldn't have affordable housing on this site
- Decimation of green belt and green space
- Destruction of wildlife
- Concerns for adequate boundary treatment
- Dust and noise from construction activity
- Impact on residential amenity from proximity of houses
- Impact on neighbouring trees
- Affordable housing percentage too small
- Impact on access to paths
- Wait for adjoining site to be developed first
- Flooding on site
- Lack of archaeology survey
- Timescale for development to be completed

A representation was also received from Cllr Hunt which raises the following concerns

- Should extend consultation
- Highway safety and traffic generation
- Planning permission for adjoining site should be developed first
- Drainage concerns
- Concerns over clearing of site and loss of greenspace/grassland areas
- Impacts on local infrastructure

There has been one letter of support for the application.

Assessment

Principle of Development

The Presumption in Favour of Sustainable Development remains at the heart of the National Planning Policy Framework (NPPF) and the Local Plan as set out in Policy SD1. The site is part of housing allocation HS8 and as such would already have been assessed as a sustainable location for housing. The principle of residential development on this site would therefore be considered acceptable.

Policy HS8 makes reference to a large part of the site already having gained planning permission. A figure of 250 homes is mentioned in the policy which references the number granted at outline stage under planning application 2014/0249. Subsequent reserved matters approvals revised this figure to 239 dwellings. Policy HS8 states that the remainder of the site could be developed for an indicative number of 135 dwellings. The proposal for this site is only for 45 dwellings, However, this application only relates to part of the remaining allocation, land to the west of the existing Public Right of Way which bisects the allocation, and therefore the remainder of the allocation could still be the subject of a further planning application.

In addition to the above Policy HS8 also states the following:

“The development will be expected to retain, buffer and manage all the hedgerows; significant areas of the existing grassland and scrub should be retained and managed as the greenspace provision.

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

Information identifying the likely location and extent of the remains, and the nature of the remains;

An assessment of the significance of the remains; and

Consideration of how the remains would be affected by the proposed development.”

The aspects of greenspace/hedgerows and archaeology are addressed in the relevant sections of the remainder of this report..

Scale and mix of housing

The application is for 45 dwellings and the density of the scheme would equate to 23 units per hectare. Local Plan Policy H6 ‘Housing Mix and Efficient Use of Land’ states that a density of 40 dwellings per hectare net will be expected in Urban Barnsley and Principal Towns and 30 dwellings per hectare net in the villages. Lower densities will be supported where it can be demonstrated that they are necessary for character and appearance, need, viability or sustainable design reasons. In this case the irregular shape of the site and the levels differences with the site falling from north to south makes it difficult to design a scheme other than round a central spine road. The predominant character of the surrounding properties on Paddock Road are detached and semi-detached properties with good sized garden areas. The density of the scheme and the properties put forward is therefore reflective of its immediate surroundings. The scheme also provides for open space on site and a potential link road through to the remainder of the allocation. Increasing the density of the scheme is likely to result in a loss of these features, and lead to a more crowded streetscene that would not be reflective of its immediate surroundings. In view of this the lower density is not considered of significant detriment to the scheme.

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 achieves this by providing a large range of bespoke house types from apartments, through to

bungalows/dormer bungalows, through to semi-detached and detached properties. Although the majority provide 3 and 4 bedroom accommodation, there are 7 properties with 2 or less bedrooms and 3 properties with 5 or more bedrooms. It is therefore considered that this scheme does provide a broad mix of housing types.

In terms of Affordable Housing, the policy requirement for the area is 20%. The Council's Affordable Housing team have agreed that this will be provided in the form of 9 units on site consisting of 2 semi-detached bungalows, 5 apartments and 2 houses. The 9 units will be split over two areas of the site which does provide some disbursement and will provide a mix of affordable rent and first homes. As such, the development is considered to provide a broad mix of house size, type and tenure, in line with policy H6.

Design/Appearance/Layout

The site layout has been designed around a clear spine road which runs from the proposed access off Paddock Road through the site. The main area of public open space is to south of the site although there are smaller areas of open space within the remainder of the development including an orchard area. The scheme will pass 3 houses that are currently being developed by the same developer as this scheme so the dwellings will be of a similar design to those proposed helping to integrate them into the scheme from the main access off Paddock Road into the site.

