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**2016/0340**

Ms Rebecca Starks

Outline application for residential development of up to 24 dwellings to include means of access and public open space.

Land to the East of Cote Lane, Thurgoland, South Yorkshire, S35 7AB

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Objections from 10 local residents, 2 Ward Councillors (Barnard and Wilson), Thurgoland Parish Council and the CPRE.

**Site Description**

The application site comprises a 1ha field that is approximately rectangular in shape on the eastern side of Cote Lane in Thurgoland.

The surroundings of the site are mixed. To the north of the site is a small housing estate (Springwood Close). To the east the site shares a boundary with an area of woodland. Adjacent the southern boundary is a group of 3 properties. The remaining half of the southern boundary is located adjacent to open land. Open countryside is located to the west of the site on the other side of Cote Lane.

The site is open and grassed and is not in use for any formal agricultural use at present. The site forms part of a hillside and is affected by topographical issues. This has the effect of land on the northern boundary being approximately 8m on average than land on the southern boundary and falls at a steep gradient. The differences are not as significant west to east with difference in levels being approximately 3m.

**Proposed Development**

The application is in outline form and proposes a development of up to 24 dwellings. All matters of detail are reserved apart from means of access which is proposed via a new 'T' junction with Cote Lane.

The application is accompanied by an indicative site layout plan showing a mixture of detached houses and small terraces up to three properties in length. Also indicated on the plans is provision of greenspace located either side of the entrance to the site and a SUDS balancing pond in the south west corner. The properties would front onto the new estate road which would be constructed as a cul-de-sac and include provision for turning at the end of the cul-de-sac.

**History**

No previous planning applications have been made on the land.

**Policy Context**

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

The Council has produced the Publication Consultation Document of the Local Plan. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within

the document although this is still limited by the need to consider any comments received during the consultation and with the knowledge that the Inspector can require changes to the plan.

### Local Development Framework Core Strategy

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

### Saved UDP Policies

UDP notation: Safeguarded Land

GS10/WR11 'In areas shown as safeguarded land on the proposals map existing uses shall normally remain during the plan period and development will be restricted to that necessary for the operation of existing uses. Otherwise planning permission for the permanent development of such land will only be granted following a review of the land in question'.

### SPD's

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

### Other

South Yorkshire Residential Design Guide

### Publication version of the Draft Local Plan

Proposed allocation: Safeguarded Land

The supporting text states that safeguarded land can only be released in exceptional circumstances which may include a lack of five year land supply or a local need. Where there is a local need a safeguarded land site may be considered, for example, through a neighbourhood plan.

### NPPF

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

## Consultations

Affordable Housing – Provision should be 25% of the overall number of dwellings. 80% of this number should be social rented and 20% intermediate tenure. Based upon current needs 2 bedroom properties would be sought.

Biodiversity Officer – Does not object subject to the imposition of conditions requiring the mitigation and enhancement measures recommended in the ecology report to be followed.

Contaminated Land – No objections subject to a condition.

CPRE – Object to the application based upon the following reasons:-

- The site is contrary to the Local Plan publication draft which does not propose to allocate any new sites in Thurgoland or nearby villages for housing development.
- Development on the site would be contrary to the spatial strategy contained in the Core Strategy and in the draft Local Plan.
- The site is Safeguarded Land in the UDP and Local Plan publication draft and so should not be considered for development until the end of the next plan period (sometime after 2033).
- The application is speculative and would reduce the number of Safeguarded Land sites at the Council's disposal resulting in a potential shortage and place pressure for additional land to be removed from the Green Belt.

Drainage – The application is not objected to subject to the imposition of the standard condition requiring full surface and foul water drainage details to be provided prior to the commencement of development.

Education – Comment that a contribution towards funding additional secondary school places would be required at Penistone Grammar School.

Highways – No objections subject to conditions.

Regulatory Services – No objections subject to standard conditions to limit the effects of noise and dust during the construction phase.

