
2016/1159

Applicant: Barratt Homes C/o Paul Butler, PB Planning Ltd

Description: Variation of condition 2 of app 2015/0891 - Residential development with associated public open space, landscaping and link road. (2013/0280 - Reserved Matters)

Site Address: Land to the south-east of Dearne Hall Road and 1 and 3 Claycliffe Road, Low Barugh, Barnsley. S75 1LX

The application is referred for Councillor determination given the recent history of planning applications on the site. On this occasion 2 objections have been received from local residents and 1 from a local business.

Site Description

The site encompasses approximately 10ha of land located to the east of Dearne Hall Road (B6428) in Low Barugh. The site predominately comprises agricultural fields, which infill an area positioned between a range of different uses which includes existing housing, a pub (Millers Arms), Barugh Methodist Church, Claycliffe industrial estate, an electricity substation and the Barnsley to Darton railway line.

The site also includes two existing dwellings, Nos 1 and 3 Claycliffe Lane. These are part of a terrace containing ten existing dwellings. Other housing is located immediately next to the west and the south of the site on Dearne Hall Road, Dearne Hall Fold and Barnsley Road. A significant number of these properties directly overlook the site.

Claycliffe Industrial Estate and the substation are located on the other side to the east and south east on a level that is above the site. Two pylon routes pass through the site in opposing diagonal directions to the North West and south west with some of the pylon structures located within the site. Located within the site near to the eastern boundary is an area of marshland that contains two ponds, one of which has been identified to contain a colony of Great Crested Newts.

Levels on the site vary gradually across the large expanses of the site from 55m at the northern boundary opposite the Millers Arms pub rising to 72m at the southern boundary with Claycliffe Road. Large areas of the site are open apart from a row of mature polar trees in the northern area of the site.

Proposed Development

The application had been made under the minor material amendment procedure seeking to vary the plans approved reserved matters approval application 2015/0891. This application approved the development of 170 houses following on from the outline planning permission that was granted which established that developing the site for residential purposes was acceptable in principle (ref 2013/0280).

The above permissions were for 170no 2 storey dwellings consisting of detached, semi-detached and townhouses. The roundabout and access points onto Claycliffe Road and Dearne Hall Road were also approved along with the internal road layout.

The existing approvals also include a detailed design for the area of open space to the North East of the site including drainage basins, ecology ponds and formal play areas.

This application is to vary condition 2 (development shall be carried out in accordance with the approved plans) of application 2015/0891 in order to substitute the previously approved plans for amended plans.

The current application is still for 170no. 2 storey dwellings consisting of detached, semi-detached and townhouses. However, the developer simply proposes to substitute the previously approved house types for new house types within their product range which were not available at the time of the previous approval. The new products are more contemporary in design and are amended in accordance with customer feedback based on the previous house types.

The road layout both external and internal to the site would remain as previously approved, as would the area of open space to the North East. There would be minor layout changes to a number of the plots where the substituted house type differs in size/shape to that which is would replace. However, overall the general layout of the development would largely be as previously approved.

History

B/76/2070/DT – Residential development (outline) refused 02/09/1976

B/86/1414/DT: Residential development (outline) and formation of vehicular access – Refused 27/02/1987

B/87/0399/DT: Temporary siting of a mobile home – approved 10/04/1987 (expired 30/04/1995)

B/92/0133/DT: Outline application for residential development – Refused 02/04/1992 for the following reasons:-

1. Housing development was contrary to the old Barnsley Urban Area Local Plan (Urban Land to Remain Undeveloped)
2. An adequate housing land supply existed within the Borough
3. The proposal was premature pending the preparation and adoption of the UDP
4. The increase in traffic movements was considered to have an unsatisfactory impact on Dearne Hall Road and the junction with Barnsley Road, to the detriment of highway safety.