The 'Design of Housing Development' SPD states that 'all new streets should be defined by the fronts of plots with buildings orientated to face the public highway, space or private street space to create an active frontage'. The SPD goes on to state that blank street elevations facing onto streets should be avoided. The majority of dwellings have been positioned with their plot orientated to front the road hierarchy.. Furthermore the streetscene is benefitted up by proposed landscaping and street trees which helps to break up the street and ensure the built form is not overly prominent or detrimental to the visual amenity of the street scene. Parking has been designed so there is a mix between side parking and front parking to ensure there isn't an over-dominance of on street parking.

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

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

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

Residential Amenity

In terms of neighbouring amenities, the site does border a few properties to the north, south, and west. To the south the open space borders onto the properties and ensures that a distance of over 21m is retained between the proposed and existing houses. To the east, Plot 1 borders onto 11 and 13 Elliston Avenue. However, the dwelling at this plot is a dormer bungalow and has its side elevation facing the neighbouring property. There is a distance of 11.5m between the side elevation and the neighbouring property with a conifer hedge in-between. As there are only ground floor windows proposed on the side elevation it is not considered that there would be any significant detriment to

this neighbouring dwelling. Plots 3 and 4 face the backs of properties 15,17, and 19 Elliston Avenue, however there is a separation distance of 21m which meets the required guidelines. Elsewhere along the western boundary adequate separation distances are achieved. To the north of the site the scheme also meets the separation distances to neighbouring properties apart from the small apartment block (plots 25 to 30). At its closest point the edge of the apartment block would be 18m away from Pear Tree Cottage. However, there are a number of trees in-between in the neighbour's garden and due to the orientation of the buildings it is not considered that there will be any significant overlooking of this near neighbour to warrant refusal of the proposal. There will be some noise and disruption during any construction period so conditions have been recommended to allow for the submission of a construction method statement to be submitted and approved by the Local Planning Authority and to control the hours of construction.

In terms of internal amenity, all dwellings proposed meet the overall internal space standards recommended in the South Yorkshire Residential Design Guide.

The Designing New Housing Development SPD states that rear gardens of proposed dwellings should be at least 50m² in the case of two-bedroom houses/bungalows and 60m² for houses/bungalows with three or more bedrooms. The dwellings meets these standards with the one bed apartments also having a communal space to the rear of the building. In addition it is considered that the residents have access to good on site public open space

In terms of the layout proposed the dwellings meets the separation distances between habitable room windows on rear and front elevations including the separation distances across a road.

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

Highways

It is acknowledged that a lot of the objectors have raised highway safety and the impact on the surrounding roads as a concern from this development. The applicant has submitted a transport assessment and a travel plan which has been looked at in detail by the Council's Highways Section.

The Transport Assessment (based on 46 dwellings) determines that there is no significant adverse impact on the existing highway network. The NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The nearest road junction likely to be affected would be the Paddock Road/ Shaw lane junction. Based on the development traffic consisting of just 12 two-way trips at the junction during the peak hours, it is considered that the development would not have a significant impact on the operation of this junction. The impact at junctions further from the site is negligible, it would therefore be difficult to justify the need for any highway improvements/schemes for the level of development proposed.

In terms of the site access, a previous application (2020/1453) for the erection of 3 dwellings at the northern extent of the site included an access from Paddock Road designed to a standard appropriate to accommodate these future proposals. As such, the proposed site access is satisfactory in terms of width, alignment, visibility, footway provision and the informal pedestrian crossing facility that is to be provided across the mouth of the junction.

In terms of the internal layout swept path manoeuvres contained within the TA demonstrate that the proposed turning areas are suitable to accommodate either a refuse vehicle or fire appliance as required. The development provides adequate off-street parking provision as per the requirements set out in Barnsley's Supplementary Planning Document (SPD): Parking (2019) Table 1 including the provision of 11 designated visitor parking spaces at the specified ratio of 1 space per 4 dwellings.

The proposed garages (whether integral or external) are of sufficient size (i.e. 6m x 3m minimum for a single garage) to be counted as parking spaces.

The internal layout also provides a potential route into the remainder of the allocation. This ensures potential connectivity through the allocation but the development of the remainder of the allocation is not a consideration of this application

In view of the above it is not considered that the proposal would result in any significant detriment to highway safety or the highway network and therefore is considered to be in compliance with Local Plan Policy T4.