Thurgoland Parish Council – Object based upon the following grounds:-

1. The proposal is contrary to the site specific UDP policy affecting the land – Safeguarded Land.
2. The proposal is contrary to the Council's intentions for the site in the emerging local plan which is to retain the Safeguarded Land designation affecting the site rather than allocate it for new housing development.
3. Prematurity - The Parish Council do not accept there is an argument to release the site for housing in advance of the local plan being considered for adoption.
4. Spatial Strategy/settlement hierarchy – It is identified that villages including Thurgoland are not intended for growth in the adopted spatial strategy and that development in villages will only be allowed if it is necessary for the viability of the settlement and to meet local needs. It is asserted that is not the case here.
5. Sustainability – It is asserted that the site should not be classed as a sustainable location taking into account of the poor bus service and the need to travel by car to reach places of employment.
6. Harm to biodiversity – It is asserted that the ecological report is too dismissive of the ecological value of the site and the impact of the development on the adjacent woodland.
7. Increasing flood risk off the site – Concerns are raised that the development would increase the risk of surface water flooding and by affecting local springs.

Tree Officer – Does not object subject to the imposition of conditions.

SYAS – Do not object subject to a condition requiring further detailed site investigation work to be carried out prior to the commencement of development.

SYMAS – The application is not objected to. However the response identifies that the site is potentially at risk from shallow coal workings and fugitive gases.

Ward Councillors – Councillors Barnard and Wilson have objected based upon the following reasons:-

- Safeguarded Land – The proposal is contrary to the Council's existing and proposed future planning policy designation for the site.
- Surface water flooding – Concerns that the development would take away the ability of the site to absorb rainfall with subsequent effects to properties located further down Cote Lane. Concerns are also expressed that the development may disturb local springs and with the proposed pond within the development.
- Poor public transport accessibility – The applicant assertions that the site is well served by public transport is rejected.

Yorkshire Water – Do not object to the development subject to the imposition of conditions.

## **Representations**

The application was advertised by neighbour notification letters, site and press notice. Objections were received from 10 residents based upon the following concerns:-

- Safeguarded Land – The proposal is contrary to the Council's existing and proposed future planning policy designation for the site.
- 5 year housing land supply – The applicant's assertions that the Council is unable to demonstrate a 5 year housing land supply as disagreed with based upon the Strategic Housing Land Availability Assessment document.
- Spatial Strategy/settlement hierarchy – It is asserted that the Council should direct development to the areas designated for growth rather than allowing development in rural villages.
- Harm to residential amenity – Overlooking, noise, disturbance and disputes associated with the heights of conifers.
- Surface water flooding – Concerns that existing problems will be made worse for residents/properties located further down Cote Lane.
- Sustainability – It is contended that Thurgoland is unsuitable to accommodate further housing growth because of the rural public transport provision and lack of local facilities.
- School capacity – Concerns that the school is already over prescribed and would need to be significantly expanded because of the development.
- Loss of land forming part of the countryside.
- Precedent – Concerns are raised that allowing the development would open for the door for more applications to be on Safeguarded Land sites.
- Overdevelopment of the village – Concerns that the village is already large enough and road, sewerage and surface water would not be able to cope with the demands placed.
- Highway safety – Concerns that the junction spacing with Springwood Close is inadequate and that the development would increase the amount of congestion using local roads leading to increased vehicle conflicts. Concerns that the speed survey was carried out at a time that is not representative.
- Concerns some of the documentation refers to 30-32 dwellings rather than the stated number of 24.
- Harm to village character.
- Poor internet connectivity which would hinder the ability of residents to work from home and lead to an increase in traffic on the roads.

- Loss of the role of the site providing a green buffer between older and newer development on the eastern side of Cote Lane.
- Housing need – It is asserted that there is a lack of demand for executive housing in the area as is evidenced by the number of unsold properties in the area.
- Prematurity – It is asserted that it would be premature to release a safeguarded land site so near to the local plan becoming adopted.
- Biodiversity – Concerns are raised that the development would lead to the loss of habitat which is populated by birds, bats and hedgehogs.
- Loss of view, although Councillors shall be aware that this is not a material planning consideration.
- Harm to the visitor economy with Thurgoland being a destination for horse riders, cyclists and walkers at present.
- Concerns that Thurgoland is becoming a dormitory village that is being lived in by commuters.

