
2016/1105

Applicant: Mr D Atkinson C/o Robin Ashley Architects LLP

Description: Erection of 30 no. dwellings.

Site Address: Land off King Street, Elsecar, Barnsley

2 letters of objection have been received

Site Location and Description

The application site is separated into 2no. parcels of land. The larger parcel measures approximately 0.6Ha and lies to the South of King Street and Millhouses Street. The majority of the site previously accommodated King Street Primary School which was demolished circa 1993 and is currently largely overgrown with several mature trees around the boundaries of the site. The Southern part of the site also accommodated a tennis court and bowling green which have since been removed. The site slopes down relatively steeply from King Street to the Southern boundary. Along the Western boundary of the site is a road which links Millhouses Street with a park and ride facility, constructed circa 2011, serving Elsecar Train Station which sits to the South. Beyond the road way is an area of Green Space with residential properties, fronting Noble Street, beyond. To the East of the site are several commercial/residential buildings and their associated yards and parking areas.

The second, smaller, parcel of land sits to the South West of the larger site. It is largely overgrown and has a footpath through it which links the train station, to the East, with the recreation ground, to the West. The land slopes down steeply at the Western edge into a valley with culvert. The park and ride car park sits to the East of the site and the roadway which serves the car park extends to the site boundary. The railway line and associated banking sits to the South and several properties and their associated amenity spaces sit directly to the North, on a higher level.

Site History

2010/0824 – Construction of a park and ride facility, incorporating 92 parking spaces and a new vehicular access – approved

2010/0825 – Residential Development (outline) - approved

Proposed Development

The applicant seeks full planning permission for the erection of 30 no. 2 storey dwellings. The scheme would be for 100% affordable dwellings. The larger site would accommodate 24no dwellings (14no. 2 bedroom semis, 8no. 3 bedroom semis, 1no. 2 bedroom detached and 1no. 4 bedroom detached).

The smaller site would accommodate 6no. dwellings (4no. 3 bedroom semis and 2 no. 3 bedroom detached. The existing footpath would be retained through the site.

The 2 bedroom properties would have 1no. off road parking space and the 3 bedroom and above properties would have 2no. parking spaces. Each property would have a modest front garden area and private rear amenity space.

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 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

CSP1 'Climate Change'
CSP2 'Sustainable Construction'
CSP3 'Sustainable Drainage Systems'
CSP4 'Flood Risk'
CSP5 'Including Renewable Energy in Developments'
CSP8 'The Location of Growth'
CSP9 'The Number of New Homes to be Built'
CSP13 'The Release of Allocated Housing Land'
CSP10 'The Distribution of New Homes'
CSO13 'The release of Allocated Housing Land'
CSP14 'Housing Mix and Efficient Use of Land'
CSP15 'Affordable Housing'
CSP25 'New Development and Sustainable Travel'
CSP26 'New Development and Highway Improvement'
CSP29 'Design'
CSP33 'Green Infrastructure'
CSP35 'Green Space'
CSP36 'Biodiversity and Geodiversity'
CSP37 'Landscape Character'
CSP39 'Contaminated and Unstable Land'
CSP40 'Pollution Control and Protection'
CSP42 'Infrastructure and Planning Obligations'

Saved UDP Policies

UDP notation: Housing Policy Area

Policy H8 – Areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use. Other uses will only be permitted where they are compatible with a residential area and other policies of the plan.

Policy H8A - the scale, layout, height and design of all new dwellings proposed within the existing residential areas must ensure that the living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy, landscaping and access arrangements.

SPD's

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

Planning Advice Note's

- 30 - Sustainable Location of Housing Sites
- 33 - Financial Contributions to School Places

Local Plan

Green Space

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. 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.

Paragraphs of particular relevance to this application include:

Para 32 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'

Para 49 'Housing applications should be considered in the context of the presumption in favour of sustainable development.