Ecology

An Ecological Impact Assessment and a biodiversity metric have been carried out for the site. In terms of on-site ecology mitigation the scheme proposes the following:

“The proposed landscaping for the site utilises the areas of public open space and areas that are designated for biodiversity purposes to maximise the biodiversity value of the site. The primary habitat that has been lost on the site is grassland habitat therefore the proposed landscaping incorporates various types of high value grassland habitats where possible. Some scrub was also known to be present on the site therefore some pockets of scrub planting have also been incorporated. One area of grassland habitat will also be planted with fruit trees to create a traditional orchard habitat. Proposed street trees will be planted to allow the canopies to help create green bridges between green spaces. Rain gardens will be provided around the bases of the street trees to maximise use of the space available. The landscaping proposals, including the planting of hedgerows where feasible and enhancement of one of the retained hedgerows, maintain connectivity across the site between adjacent grassland and scrub habitat to the east and the green open space to the west”

In addition to the above five integrated bat boxes and five pairs of integrated swallow boxes will be incorporated within the site.

Whilst the above provides a number of mitigations for the site the biodiversity metric shows that there will still be a loss of 9.52 units. It is acknowledged that the site was cleared prior to the submission of the application. As there were no trees protected by tree preservation orders this clearance works did not contravene any planning regulations. However, in terms of carrying out the biodiversity metric it was agreed that the original habitats on the site should be the starting point and this has therefore been assessed in retrospect using local knowledge, historical maps and an ecological report provided by Barnsley MBC.

To offset the loss of 9.52 units the applicant has identified two adjoining areas of grassland at Carlton which they are aiming to purchase and improve. The measures they intend to carry out to these areas are as follows:

The areas “will be enhanced through wildflower seeding and a robust management regime to enhance them into ‘other neutral grassland’ with an aim to reach ‘good’ condition. This will include the permanent removal of the horses from the land. In addition to this, ten oak trees will be planted, with an aim to reach a ‘medium’ size in ‘moderate’ condition. These will be planted so that they are spread out across the area to avoid any overshadowing, they will not be planted along the eastern boundary to avoid any issues with the adjacent railway corridor and they will be planted away from the northern boundary to avoid any impact on the adjacent wet habitats. These measures will deliver an additional net gain of 9.60 Bu.”

The Council’s Ecologist is satisfied with this approach but the details will need to be agreed and secured through a S106.

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

Archaeology

The applicant has provided a heritage statement which references archaeology and notes that the which says that the site has been largely topsoil stripped, but not subsoil stripped. South Yorkshire Archaeology Service (SYAS) were consulted on this application and have stated that there some potential for earlier evidence to survive on the site, with additional potential on the northern fringes for evidence relating to the development of the settlement along Paddock Road. Their characterisation project described this settlement as likely to have 18th century origins, with occupation here relating to the nail making industry. Given their knowledge of the site they are confident that a suitable condition providing a written scheme of investigation of works to be submitted and approved can ensure that the site can proceed to be developed in a suitable manner. SYAS have therefore raised no objections to the scheme and the proposal is considered to be in accordance with Local Plan Policy HE1.

Geotechnical/Coal

A Geoenvironmental assessment and mining report have been submitted as part of the application. In terms of the Geoenvironmental assessment it concludes that "No elevated concentrations of contaminants were recorded as part of the investigation. It is therefore considered that the existing subsoils present on site do not pose a risk to human health." In terms of future residents of the site the report states that:

"Based on the source>pathway>receptor philosophy and the chemical results obtained as part of this investigation, it is considered that the subsoils present on site pose a negligible risk to end users through ingestion, dermal contact or inhalation and that no remedial action will be required to break this linkage."

In terms of mining both the Coal Authority and South Yorkshire Mining Authority have looked at the assessment submitted and are satisfied with its findings which shows no indication of any past shallow underground coal workings. On this basis they have raised no objections to the scheme subject to the recommendations in the relevant report being conditioned in line with Policy POLL1 of the Local Plan.

Trees

An arboricultural impact assessment has been submitted as part of the application. This notes that none of the trees on site are protected by a TPO and neither are they in a Conservation Area. There are no category A trees on site with the vast majority of the trees categorised as category C or U which are the lowest categories. The Tree Officer did have some initial concerns about the impacts of the apartment building to existing trees in a neighbour's garden. The additional information supplied has satisfied the Tree Officer that the development could go ahead without detrimentally affecting these trees subject to suitable conditions. It is noted that the proposal includes additional tree planting within the site including the creation of an orchard and street trees which is welcomed. Subject to suitable conditions on landscaping and management the Tree Officer has not objected in this instance to the scheme..