## **Assessment**

### Principle of Development

The site forms part of an area of Safeguarded Land within the Western Rural Community Area of the saved Unitary Development Plan policies. Councillors shall be aware of a number of examples of applications coming before the Board since the publication of the National Planning Policy Framework where Officers have conceded that the Safeguarded Land policy should be regarded as being out of date due to the UDP being adopted in the year 2000 and as the Council has been unable to demonstrate a 5 year housing land supply. In such circumstances the NPPF (para 14) instructs Local Planning Authority's to grant planning permission for new development proposals unless:-

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.*

The golden thread running through the NPPF is a presumption in favour of sustainable development. A pivotal consideration therefore is whether the site would be regarded as being sustainable or unsustainable. The applicant contends that the site is sustainable due to the amount of local services and facilities and public transport accessibility to and from the site. Local services and facilities include Thurgoland Church of England Primary School, a convenience store, 3 pubs, a hair and beauty salon, a Church, Village Hall, a car repair garage and sport and recreation facilities. Public transport includes a rural bus service to Penistone and Barnsley which uses and stops on Cote Lane. The nearest train stations are Penistone and Silkstone. The NPPF regards that there are three dimensions to sustainable development: economic, social and environmental.

In terms of strategic policy the site is located in a village in the western rural part of the Borough. Neither Thurgoland nor any of the villages in the Western Rural area of the Borough are intended to accommodate any significant amount of housing growth in the Core Strategy and the Publication version of the Local Plan whereby the spatial strategy for the Borough is aimed at accommodating the majority of new housing growth in Urban Barnsley and the Principal Towns. This is reflected in the proposals maps accompanying the Publication Version of the Local Plan, which does not propose any housing development allocations in any of the Western Rural villages, including the application site, which is proposed to remain Safeguarded Land through to the year 2033. The site has therefore been rejected as it is within a village location at the bottom of the settlement hierarchy, in a location that has sustainability issues.

The situation is therefore that allowing the site to be developed could be contrary to the aims of the spatial strategy for new housing development in the Borough in the adopted Core Strategy and the

emerging Local Plan. Weighed against this however is paragraph 49 of the NPPF which states that '*Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*'. In addition the supporting text in draft policy GB6 'Safeguarded Land' does allow for safeguarded land sites to be released in exceptional circumstances.

A conclusion shall be arrived on these points following the assessment on the other considerations associated with the application.

### Visual Amenity

The purpose of Safeguarded Land is to retain land on the edge of settlements which may be required for future development needs. This designation therefore is not visual amenity related and the site is not subject to any other form of landscape designation.

Regarding the proposed plans the application is in outline form with all matters of detail reserved for a future application with the exception of the proposed means of access to the development. An indicative layout plan has been submitted which shows a mixture of detached properties and a maximum of 3 properties grouped together. In addition 24 would be the maximum number of properties allowing for a smaller number to be applied for at that stage. At this density I would not envisage any problems with the future plans not being able to satisfy the spacing standards required by the Designing New Housing Development SPD as per the indicative plan which would not require substantial alterations.

In terms of other visual amenity considerations the majority of the site is relatively open and clear of features. Vegetation exists in and immediately outside of the boundaries including the woodland to the east of the site. The tree survey and impact assessment show that the majority of the trees can be retained with only some of those located on the roadside boundary requiring removal based on the indicative layout provided. Providing that the final layout does not differ in any significant way from the indicative proposal then there is no objection to this proposal from an arboricultural perspective. In order to ensure that the trees are safely retained then tree protection details will be required including barrier details a protection plan and an arboricultural method statement. As some trees will need to be removed to allow the construction of the access then replacement planting will be required. A landscaping scheme would therefore be required detailing the new tree planting.

### Residential Amenity

Residential amenity considerations are arguably the most sensitive issue with the application overall given that existing dwellings are orientated to overlook the site at present in its open and green form. In addition the topography has the potential to increase the potential for overlooking and overshadowing. However Councillors shall be aware that loss of view is not a material planning consideration.

