
2015/1089

Applicant: Mr R Oddie, C/o Agent John R Paley Associates

Description: Outline application including details of access and associated works for residential development (Resubmission of 2014/0125)

Site Address: Land at West Street, Worsbrough Dale, Barnsley

2 objections from local residents.

Councillor Gill Carr states that she and the other Worsbrough Councillors are supportive of the proposal for the site to be developed for housing purposes as an alternative to the existing employment use.

Site Location & Description

The site is approximately rectangular in nature and situated within the urban area of Barnsley. There are residential properties to the north, and west, with industrial buildings bordering the eastern boundary and Worsborough Country Park located to the south. The site area is approximately 1.52ha. The site is predominantly covered with paved areas and 8 existing industrial buildings (Nos1-7 plus 7A). There are some areas of rough grass around these buildings. West Street forms the northern boundary of the site and the former Dearne and Dove Canal abuts the southern boundary.

The River Dove runs approximately 50m to the south of the site. Midway along the northern boundary of the site there is an electrical sub-station and a telecommunications mast. The services that serve the properties are still in the ground. There is sporadic/substantial tree and shrub growth adjacent the southern site boundaries.

A public footpath is shown running adjacent to the canal on the southern boundary. The site generally falls from a high point of 59.7m AOD in the north east towards a low point of 53m AOD in the south east corner. The site slopes from north to south at an average gradient of approximately 1 in 20. The southern boundary is generally flat with only a slight gradient from west to east.

The remaining occupants on the site are AHS Recycling and W Blackley Body Shop.

Site History

The site, originally known as The Dearne and Dove Steam Saw Mill, has a long history of industrial uses dating back to 1850. Since that time the site has housed a coal mine, a canal and a barge building company which turned into a timber company mostly supplying the local coal mines.

From 1969 until 2000 the site was in engineering use for specialised mining machinery for the National Coal Board, which ceased trading in 2000. From 2000-2009 the site was occupied by a subsidiary of Taylor Maxwell (brick merchant). They left the site in 2009 and since that time the site has been let on a short term basis with Sheffield Community Transport Ltd amongst the current occupants.

A previous outline planning application (ref 2014/0125) seeking to redevelop the site for a development of up to 70 dwellings was refused planning permission by the Council on 28th October 2014. The reason for refusal was:

“The proposal conflicts with Core Strategy Policy CSP19 by virtue of the fact redevelopment would result in both a loss of existing jobs and employment potential in an area where there is an inadequate supply of employment land. The substantial harm this causes is not considered to be outweighed by the potential contribution the scheme makes towards meeting housing need or the other considerations put forward by the applicant”.

Proposal

The proposal up for determination is a resubmission of outline planning application 2014/0125.

The application seeks outline planning permission for the site to be re-developed for residential purposes. The application seeks approval over the details of the means of access for the development. Layout, appearance, scale and landscaping are reserved for future consideration.

Access is proposed via 2 separate locations along West Street in the eastern and western areas of the site.

An indicative site layout plan has been submitted with the application. This includes a development of 46 houses and apartments. In addition the plan includes a central area of greenspace passing through the centre of the site along a north/south axis which would be transgressed with public footpaths.

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 submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. 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, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

Saved UDP Policies

UDP notation: Employment Policy Area

The Core Strategy

CSP1 Climate Change

CSP3 Sustainable Drainage Systems

CSP 4 Flood Risk

CSP8 The Location of Growth
CSP9 The Number of New Homes
CSP10 The Distribution of New Homes
CSP14 Housing Mix and Efficient Use of Land
CSP15 Affordable Housing
CSP 19 Protecting Existing Employment Land
CSP25 New Development and Sustainable Travel
CSP26 New Development and Highway Improvement
CSP29 Design
CSP35 Green Space
CSP36 Biodiversity and Geodiversity
CSP39 Contaminated and Unstable Land
CSP40 Pollution Control and Protection
CSP42 Infrastructure and Planning Obligations

Publication Draft Local Plan

The site is proposed to be allocated for housing in the Local Plan as site AC10. The entry in the Local Plan reads as follows:

Site AC10 Land to South of West St Worsborough - Indicative number of dwellings 48.