2013/0280: Residential development with associated public open space, landscaping and link road (outline) – approved

2015/0891 – Residential development with associated public open space, landscaping and link road -approved

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

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'
CSP33 'Green Infrastructure'
CSP35 'Green Space'
CSP36 'Biodiversity and Geodiversity'
CSP39 'Contaminated and Unstable Land'
CSP40 'Pollution Control and Protection'
CSP42 'Infrastructure and Planning Obligations'

Saved UDP Policies

UDP notation: Urban Land to Remain Undeveloped

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

Other

South Yorkshire Residential Design Guide

Local Plan Publication Draft

Proposed allocation: Urban Fabric with historic canal route crossing the site

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

Highways – No objections provided that the same conditions imposed on the previous reserved matters approval would be re-applied on the new permission.

Drainage – No objections provided that the same conditions imposed on the previous reserved matters approval would be re-applied on the new permission.

Regulatory Services – No objections to the proposed changes provided that the same conditions imposed on the previous reserved matters approval would be re-applied on the new permission.

Representations

The application was advertised by individual notification letters and by press and site notices. 3 representations have been received (2 from local residents and 1 from a business on Claycliffe Industrial Estate). In summary the main concerns expressed are as follows:-

- Concerns that the development has been previously approved against the wishes of local residents. The remainder of this particular objection re-states concerns about the effect of the development on levels of amenity, outlook and tranquillity experienced by existing residents who overlook the site. Concerns are also reiterated relating to the highway safety implications of the developments, its potential effects on hedges, noise, air quality and Great Crested Newts.
- It is queried whether Dearne Hall Road would be closed at the southern end once the new spine road has been constructed. Otherwise concerns are raised that the development would fail to solve the traffic congestion problem faced by existing residents.
- Noise and the potential for operations on the Claycliffe Industrial Estate to be compromised by the development – Concerns are raised that the conditions previous imposed do not go far enough with regards to taking into account of sources of noise from the Industrial Estate. It is therefore asserted that the changes put forward should be appropriately assessed to ensure that suitable mitigation measures are in place to enable the two uses to coexist without any problems.

Assessment

Principle of Development

Detailed planning permission already exists for the proposed development under the planning applications this application relates to (2013/0280 and 2015/0891). This application is simply to substitute Barratt homes old portfolio of house types for their new designs and is not about revisiting the issue of the principle of development therefore. This report aims to assess the suitability of these amended house types only, under the following headings, and not revisit the previously approved aspects of the development.

Visual Amenity

The areas of the site to be developed and to be utilised as open space remain the same. The proposed layout closely reflects the illustrative masterplan which was considered at outline stage and the layout approved at reserved matters stage. The road layouts would

remain as previously approved and the dwellings largely positioned in a similar arrangements around those roads, the only position changes come as a result of the new house types not matching exactly the footprint of the approved house types.

As previously was the case, it is predominantly a perimeter block development addressing the principal streets and open spaces with dwelling types familiar to the surrounding context which are mostly detached and semi-detached houses with some townhouses interspersed. Through the scheme runs a tree lined access road which is fronted by detached or semi-detached dwellings with side drives to reduce impact of cars on the street scene. This sets the character for the scheme. Off the access road are lower tier streets, homezones and lanes.

The proposal is still for 170 dwellings, 5 less than the maximum proposed at outline stage. This would achieve a net density of approximately 35 dwellings per hectare on the developable area, which, given the constraints on site would be considered an acceptable density in relation to CSP14 'Housing Mix and Efficient Use of Land'.

All the properties on the site would be 2 stories in height and there would be a housing mix which would create a broad based community and visual interest. The new house types are not vastly different to the previously approved dwellings, the designs and house types within Barrett's portfolio have just evolved since the approval of the outline and reserved matters application. These house types are being introduced to their sites across the country. Furthermore, there still specific house types which have fenestration and design details to both the front and side elevations which would be utilised on corner plots to avoid blank gables and large areas of exposed brickwork within close proximity to the back edge of footpaths and in prominent locations.