As layout and appearance are reserved for a future application it is not possible to carry out the detailed assessment of the proposed relationships as part of this application. The relationships between existing and new properties shown on the indicative plan would potentially be satisfactory in relation to the SPD. However more detailed information would be required within the reserved matters application including external dimensions of the proposed dwellings, elevational details including proposed window configurations and section plans because of the difference in levels between the existing and proposed dwellings. I would therefore determine that there would not be a reason for refusal at the outline stage relating to impact on the residential amenity for existing residents. Plans at the reserved matters stage would also have to be designed to meet the separation distance and minimum rear garden standards in the SPD to be considered acceptable.

The usual conditions would need to be imposed to limit the effects of noise and dust during the construction phase.

### Highway Safety

The size of the development falls below the threshold where it would be necessary to submit an assessment of the traffic impacts. However the applicant has carried out speed surveys of the road and analysed the width and alignment of the existing roads and footpaths in order to prepare the proposed design of the access to the development. Highways require the first 10m of the access road to meet the highway at 90 degrees and visibility splays of 2.4m x 70m in either direction but have otherwise resolved not to object to the application in highway safety terms. However a further assessment would need to be carried out of the proposed design of the internal layout, proposed parking and turning arrangements with any future application for the approval of the reserved matters.

### **Other considerations**

#### Drainage/Flood Risk

The site is located outside of flood zones 2 and 3 and therefore the part of policy CSP4 and national policy requiring developments to be steered towards areas of low flood risk is complied with. Residents and Councillors have raised concerns about surface water flooding in the area and the potential for the development to contribute towards the problems. Being as the site is greenfield it is already a requirement under policy CSP4 that the development would have to be designed with suitable systems such that surface water run off from the site would not exceed existing greenfield run off rates. An indicative drainage strategy has been submitted with the application and this proposes that surface water run off would be captured and stored within the site prior to being discharged into the public surface water sewer within Cote Lane. Yorkshire Water and the Council's drainage officer regard this proposal as acceptable in principle and have resolved not to object subject to the imposition of suitable conditions. Overall therefore the proposal is regarded as being acceptable with regards to flood risk and drainage considerations.

#### Ground Conditions

The preliminary ground investigation report has identified potential risks to the development from shallow coal workings, contamination and ground gas. It therefore concludes that an intrusive investigation would need to be carried out prior to the commencement of development to inform whether or not any mitigation would be required during the construction phase. These findings have been assessed by Regulatory Services and SYMAS who are both content with the assessment work carried out at this stage and who do not raise any objections subject to conditions being imposed to ensure that the recommendations are followed through.

#### Biodiversity

The ecological report has concluded that the site is species poor and common in the wider area and should not be seen as a constraint to development. However due to the proximity to woodland the report recommends that a bat activity survey is carried out to inform what level of enhancements should be provided as enhancements in the form of bat boxes. The site also potentially contains habitat for badger setts and therefore a survey would be needed nearer to time that development is being considered to rule this out. In addition to this the report makes the standard recommendation to carry out works affecting existing vegetation outside of nesting season. Also compensatory planting should take place in the form of new trees and hedges using native species. Bird nesting boxes should be provided as an enhancement measure. The Biodiversity Officer is sufficiently content with the assessment that no objections are raised on biodiversity grounds subject to conditions requiring the recommendations to be followed.

## Archaeology

The site is located in an area where there are potential archaeological implications. Based upon that archaeological investigations were insisted upon by SY Archaeology Service. A magnetic survey of the site has been carried out which has identified anomalies in the ground indicating the presence of an old boundary. Three much larger signals could indicate the presence of kilns, although they could also relate to large iron objects buried in the soil. The other anomalies were a group of seven discrete features, possibly pits, although they could be geological in origin, and three parallel linear features, possibly indicating an old trackway. The standard archaeology condition would therefore be required requiring a written scheme of investigation prior to the commencement of development to enable recording to take place and the preservation in situ of identified features of importance.

## S106 – Affordable housing, public open space, education and additional proposal

AH – Under policy CSP15 25% of the houses should be provided as affordable housing in this area of the Borough. However in this case the applicant is proposing that affordable housing provision is increased to 30% provision on site in order to increase the amount of benefits associated with the application.

Education – Education have identified that a contribution would be required to fund additional secondary school places at Penistone Grammar School. A contribution of £41,000 would be required.