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

- Information identifying the likely location and extent of the remains, and the nature of the remains*
- An assessment of the significance of the remains*
- Consideration of how the remains would be affected by the proposed development.*

Relevant Supplementary Planning Documents and Advice Notes

-Designing New Housing Development
-Open Space provision on New Housing Developments
-Parking
-PAN 33 Financial contributions to School Places
-South Yorkshire Residential Design Guide

NPPF

The NPPF 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 7 – 3 dimensions to sustainable development
Para 14 – Presumption in favour of sustainable development

Para 22 – Planning Policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

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. 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

Para’s 58 & 60 – Design considerations

Para 123 – Noise

Consultations

Affordable Housing Officer - 15% of the dwellings should be affordable (likely to be a mix of 20% intermediate and 80% social rented).

Barnsley Civic Trust – In favour of the proposal, but employment potential in the area needs to be addressed.

Biodiversity Officer - No objections subject to conditions.

BMBC Drainage - No objections, subject to conditions requiring full drainage details to be submitted and to limit surface water runoff to watercourse.

Coal Authority -The site falls within a defined High Risk Area. No objections but recommend a condition requiring further investigations and if required, remedial works.

Contaminated Land officer – No objections subject to the condition that a phase 2 site investigation is undertaken. A suitable condition would therefore need to be imposed.

Design – Comments received state that the central spine of open space shown linking West Street through to the footpath to the south is potentially a strong element of the layout. However it would be necessary to make changes to the plan at the reserved matters stage to ensure that the development complies with the spacing and minimum garden and amenity space standards required by the SPD.

Education - State that a contribution would be required towards additional primary school capacity.

Environment Agency – No objections.

Forestry Officer – A condition would need to be imposed to require a tree survey and arboricultural impact assessment at the reserved matters stage to inform the design of the layout.

Highways DC – No objections to the development, including the proposed access arrangements subject to conditions.

Planning Policy – Initially recommended refusal on the basis that the proposal is in conflict with CSP 19 as the redevelopment of the site would result in the loss of employment land and potential. However, following the submission of the Local Plan to the Secretary of State, a revised consultation response states that, consistent with NPPF 22 and the recent site assessment associated with the publication and submitted Local Plan, the principle of

using the site for residential purposes can be supported subject to confirmation of the archaeological position.

Regulatory Services – Recommend that a condition is imposed to specify the minimum sound attenuation levels when the dwellings are constructed and to limit the effects of noise and disturbance during the construction phase.

SYMAS No objections subject to a condition requiring site investigations and appropriate mitigation where necessary.

SYPALO - No objections, in principle, although dwellings near to POS may have vulnerable rear/sides so secure boundaries would be required. Car parking should be moved away from Green Space as too vulnerable to crime. Motor cycle barriers should be installed – *These would be matters to address at the reserved matters stage.*

SYLTE – No comments received on this application but on the previous proposal they recommended provision of a bus stop and submission of a Travel Plan.

Waste Management – Comment that it is not possible to provide any meaningful comments on the indicative plan. Waste management would therefore need to be re-consulted at the reserved matters stage.

Ward Councillors – Cllr Gill Carr states that she and the other Ward Councillors support the land use designation on the site changing from employment to housing. This is because of the environmental problems caused by some of the historical uses on the site have made the site a blight on the local community. In addition Councillors are receptive to the difficulties that the land owner has experienced finding new tenants taking account of the new employment units which are being built in the Birdwell/Hoyland area near to junction 36 of the M1. In addition it is stated that the levels differences across the site provide a constraint to prevent the construction of larger units.

Yorkshire Water - No objections subject to conditions.

Representations

The application has been publicised by way of a press notice, site notices and letters were sent to local residents. 2 objections have been received from local residents based upon the following summary of concerns:-

- Loss of view/outlook
- Noise during the construction phase causing sleep disturbance for shift workers
- Reduced property values

Assessment

Principle of development

The site lies within an Employment Policy Area on the UDP proposals map, where UDP Policy ED7 states that such areas will remain in employment use. Core Strategy Policy CSP19, which seeks to protect existing employment land, also applies and was adopted in 2011.

CSP19 requires a number of criteria to be met in order for redevelopment of employment uses to be allowed.

The first criterion requires that redevelopment would not result in the loss of jobs or employment potential. The majority of the site is vacant with only two companies left on site, one being a sole trader and one being a storage company who do not employ any staff directly at the site. Marketing of the site was undertaken for a number of years since 2009 with only minimal interest in letting and no formal offers from commercial property developers have been received for the site. This is backed up by the proposed allocation for housing which indicates there is little likelihood of future employment potential for the site.