With regard to parking arrangements the layout does not appear to be car dominated, parking areas are provided to the front and sides of the properties and their dominance/impact will be softened as a result of soft landscaped front gardens and landscaping within the highway. There are also a mixture of detached and integrated garages to add variety and interest. All of the properties are served with front to rear access which allow for the storage of bins outside of the public domain.

Having full consideration to the design merits of the revised scheme it is considered that the development would deliver an attractive residential environment which would preserve/enhance the existing area, in accordance with the objectives of CSP policies 14, 17, 29 which stress the importance of achieving high quality design.

Residential Amenity

The site does adjoin existing residential properties, fronting Dearne Hall Road and Dearne Hall Fold, running along the North Western boundary. There are a number of properties proposed along this boundary which would either back on to, or be side on to, the neighbouring dwellings. However, this was the case with the previously approved layout and the current proposal is not significantly different. As such, the required separation distances as set out in SPD 'Designing New Housing Development' have been met and generally exceeded.

Given the relatively minor nature of the proposed changes compared to the previous approval, it would not significantly increase overshadowing, lead to overbearing structures or reduce privacy levels to an unreasonable degree, in accordance with SPD 'Designing New Housing Development'

With regards to the residential amenity of the future occupants of the amended house types, the layout generally achieves the separation distances set out in Supplementary Planning Document 'Designing New Housing Development'. In addition, the properties themselves, in terms of internal spacing standards, comply with the technical requirements of the South Yorkshire Residential Design Guide. Furthermore, the garden areas for the 2 bed properties generally exceed 50m² and the 3 beds plus properties generally achieve at least 60m², in accordance with the SPD.

Noise

Noise was previously identified as the main issue in terms of whether the development would afford adequate standards of residential amenity for future residents with the noise sources being the substation, the industrial estate and the train line. Noise was considered carefully at outline stage and at reserved matters stage. This application is for the same number of dwellings as previously approved and the houses are organised around the same road layout, as such, they would be a similar distance from the noise sources as the previously approved houses. Therefore, the previously submitted noise reports and subsequent conditions are still relevant in this case.

It is acknowledged that a business which adjoins the site has submitted an objection letter with regards noise. They claim that the previously submitted Noise Reports were inaccurate and have submitted their own noise report. Their noise report suggests that the site 'needs to be reconsidered in terms of its quantum, massing and orientation'. However, as outlined above, this application is just to substitute the previously approved house types, it is not significantly different in terms of layout adjacent to the commercial/industrial properties to the South East of the site and has the same density. As such, as a layout almost identical to that currently proposed has previously been approved a revisit of the noise implications could not be justified. In anycase, the mitigation measures previously outlined in the noise reports, together with the conditions relating to noise, would be carried forward onto this application.

Highway Safety

As outlined above the road layouts would not be changed from the approval and, as such, the merits of those will not be revisited under this application. The only alteration from a highways point of view is minor revisions to driveways and garage positions, however, these still meet the requirements of SPD 'Parking' and the South Yorkshire Residential Design Guide. As a result of the above, Highways have not raised any objections to the proposed amendments.

Other considerations

Biodiversity

Councillors will be aware that it has previously been established that the site hosts two ponds which host a colony of Great Crested Newts and of the protection status afforded to this form of species. However the proposed changes do not raise any new implications for this area. In addition Members are updated that protection barriers have already been erected around the ponds under supervision from Natural England and the Councils Ecologist.

Affordable housing, public open space and education provision

The applicant is not seeking to alter the proposals already agreed in relation to these matters via the proposed changes which are covered by the existing S106 Agreement and conditions.

Conclusion

In summary the proposed amendments to the plans are not considered to raise any significant new issues. The proposed plans therefore are considered to remain satisfactory with regards to policy considerations including residential amenity, design and appearance and highway safety. Therefore it is recommended to the Board that the application is granted planning permission subject to the conditions listed below.

Recommendation

Grant subject to conditions:-

- 1 The development, hereby permitted, shall be begun before 25th February 2018.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990 and condition 1 of application 2015/0891.