Public open space – Green space provision would be required for the development in accordance with the Open Space Provision on New Housing Developments SPD. The applicant has sought to address the requirement within the outline application by showing an area of green space within the proposed development on the indicative layout plan. However due to its relatively small size policy have confirmed that provision would be instead be sought via a commuted sum for off site provision. The contribution proposed by the applicant is £43,000.

Additional commuted sum proposal – The applicant has proposed to provide an additional £66,000 of unallocated funding that would be paid to the Council via a S106 Agreement. The proposal is that this money would be made available for community projects to increase the amounts of benefits associated with the proposal.

## Conclusion

The site is designated Safeguarded Land in the UDP which remains part of the development plan for the Borough at the current time. However due to the age of the policy it is classed to be out of date by the National Planning Policy Framework.

In such circumstances the NPPF instructs Local Planning Authority's to grant planning permission for new development proposals unless:-

–any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or

-specific policies in the Framework indicate development should be restricted.

The release of the site for housing would not directly correlate with the aims of the spatial strategy for the Borough that is contained within the Core Strategy, or the emerging Local Plan which aims to direct new housing growth to Urban Barnsley and the Principal Towns. This is reflected in the proposals maps accompanying the Publication Version of the Local Plan which does not propose any housing development allocations in any of the Western Rural villages, including the application site, which is proposed to remain Safeguarded Land through to the year 2033. It should be noted however that the Local Plan is not adopted at the current time and that it is still the case that only



limited weight can be afforded to it prior to examination by a Planning Inspector on behalf of the Secretary of State. In addition the Council is required to take into account of other contents of the NPPF including paragraph 49 which states that 'Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites' which is the current position that the Council finds itself in. It was therefore identified in the principle of development section of the report that a pivotal consideration is whether the site is regarded as being sustainable or unsustainable.

The NPPF regards sustainable development to have three dimensions: - economic, social and environmental. Key objectives that would contribute to the economic and social dimensions include boosting significantly the supply of housing (market and affordable), delivering a wide choice of high quality homes and the creation of sustainable, inclusive and mixed communities. Framework paragraph 6 says that the policies in paragraphs 18 to 219, taken as a whole constitute the Government's view on what sustainable development means for the planning system. Paragraph 7 identifies that there are 3 dimensions, to sustainable development; economic, social and environmental. Section 6 of the Framework deals with the delivery of housing. Key objectives that would contribute to the economic and social dimensions include boosting significantly the supply of housing (market and affordable), delivering a wide choice of high quality homes and the creation of sustainable, inclusive and mixed communities. These objectives include planning for a mix of housing based on, amongst other things, the needs of different groups.

- *Would the development boost the supply of market housing* - Local Planning Authority's are required to identify and update annually a supply of specific deliverable sites sufficient to provide 5-years worth of housing against their housing requirements. At the present time the Council does not have a five year land supply. Thus, the provision of up to 24 new dwellings would make a modest, but important contribution to the housing needs of the Borough.
- *Would the development deliver a wide choice of high quality homes*- The application is in outline form with matters reserved apart from means of access and so essentially this would be for a future application to determine. However the site is large enough to accommodate up to 24 dwellings and achieve the spacing standards and garden sizes required by the Designing New Housing Development SPD. As such there is nothing to suggest within the application that providing a choice of quality homes would be a problem.
- *Would the development deliver inclusive and mixed communities* –The proposal is for the development to provide a mixture of 70% market housing and 30% affordable housing and therefore I would regard this aim to be satisfied, particularly as the amount of affordable housing exceeds the existing policy. In addition the proposal to provide a commuted sum of £43,000 for the enhancement of existing greenspace located off the site and £66,000 of unallocated money for purposes within the local community would be beneficial from the perspective of integrating the development with the local community.

The other effects of the development on the existing community have been considered. The development has the potential to be harmful to the amenity of existing residents. However, provided that the SPD standards are adhered to the relationships between existing and new dwellings would be no different to other developments in the Borough. In addition there is no objection from Education provided that a contribution is paid to the Council to fund additional school places at Penistone Grammar School.

Environmental considerations associated with the application include the ground conditions, the effects on vegetation, biodiversity and flood risk. The assessments carried out in relation to these matters have not identified any impacts that would be likely to result from the development.