Para's 58 & 60 – Design considerations

Consultations

Dearne & Dove I.D.B – No objections

SYPTTE – No comments

South Yorkshire Police – No objections subject to recommendations

Yorkshire Water – No comments

Regulatory Services – No objection subject to conditions

Highways DC – No objections subject to conditions

Education Services – No objection subject to secondary school place contribution

SYMAS – No objection subject to condition

Coal Authority – No objections

Legal – No objections subject to s106 for Affordable Housing

Affordable Housing Officer – No objections

Forestry Officer – Whilst acknowledging it is a shame to lose the trees to the West he understands that this is required to make the development work. Conditions will be required.

Ecology – No objections in principle, subject to conditions and informatives

Drainage – No objections subject to conditions

Waste Management – No objections

Broadband Officer – Contact providers at earliest opportunity

Representations

The applications have been advertised by way of site and press notices. Properties which share a boundary to the site have been consulted in writing.

As a result of the consultation 2 letters of objection have been received. The main points of concern are;

- Loss of privacy
- Overlooking
- Overshadowing
- Increased noise and disturbance
- Loss of wildlife habitat
- Overdevelopment of the site
- Loss of outlook
- Loss of mature trees
- Not in accordance with Local plan allocation

Assessment

Principle of Development

One of the main primary goals set out by the NPPF is to boost significantly the supply of housing. This is discussed at length in paragraph 47; which determines that Local Planning Authorities need to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing.

The site is allocated as Housing Policy Area in the currently adopted UDP proposals maps. All new dwellings proposed must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy. In addition, residential development will only be granted where the proposal would maintain visual amenity and not create traffic problems.

Policy CSP 8 'The Location of Growth' states that priority will be given to development in Urban Barnsley and the principle towns which includes Hoyland.

Furthermore, an outline application for residential development was approved on the two sites under reference number 2010/0825. It is acknowledged that the application was approved prior to the adoption of the NPPF and the Councils Core Strategy and SPD's, however, the land allocation currently remains the same and the main UDP policies at that time have been saved. As such, the principle of residential development on the land has previously been set and is still currently relevant.

It is acknowledged that the land allocation in the publication draft of the Local Plan maps is Green Space, however, as mentioned above, weight afforded to this document is still limited and its current allocation is set out in the UDP as Housing Policy Area.

Sustainability

The NPPF sets out that there are three dimensions to sustainable development: economic, social and environmental. The NPPF not only commits to the presumption of sustainable development but stresses that it is essential 'to significantly boost the supply of housing'.

Whilst the contribution to the environmental dimension of sustainable development would be largely neutral, the proposal would significantly contribute to the economic (through council tax revenue, increased spending within the local area, creation of jobs etc.) and social dimensions (contributions for improving local secondary schools, improvement to local green spaces, provision of affordable housing etc.), especially with the increased unit numbers above the original outline, as such, the development is considered to be sustainable. On this basis, it is considered the presumption in favour of sustainable development applies.

Furthermore, the site is located within a sustainable position immediately adjacent to a railway station which provides access to Sheffield, Leeds and Huddersfield. There is also a regular bus service within close proximity, as well as services immediately adjacent including a public house, mini mart, takeaway and hairdressers. All the facilities within Hoyland Town Centre are also a short distance away as are a recreation ground, woodland and open countryside.

Visual Amenity

The proposed dwellings follow the route, and front, the access road and also the new road within the site boundary, creating small groups of dwellings and distinct areas rather than a uniform run of properties. This is further aided through the use of 5 different house types which allows for a mix and variation of properties to add interest to the streetscene and accord with policy CSP 14 'Housing Mix and Efficient Use of Land'.

The proposed house types are considered acceptable for the location and have interest added to the elevations through features such as canopies, heads and sills etc. The dwellings would not stand out as a 100% affordable scheme and would sit comfortably with the neighbouring private housing stock. The surrounding area has a mixture of styles, sizes and ages of properties, as such, there is no particular architectural style to adhere or conform to.

The site slopes down from King Street to the North to the park and ride facility to the South, as such, a number of the dwellings would be set lower than the adopted highway and not highly visible, especially on the smaller site. They would be highly visible from the train line, however, and from Hill Street beyond. The properties would step down the slope gradually with the layout designed around the contours to avoid large retaining walls. Furthermore, a number of the more mature trees around the boundary of the site would be retained in order to soften the development and aid it to settle into the landscape. It is acknowledged some of

the trees within the site would be lost but a substantial planting scheme across the site is proposed, including on the southern boundary between plots 23-30 and the railway car park.