The second criterion of CSP 19 requires there to be an adequate supply of employment land maintained in the locality. The proposed reallocation of the site in the emerging Local Plan from employment to housing use shows that the intention of the Council is to allocate land elsewhere throughout the Borough to meet future employment needs.

Para 22 of the NPPF states that *“Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose. Land allocations should be regularly reviewed”*. Whilst the majority of the units on the site are occupied, they are all relatively dated units with low levels of use which is unlikely to expand in the future. The NPPF seeks to grant permission for 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.

In addition, the site lies within Urban Barnsley, where the majority of housing is to be located in line with the sustainable development policies within the adopted Core Strategy. The Publication Local Plan proposes reallocating the site for housing use. This is a material consideration which carries increasing weight as it progresses towards adoption as the development plan and shows the direction of travel for the policies for the site. The points raised above are significant considerations in favour. Other implications of the proposal are assessed below

Housing Supply Considerations

Since the refusal of previous application 2014/0125, the Barnsley Five Year ‘Deliverable’ Housing Land Supply Report April 2016 – March 2021 has been published. It states that for the 2015/16 – 2020/21 period, the supply of dwellings that can be demonstrated to be deliverable in that period are 5121 net dwellings towards a requirement for 8711 net dwellings. The Council therefore cannot currently demonstrate a supply of specific, deliverable sites sufficient to meet the boroughs housing requirement. In this situation the NPPF is clear, at paragraph 49, that relevant policies for the supply of housing should not be considered up to date.

As a result, applications for residential planning permission in the Borough (including proposals on UDP Safeguarded Land and UDP Urban Land to Remain Undeveloped allocations), where it can be demonstrated that they are in a sustainable location, will now be determined in line with the NPPF Presumption in Favour of Sustainable Development (paragraph 14 of the NPPF), relevant development plan policies and any other material considerations. The site has been assessed against a suite of sustainability criteria before being included as a potential housing site in the publication Local Plan, including accessibility to public transport and the strategic highway, key services e.g. shopping, schools and health services, effective use of land, impact on the environment, infrastructure and ground conditions.

The development would therefore contribute towards addressing the current deficiency in the 5 year housing land supply and reduce pressure on the need to find land elsewhere for new

housing which is not in the Green Belt in order to meet the identified targets. This would also weigh in favour of the proposal as would the fact that use of the site for housing would also be consistent with the proposed land use allocation in the publication Local Plan.

Highways

West Street (B6100) has footways on both sides of the carriageway, highway drainage and street lighting. It falls gradually from east to west and generally has long sweeping bends with a speed limit of 30 mph.

The proposed western access is existing and the proposed eastern access both have good visibility in both directions and the site is in a sustainable location close to several bus stops. South Yorkshire Passenger Transport Executive have been consulted and whilst no comments have been received for this application, in the previous submission the SYPTE raised no objections subject to a shelter being provided to replace the existing flag on column for east bound traffic and the stop for west bound traffic being relocated to the site frontage currently identified for the Central Green Space.

Highways have raised no objections to the proposal subject to conditions securing the necessary S278 works (including the provision of the new bus shelter/s) and ensuring adequate visibility is provided. In the event that outline permission was granted, details such as parking provision would be considered at the reserved matters stage.

Based on the above, the development is considered to comply with Core Strategy policies CSP25 & CSP26.

Design & Visual Amenity

The application is in outline form. Initially the application specified a maximum number of 70 dwellings. However that number is far higher than the 48 indicated in the emerging Local Plan allocation and is was highly questionable as to whether it would be possible to design a development that would comply with the external spacing standards in the SPD and BFL12 criteria. The applicant has therefore agreed to amend the description of the application to remove this reference and allow for all matters associated with design and layout to be considered at the reserved matters stage. The central open space indicated on the plan would be seen as a positive however and as such a condition is proposed to ensure that plans at the reserved matters stage have regard to this.

Based on a lower number of dwellings than set out in the indicative plan, it would be possible to design a scheme that would deliver an attractive residential environment which would enhance the existing area. To ensure this, it would be necessary to maximise assets within the site such as mature trees and hedgerows. The Tree Officers comments recommend that a tree survey and arboricultural implications assessment are provided to ensure that any trees worth of protection are incorporated into the design. A condition is proposed to ensure that this is carried out to inform the layout design at the reserved matters stage. Subject to this, it is considered that the proposal adheres to the objectives of CSP policies 14, 17, 29 which stress the importance of achieving high quality design.