Consideration has been afforded as to whether the site is locally unsustainable due to its location within a village in the Core Strategy as opposed to a site located within Urban Barnsley or a

Principal Town. When considering this point I have afforded consideration to the conclusions arrived at by the Planning Inspector who determined the recent appeal to determine whether or not to allow the construction of 4 dwellings to be constructed off Huthwaite Lane which is in close proximity to the site. When allowing the associated appeal the Inspector afforded weight to the fact that the site is located in a designated Core Strategy village and that associated policies do not preclude new housing development where some development is envisaged (up to 1000 dwellings). In the view of the Inspector a sufficient variety of services exists within the area to provide for the day to day needs of residents. He is also felt that the bus service would run at times and provide sufficient opportunity to access employment and other services in Barnsley and Penistone by means other than the private car and that there was a reasonable level of access to Penistone and Silkstone train stations. Therefore despite the site being rejected as a Local Plan housing allocation due to its village location being at the bottom of the settlement hierarchy, overall and on balance I am minded to conclude that the development would not be classed as unsustainable when measured against the Government's definition of sustainable development in the NPPF.

Sites are not proposed to be allocated for housing within villages in the emerging local plan because they are considered less sustainable than site allocations within the Principal Towns and/or are below the 0.4ha threshold used. This is not to say that an individual site within a village could not be considered sustainable, just that it is not as sustainable as the other sites proposed within the emerging Local Plan. Within the sustainability appraisal that accompanies the Local Plan the Council is required to demonstrate that the proposed strategy is more sustainable than the various alternatives. It would therefore be perverse to have allocated this site within the emerging Local Plan when there are clearly more sustainable sites available. However the emerging Local Plan does recognise that some safeguarded land may have to come forward for housing within villages where the Council cannot demonstrate a deliverable 5 year housing land supply. Accordingly, although the site was rejected as an allocation on sustainability grounds this was a relative decision rather than an absolute judgement on the sustainability credential of the site and the decision to recommend approval does not therefore contradict the emerging local plan.

In addition no impacts have been identified which would outweigh the benefits associated with the development which would include a commuted sum of £66,000 that would be available for projects within the local community. Therefore in accordance with the advice contained within paragraph 14 of the NPPF I recommend that outline planning permission is granted for the proposed development. It may also be judged that the benefits associated with the development and the absence of a 5 year housing land supply amount to the exceptional circumstances required to release Safeguarded Land envisaged by policy GB6 of the emerging local plan.

### **Recommendation**

Grant outline planning permission with conditions

**Grant** subject to:-

- 1 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.**

- 2 Application for approval of the matters reserved in Condition No. 1 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.**
- 3 The access for the development shall be constructed in accordance with the details shown on approved plan reference 2467.002A for the first 10m from the site entrance.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 4 The development hereby approved shall not exceed a maximum of 24 residential dwellings, the details of which shall be submitted under an application for the approval of the reserved matters.  
**Reason: To ensure the development conforms with the outline planning permission and stays within the maximum assessed level of development.**
- 5 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings 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 and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 6 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 7 Visibility splays, having the dimensions 2.4m x 70m, shall be safeguarded at the junction of the access road with Cote Lane, such that there is no obstruction to visibility and forming part of the adopted highway.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 8 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:
  - a. Provision of a 2m wide footway along the site frontage;
  - b. Relocation of the street lighting column;
  - c. Provision of /any necessary alterations to street lighting;
  - d. Provision of/any necessary alterations to highway drainage;
  - e. 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 interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The parking of vehicles of site operatives and visitors
  - Means of access for construction traffic
  - Loading and unloading of plant and materials
  - Storage of plant and materials used in constructing the development
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - Wheel washing facilities
  - Measures to control the emission of dust and dirt during construction
  - Measures to control noise levels during construction

**Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.**

- 10 No development shall take place until full foul and surface water drainage details, including a scheme to limit surface water run off to a maximum of 5 litres per second and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and the scheme shall be retained throughout the life of the development.

**Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.**

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

- Tree protective barrier details
- Tree protection plan
- Arboricultural method statement

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

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

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

- 12 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey (Brooks Ecological report ref R-2524-01), including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

**Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**

13 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.

**Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Core Strategy Policy CSP 30.**

14 Prior to commencement of development an investigation and risk assessment to assess the nature and extent of any contamination on the site shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

The development shall be carried out in accordance with the approved report including any remedial options.

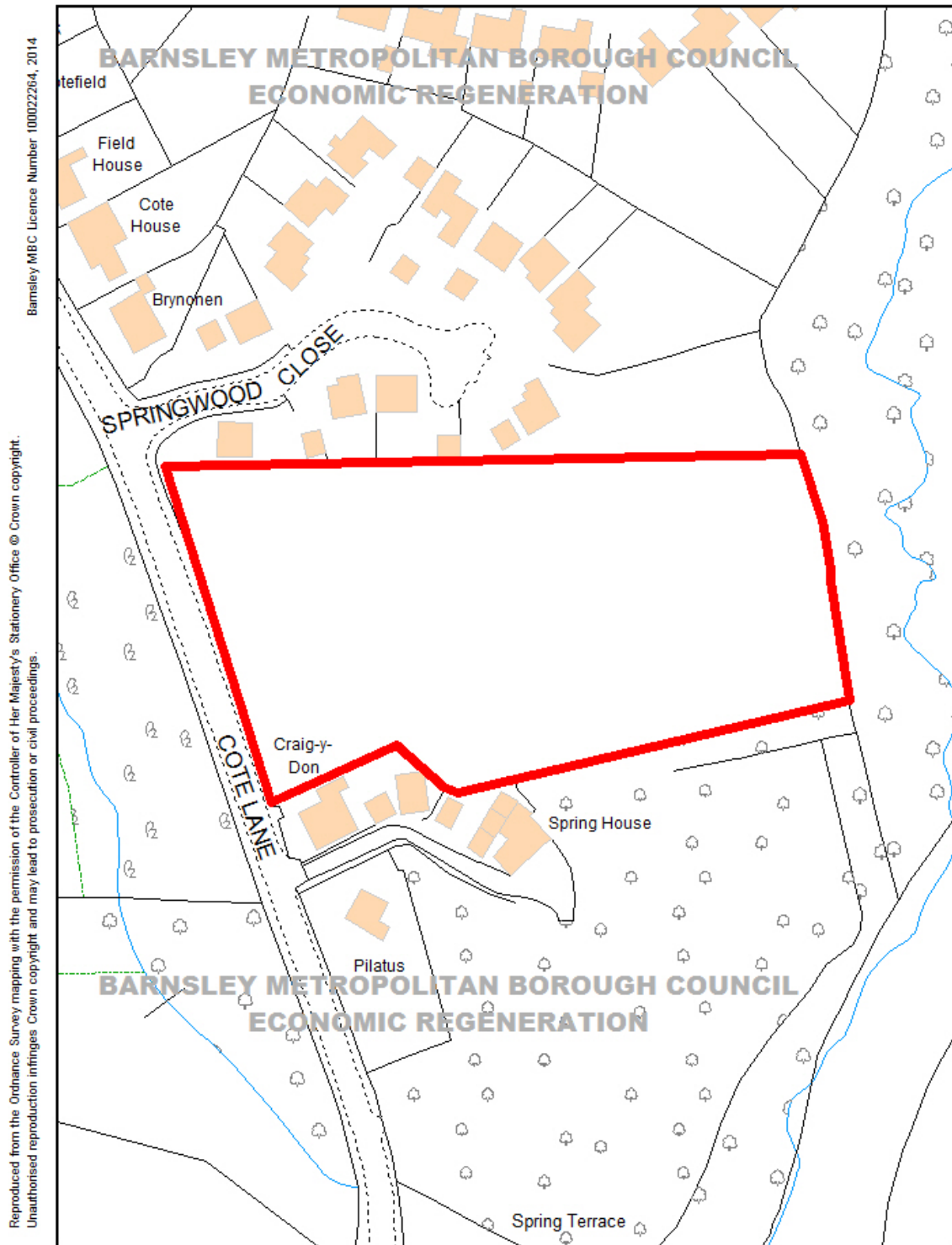
**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.**

15 Vehicular and pedestrian gradients within the site shall not exceed 1:12.

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


PA reference :-

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**BARNESLEY MBC - Economic Regeneration**

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