- 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. The relevant plans and documents are outlined below:

- 1414.50 'Planning Layout Rev.A

House Types & Layouts

- ALD-01
- CHE-01
- DER-01
- ENN - 01
- ENN-02
- FOL-01
- HAL-01
- MAI-01
- PAL-01
- RAD-01
- WAS-01
- WIN-01

Garages

- 1414.200
- 1414.201
- 1414.202

Boundary Treatments

- 1414.300
- 1414.301
- 1414.302

Documents

- Garden Noise Assessment - 14/0561/R01
- Planning Noise Assessment - 13/0190/R1//Revision 6
- Drainage Details - Ref: E14/6120/MH/PW/010
- Great Crested Newt Survey Report - June 2014

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

- 3 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.
- 4 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.
- 5 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.
Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.
- 6 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 Core Strategy policy CSP 26.
- 7 Prior to the commencement of development, details shall be submitted in writing to the Local Planning Authority of arrangements which secure the following highway improvement works:
- Provision of bus stop clearways
- Provision of Highway Warning Signs
- Measures to restrict parking/loading on the main spine road
- Measures to prevent parking on verges
- Any necessary signing/lining
The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.
- 8 Development shall not commence until details of the phasing of the development has been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.
- 9 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.

- 10 Within 3 months of the commencement of the development the following landscaping details shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be retained thereafter:
- i) proposed finished levels or contours;
 - ii) public open areas;
 - iii) soft landscaping;
 - iv) means of enclosure;
 - v) other vehicle and pedestrian access and circulation areas;
 - vi) hard surfacing materials;
 - vii) minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); and
 - viii) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, indicating lines, manholes, supports etc.)
- Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**
- 11 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be submitted to and approved in writing by the Local Planning Authority:
- Tree protection plan and barrier details (TPP)
 - Arboricultural method statement (AMS)
- No development or other operations shall take place except in complete accordance with the approved methodologies. 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.
- Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.**
- 12 No development shall commence until a detailed scheme has been submitted to and approved by the Local Planning Authority in writing in order to mitigate the impact of low frequency noise from the electrical substation to the south east of the site, as shown on plan IL21235-020 Rev B, upon noise levels within the dwellings hereby permitted. The scheme shall broadly accord with the Cole Jarman Planning Noise Assessment submitted as part of the application dated 13 June 2013 (Report 13/0190/R1 Revision 6) and shall:
- a) demonstrate that internal noise levels at the 100Hz one-third octave band centre frequency shall not exceed an unweighted 48dB Leq 5 min during the day (0700-2300h) and 43 dB L eq 5 min at night (2300-0700h) respectively at any location with the dwellings due to the operation of the electrical substation; and
 - b) include specifications for the installed performance of external building fabric such as windows and include the provision of alternative means of background ventilation in order to achieve the noise levels set out in (a) above.
- The development shall be carried out in accordance with the approved scheme
- Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**

- 13 The development hereby permitted shall not commence until a detailed scheme has been submitted and approved by the Local Planning Authority in writing in order to mitigate the impact of low frequency noise from the electrical substation to the south east of the site, as shown on plan IL21235-020 Rev B, upon noise levels within the gardens of the dwellings hereby permitted. The scheme shall broadly accord with the Cole Jarman Planning Noise Assessment submitted as part of the application dated 13 June 2013 (Report 13/0190/R1 Revision 6) and shall demonstrate that within each garden there is provision for an area subject to noise levels at the 100Hz one -third octave band centre frequency shall not exceed an unweighted 54 dB L eq 5 min due to the operation of the electrical substation.

The development shall be carried out in accordance with the approved scheme.

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

- 14 Prior to the completion of the new pond, a plan indicating the position of boundary treatment to be erected for the area located around the existing and new pond shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed prior to the occupation of the first dwelling or in accordance with a timescale to be agreed in writing with the LPA. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and the amenities and safety of occupiers of adjoining properties in accordance with Core Strategy policy CSP 29.

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