It is acknowledged that the properties would be relatively close to the roadways and private driveways that serve them, however, small buffer strips/gardens have been included to the front to help soften the dwellings. Furthermore, the vast majority of the properties have side parking, as such, there would not be large amounts of hardstanding to the fronts of the properties and vehicles would not dominate the streetscene, to the detriment of visual amenity. In addition, each property has pedestrian access to the rear garden area to allow bin storage to be set away from prominent positions highly visible from the streetscene.

There is some concern with the smaller site in that it would be a satellite site, separate from the main development. However, this area was previously approved for residential development under the outline application referenced above and is also within a Housing Policy Area within the UDP. Furthermore, the access road for the car park extends right upto the site to facilitate future development and the site also sits adjacent to existing residential properties to the north which front Noble Street and Greenacre Close, as such, it is not an isolated site and extends existing residential development. The development is simply arranged and would provide a visual bookend to the existing road which currently abruptly ends at the site. Again some trees would be retained and a planting scheme would be adopted to aid in softening the properties.

Residential Amenity

The larger of the two sites is set away from the residential properties on Noble Street to the West, the dwellings opposite King Street and Millhouses Street to the North and the commercial/residential properties to the East. As such, the proposed dwellings would not significantly impact on the existing buildings in terms of overbearing, overshadowing and overlooking/privacy. As such, residential amenity levels would be to a reasonable degree.

In terms of the residential amenity levels for the future occupants of the larger development, the properties meet or exceed the required separation distances set out in SPD 'Designing New Housing Development'. The internal spacing standards generally accord with the South Yorkshire Residential Design Guide and the external spacing generally accords with both the SPD and Design Guide.

It is acknowledged that some of the gardens to the north of the site may have some useable space reduced through the change in levels and retained mature trees; however, this is something that can be considered by the future residents of the plots. In addition, as mentioned above, there is access to recreation grounds, woodland and open countryside within the immediate area.

With regards to the smaller site, it is acknowledge that concerns have been raised by neighbours given that the site is previously undeveloped and the proximity of the proposed dwellings to existing dwellings and garden spaces. However, as with the larger site the separation distance set out in the SPD between both existing and new properties would be met. Therefore, the development would not significantly increase overlooking, overbearing or overshadowing impacts.

As the house types carry over from the larger site they generally meet the required internal and external spacing standards. It is acknowledged that plot 5 has a small rear garden close to the boundary but this is compensated through a side garden.

Both sites would be in close proximity to a railway line and park and ride facility, as such, there would be an element of noise and disturbance generated. The application has been

supplied with a noise report which outlines required noise levels could be met subject to relevant build specification. The Councils Regulatory Services Officer concurs and has raised no objections subject to the noise report recommendations/mitigation measures being conditioned.

Affordable Housing

All the new houses will be provided as affordable housing for the Together Housing Group and offered on long-term assured tenancy to those in local housing need. Policy CSP15 which requires 15% of the dwellings in this area to be affordable is therefore more than satisfied subject to arrangements being in place to ensure that the dwellings would remain used for affordable housing purposes in perpetuity. This would form part of a s106 agreement.

Ecology

The trees and scrub at the site are suitable habitats for nesting birds, given the sites location this is considered likely to be suitable for common garden species only. No further survey is recommended however, any vegetation clearance works should be completed outside of the bird nesting season.

The trees and scrub areas offer suitable foraging for bats. However, it is recognised here that the site is surrounded by residential properties and to the south lies the park and ride car park, impacting the area with street lighting. Whilst the proposals will result in some loss of trees and scrub and lose the grassland area, plans to retain some of the trees and compensation through inclusion of new trees and hedgerow habitats are included.

Badgers were not identified on site during this survey, however there is the potential for them to opportunistically pass through / forage within the area during the development. As a precaution, it is recommended that common best practice standards are implemented and that the site is made safe at the end of each shift, for the duration of the works.

Although no reptiles were discovered during targeted surveys of the site, the site does still retain some potential for reptile to occur, due to the presence of suitable habitat features. To mitigate against the limited risk that transient individuals may occur it is recommended that a precautionary method of works for site clearance / preparation is put in place to prevent any unlikely impacts upon reptiles during the works.