Concern was raised that building houses opposite existing would spoil the views from existing houses and de value them. However, there is no legal right to a view and the value of a property is not a material planning consideration. As such these matters cannot be taken into account in the determination of the planning application.

Residential Amenity

Subject to required separation distances being achieved at the reserved matters stage, the redevelopment of the site for residential purposes would not adversely affect existing residents given the site is currently used for employment purposes.

The main concern is the level of amenity that will be afforded to occupants of the houses proposed along the eastern boundary, adjacent to the existing industrial uses. The close proximity to service yards means there is some potential for conflict and this has been cited by Regulatory Services, who note that issue was not covered in the noise report. As such they require a condition to ensure that the dwellings would be constructed so as to provide sound attenuation against external noise not less than 30dB (A), with windows closed and other means of ventilation provided.

Concerns were raised about the disturbance arising during the construction phase. This would be a temporary disturbance but to address these concerns relevant conditions can be employed restricting working hours, best practice working can also be secured within a construction method statement. Amongst other things, this would control noise and dust across the site.

S106 considerations – education, public open space and affordable housing, sustainable transport

Open space provision – New green space provision is required to be provided as part of the development in accordance with SPD: Open Space Provision on New Housing Developments. The initial greenspace needs assessment has indicated that provision would be sought via a commuted sum to for enhancing existing facilities located off the site. However as the detail of the number and mix of dwellings is proposed to be saved for the reserved matters securing provision by way of a condition would be appropriate in this case

Affordable housing – The site is an area where affordable housing provision should be equivalent to 15% of the overall number of dwellings. Again a condition would be appropriate to secure this for the same reasons as the above.

Education – The Head of Organisation and Governance has advised that there are issues with the capacity of local primary schools to accommodate children from the development. The figure would need to be calculated based upon the final number of dwellings which are proposed at the reserved matters stage. Again therefore a condition would be sufficient.

Other considerations

Ecology

The Biodiversity Officer commented that it was accepted that the site is of overall relatively low ecological value but in the event that permission was to be granted, it would be necessary to condition the recommendations of the Ecology Report.

Drainage

The main policy for assessing drainage/flood risk is CSP4 'Flood Risk'. The site is not in an area classed to be at risk of flooding. In addition Yorkshire Water have confirmed that the foul water drainage flows from the development can be accommodated into the existing network. Accordingly the main issues relate to proposals for the management of surface water flows from the development.

Reports have been submitted to show that the site can be satisfactorily drained to ensure compliance with Core Strategy policy CSP 4 (i.e. a 30% reduction in run off rates). The Council's Drainage Engineer and Yorkshire Water have therefore raised no objections subject to the safeguarding of the recommended conditions. Such a condition would include the detailed design of the SUDS system.

Archaeology

The detailed site assessment undertaken in preparation of the Local Plan has suggested there may be elements of archaeological interest on the site. A condition is proposed to secure archaeological evaluation should permission be granted.

Conclusion

The policy situation has changed considerably since the refusal of the last application on 28th October 2014.

The Council cannot currently demonstrate a supply of specific, deliverable sites sufficient to meet the Boroughs housing requirement. As a result, applications for residential planning permission in the Borough (including proposals on UDP Safeguarded Land and UDP Urban Land to Remain Undeveloped allocations), where it can be demonstrated that they are in a sustainable location, will now be determined in line with the NPPF Presumption in Favour of Sustainable Development (paragraph 14 of the NPPF), relevant development plan policies and any other material considerations.

This development would therefore contribute towards addressing the current deficiency in the 5 year housing land supply and reduce pressure on the need to find land elsewhere for new housing land which is not in the Green Belt in order to meet the identified targets. In addition, the site is proposed to be reallocated as Housing site AC10 in the publication draft Local Plan which has been submitted to the Secretary of State, and carries increasing weight as it progresses towards adoption.

Whilst currently allocated as Employment land in the UDP, the site has been marketed for a considerable period of time with no formal commercial offers received, and with only a low level of let use in the units. The applicant has indicated that the few existing occupants would be located elsewhere in the borough so that no jobs would be lost on site. The sites' reallocation in the Local Plan is a reflection of the requirement of NPPF Paragraph 22 to ensure that land allocations should be reviewed and that policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose. In addition the Submission Draft of the Local Plan which has been submitted to the Secretary of State shows that the intention of the Council is to allocate land elsewhere throughout the Borough to meet future employment needs.