Drainage

The site is located within Flood Zone 1 (low risk). The application has been accompanied by a detailed Flood Risk Assessment (FRA) and drainage strategy. Part of the drainage strategy involves the provision of an underground storage tank to the south of the site. This will be about 1m under

the surface and has an outlet which is regulated to 3.5l/s. (This outlet rate has been agreed with Yorkshire Water). The outlet is a surface water sewer. The flow is controlled by a flow control device within a manhole adjacent to the tank. The device will be a vortex type flow control, commonly called a Hydrobrake and will allow for the storage of excess surface water when required.

Yorkshire Water and the Council's Drainage officer have assessed the details and are satisfied that the site can be adequately drained. . As such, it is considered the development is acceptable from a drainage/flood risk point of view in accordance with Local Plan Policy POLL1.

Pollution Control

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

Public Rights of Way

There are no PROWs within the site itself although an existing PROW does border the westerns elevation. The scheme does provide an access from the development to this PROW. There are also a number of worn routes across the site indicating that people have walked across it. Whilst these are not designated as PROW the applicant has been made aware that somebody could make an application for them to be registered. The applicant has provided a route through the development between Mapplewell Park and the PROW. However, any such PROW application would be separate to the planning process.

Other Matters

Conditions will be applied to the development to ensure sufficient broadband facilities are provided. In terms of electric charging points, this is now picked up in the Building Regulations Section. With regards to the concerns on whether the planning permission on the adjoining land should be developed first, this would be difficult to substantiate as a planning reason for refusal. The site is not part of the masterplans and policy HS8 does not stipulate that any phasing of development is required. The scheme provides the potential to link through to the remaining housing allocation which could also link through to the site that has planning permission, if it is implemented. This site proposes its own access but with pedestrian links to the PROW it would also provide a potential pedestrian link to the scheme that has approval thereby ensuring connectivity in between if the site was to be developed. In terms of the impact on local GPs and the NHS, the NHS are aware of the allocations in the Local Plan and it will be for them to adapt their services accordingly to meet any rise in need. In terms of the impact on schools the Council's Education Section have been consulted and recommended an education contribution which is covered in the section below.

S106 Agreement

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

Affordable Housing- 20%- 9 units on site

Sustainable Travel- £32,250

Education- £160,00

Open Space- £73,236

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

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

Conclusion

The detailed scheme will deliver 45 houses with a mix of property types, areas of public open space and ecological mitigation within the development itself and through off site provision. Further suitable contributions related to education, sustainable travel, open space and off site ecology works will be secured through the S106 agreement.

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

Recommendation

Grant subject to the signing of the S106 and the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

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

- Location plan RMH-PO1

- Site Plan - RMH-P02 Rev R

- Landscape Plan - RMH-P03 Rev C

- House Types - RMH-HT-A-01A;B-01; D-01; D-02A; E-01; F-01B; G-01; H-01A; I-01; J-01; K-01; L-01; M-01; N-01A; P-01C; Q-01; Q-02A; R-01; R-02; R-03A; S-01A; S-02; T-01A; U-01A; V-01A; W-01D; X-01A; Y-01A; Z-01A; Z-02A; AA01;BB01.

- Geoenvironmental Appraisal C398 A

- Coal Mining Investigation Report C398 A

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

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

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

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

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

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

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

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

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

7. 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 D1, High Quality Design and Place Making.

8. Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.

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

Tree protective barrier details

Tree protection plan

Arboricultural method statement

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

Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality

10. 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.

11. 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 (Paddock 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

12. The gradient of internal access roads as well as individual vehicular accesses/driveways shall not exceed 1 in 12.

Reason: In interests of the safety of persons using the access and users of the highway

13. 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 splays 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

14. Prior to the first occupation of the development hereby permitted, the proposed accesses, driveways, on-site car parking and vehicle turning shall be laid out in accordance with the approved plan. Driveways and vehicle parking areas accessed from the approved streets must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard; 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

15. 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

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

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

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

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- 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.

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

18. 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.

19. 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.

20. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed."

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

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

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

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

23. 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.

24. No construction works in the relevant area(s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times.

Reason: In the interest of public health and maintaining the public water supply in accordance with Local plan Policy CC3

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

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

26. 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.
- o A bat and bird box scheme, setting out the location of integral boxes and box types. Boxes shall be provided on at least 50% of the proposed units.

- o A sympathetic lighting scheme to ensure the site remains attractive for use by foraging and commuting bats.

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

27. 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:

- 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, height and luminance 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/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.

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

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

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

PA Reference:-

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