The application was supported by an Ecological survey which outlined some recommendations, including the above, as such those recommendations/mitigation measures are recommended to be conditioned.

Education

The Education Officer has been consulted on the application and has calculated that the development would generate an additional 7 primary pupils and 5 secondary pupils. The projected figures indicate that there will be no shortage of primary school places in the schools local to the site and, therefore, there is no requirement for a contribution for primary school places.

With regards to secondary school places the projections indicate that there will be a shortage of places. The required contribution for secondary school places is £14,102 per pupil; therefore, the additional 5 places generate a requirement of £70,510.

Trees

There are a number of mature trees within the site, especially to the West and North, most notably a Horse Chestnut on the corner of Millhouses Street and King Street. A Tree report has been submitted with the application which states there is justification for all the trees to be removed and a new landscaping scheme implemented. However, the applicant has retained a number of the trees, including the Horse Chestnut, in addition to proposing a new landscaping scheme.

The Council's Tree Officer states that it would be a shame to lose so many of the trees but acknowledges that it would not be possible to accommodate a viable development if that was the case. As such, on balance a refusal cannot be justified in this case and the Tree Officer has recommended several conditions to safeguard the trees to be retained.

Mining/ground contamination

The Kent's Thick seam outcrops to the North of the site but this is not a widely worked seam. Any extraction that has been undertaken is likely to be via surface extraction, therefore, it maybe prudent to carry out a trial pit investigation. The Coal Authority and SYMAS concur with the findings of the submitted mining report and raise no objections subject to the recommendations being conditioned.

The Geo-Environmental Site Investigation identified some possible contaminants on the site and outlined a number of recommendations to combat these, a condition will be recommended for these recommendations to be carried out.

Green Space

The provision of new green space is normally required on all developments of 20 more in accordance with the Open Space Provision on New Housing Developments SPD. However the Council does not seek contributions from affordable housing developments due to the viability implications.

Highways Safety

Highways were heavily involved with the application at pre application stage and have also suggested amendments during the course of the application process. The current version of the plan is considered acceptable by colleagues in highways, subject to conditions.

The proposed parking for the dwellings accords with SPD 'Parking' in that the 2 bed properties have 1no. parking space and the 3+ bed properties have 2no. parking spaces.

Conclusions

Taking into account the relevant development plan policies and other material considerations, subject to mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

Recommendation

Members resolve to grant subject to conditions and subject to the completion of section 106 agreement

- 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.

Plans;

15-018-01 - B
15-018-02 - A
15-018-03 - B
15-018-10 - N
15-018-11 - D
15-018-12 - C
15-018-14 - C
15-018-15 - H
15-018-16 - H
15-018-17
15-018-13

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

- 3 The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the Phase 1 and 2 Geotechnical and Geo-Environmental Site Investigation by Eastwood & Partners dated 5 July 2016. The required works shall be retained as such thereafter.

Reason: In accordance with CSP 40 'Pollution Control and Protection'.

- 4 The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the Environmental Noise and Vibration Impact Assessment produced by Acoustic Design Technology dated 31/08/2016. The required works shall be retained as such thereafter.

Reason: In the interest of residential amenity and in accordance with CSP 40 'Pollution Control and Protection'.

- 5 The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the Preliminary Ecological Appraisal (Ref: RSE_741) by Ramm Sanderson dated October 16. The required works shall be retained as such thereafter.

Reason: In the interest of residential amenity and in accordance with CSP 36 'Biodiversity and Geodiversity'.

- 6 No development shall take place until full details of the proposed external materials have been 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 Core Strategy Policy CSP 29, Design.

7 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. 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 and in accordance with Core Strategy Policy CSP 29, Design.

8 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 and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.

9 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

10 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

11 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.

12 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.

13 There shall be no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway within 2.4m of the kerb face for plot 7, to ensure adequate visibility

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

14 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway.

Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

15 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.

Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

16 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

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.

17 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. The approved hard landscaping details shall be implemented prior to the occupation of the building.

Reason: In the interests of the visual amenities of the locality.