The assessment concludes that the impacts of the proposed development would not be at a level to be considered sufficiently significant and adverse to outweigh the benefits taking into account the planning policy and other material considerations set out in the above report.

This is summarised as follows:-

- The site is located in the Barnsley urban area and is therefore the main priority location for growth which is expected to yield 9800 dwellings over the plan period to contribute towards the overall aim of delivering 21500 new dwellings before 2026 in accordance with the adopted Core Strategy.
- Having regard to the definition of sustainable development in the NPPF the proposal would deliver a number of positive economic and social benefits in that the development would provide dwellings in an area designated to accommodate housing growth contributing towards addressing the deficiency in the five year housing land supply. In

addition it has been judged that the development would not give rise to any significant or adverse environmental impacts.

- The majority of issues relating to the detail of the proposed development are reserved for a future application for the approval of the reserved matters subject to conditions. The information provided in relation to other material considerations including biodiversity, flood risk, drainage, contaminated land, and trees is considered satisfactory at the outline planning application stage, although to secure an archaeological evaluation. A further condition is proposed to secure an archaeological evaluation.
- The proposed access to the site is judged acceptable having regard to highway design standards and capacity. The size of the development is not sufficient to result in severe residual cumulative impact on the highway network.

Therefore it is recommended to the Board that the application is granted outline planning permission, subject to the conditions listed below which would include the need for the development to include provision of affordable housing, public open space and education contributions. A further condition would need to secure highway works, including the provision of a bus shelter.

Recommendation:-

Grant outline planning permission with conditions

Conditions:

- 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 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.

- 4 The access part of the development hereby approved shall be carried out in accordance with the details indicated on drawing D12 4558 01 rev B 'development masterplan'. Visibility splays, having the dimensions 2.4m x 43m, shall be safeguarded at the junction of access road with West Street, 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.
- 5 Plans at the reserved matters stage should be designed having regard to the details indicated on drawing D12 4558 01 rev B 'development masterplan'.
Reason: In order to define the permission, for the avoidance of doubt.
- 6 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 new accesses;
 - b) provision of new bus shelter(s);
 - c) any necessary signing and lining;
 - d) provision of/any necessary amendments to street lighting;
 - e) provision of/any necessary amendments to highway drainage;
 - f) any necessary resurfacing/reconstruction

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.

- 7 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.
- 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, in accordance with Core Strategy Policies CSP 26 and CSP 40.**

- 9 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.

- 10 Prior to the occupation of the development a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.

Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.

- 11 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface 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 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.

- 12 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.

- 13 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.

- 14 The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 15% of housing units;
- ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. The arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved) ;
- iv. The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To meet identified housing need in accordance with Core Strategy Policy CSP 15.

- 15 The development hereby permitted shall not begin until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of, or enhancement to off-site public open space in accordance with the Open Space Provision on New Housing Development SPD. The provision or enhancement of the off site open space shall be provided prior to completion of the development in accordance with the approved scheme.

Reason: In the interests of residential and visual amenity to ensure adequate provision of public open space in accordance with Core Strategy Policy CSP 29 and the Open Space Provision on New Housing Development SPD.

- 16 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey, 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.

- 17 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.

- 18 The development shall not begin until an assessment of the need for primary school places has been undertaken. The assessment shall be undertaken at the submission of Reserved Matters stage. If the site does generate a need for school places, no dwellings on the site shall be occupied until a scheme to provide a contribution to meet the needs of the development in accordance with Planning Advice Note 33 'Financial Contributions to School Places, or an equivalent replacement policy has been submitted to and approved by the Local Planning Authority. The scheme shall include a timetable for the provision to be completed within a reasonable timescale and shall be carried out in accordance with the approved details.