- 18 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, 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 Core Strategy Policy CSP 29.

- 19 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures 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 and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.

Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.

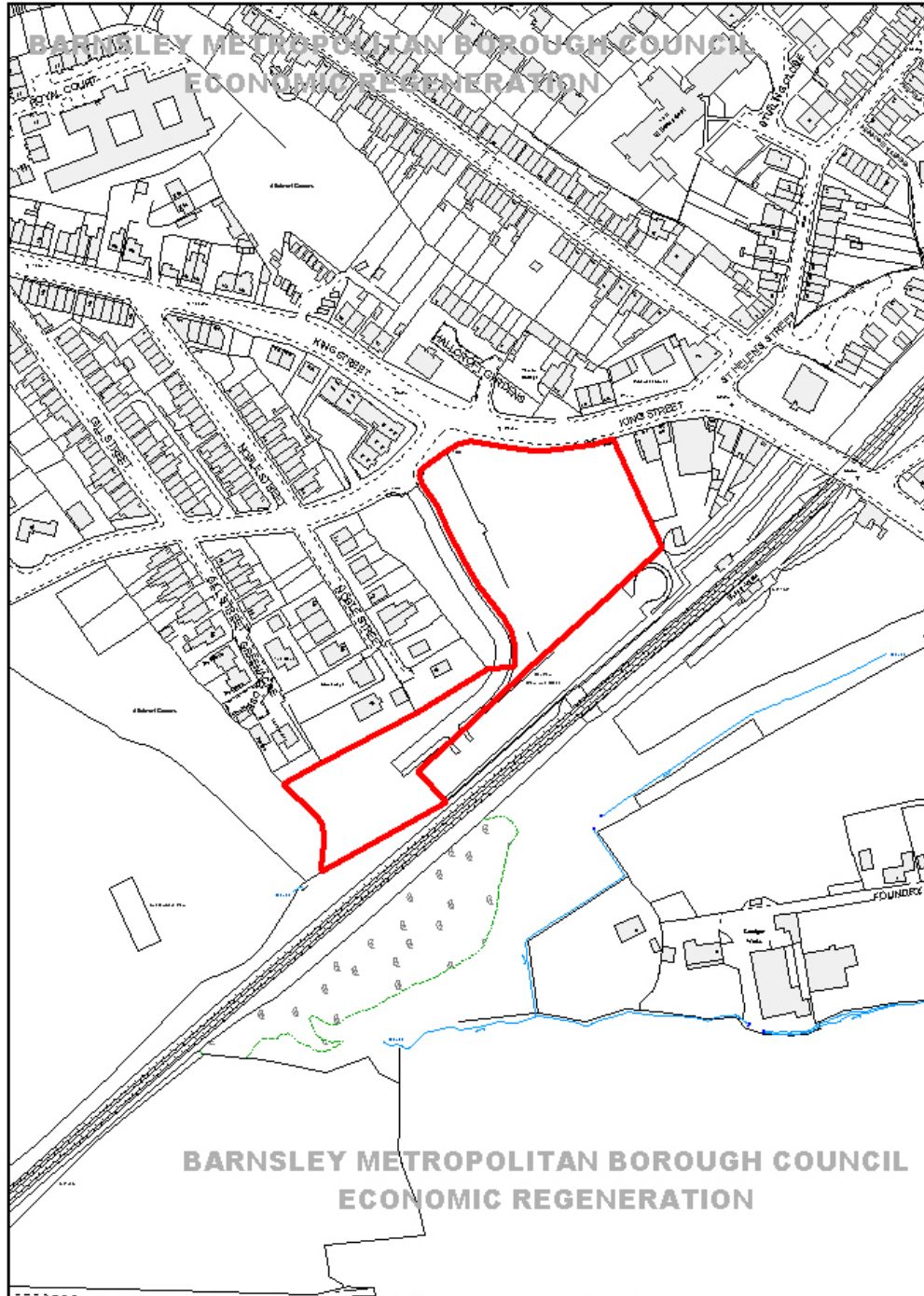
- 20 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

PA Reference:-

2016/1105

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BARNLEY MBC - Economic Regeneration



Scale 1: -----