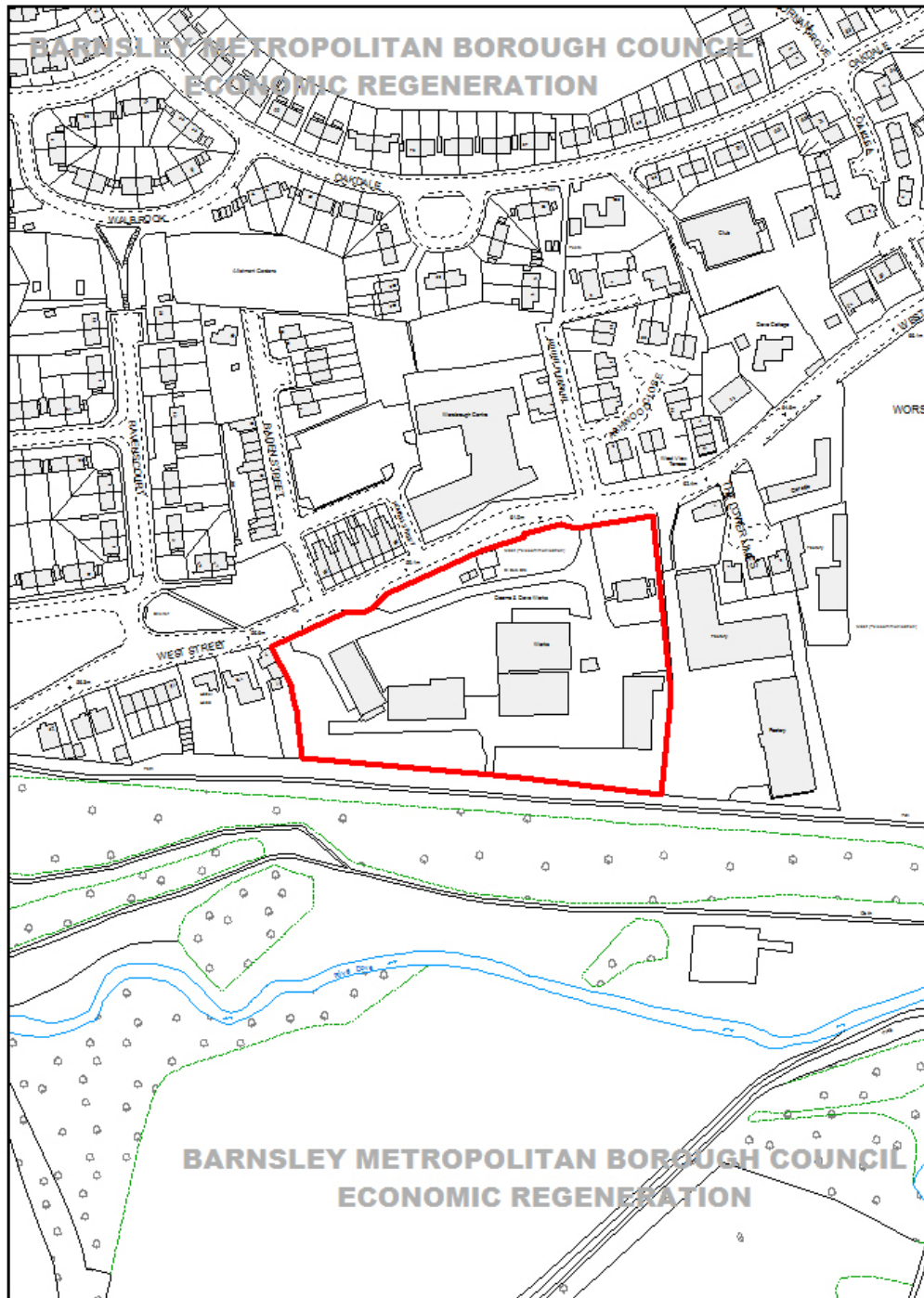
Reason: In order to comply with Planning Advice Note 33 'Financial Contributions to School Places'.

- 19 An intrusive site investigation report to assess the risk of land instability arising from historical coal mining activity and any necessary mitigation measures shall accompany the reserved matters submission. This shall be used to inform a layout plan which identifies appropriate zones of influence for the mine entry on site, and the definition of suitable 'no-build' zones. Thereafter the development shall proceed in accordance with the approved details.
Reason: In order to ensure safety and stability of the proposed development in accordance with CSP39.
- 20 The following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall accompany the reserved matters submission:-
- Tree Survey
- Arboricultural implication assessment (AIA)
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.
- 21 The dwellings shall be constructed so as to provide sound attenuation against external noise not less than 30dB(A), with windows closed and other means of ventilation provided. No development shall commence until a scheme has been submitted detailing how this is to be achieved. The scheme shall then be implemented in accordance with the approved details.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

PA Reference:-

2015/1089

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BARNSELY MBC - Economic Regeneration



Scale 1: _____