
2016/1308

Applicant: Jaguar Estates

Description: Proposed development of 48 dwellings and associated roads and infrastructure

Site Address: Land off Pilley Green/ Lidgett Lane, Tankersley, Barnsley, S75 3AE

37 letters of objection have been received
Cllr Barnard has objected to the application & requested a site visit
Tankersley Parish Council have objected

Site Location and Description

The site comprises of a roughly rectangular piece of land which measures approximately 2.4ha in area. The site has a longstanding agricultural use, it is located relatively central to the village of Pilley and is bounded by residential development to the north (Lidgett Lane), west (Pilley Green) and southern boundaries (Silkstone Close). A recreation field is located across the eastern boundary.

The site is contained by existing field hedges and trees to each boundary, levels fall to the south eastern corner by approximately 19m from Lidgett Lane. There are no landscape features of any significance within the site itself.

To the North Western corner of the site is St Pauls Church Pilley, which is not within the site boundary and is to remain.

Site History

2013/1006 – Outline application, including means of access, for up to 35 dwellings with access taken from a central location on the Northern boundary with Lidgett Lane. Approval was granted for the widening of Lidgett Lane to accommodate improved on street parking for existing residents and 2m wide footways would be provided to both sides of the highway. The application also included footpath linkages to the adjacent recreation ground.

Proposed Development

The applicant seeks full planning permission for 48no. dwellings. The dwellings fronting Lidget Lane would be accessed via 3no. private drives, each one having a separate entrance onto the adopted highway and serving 5no dwellings. However, the majority of the dwellings would be served by a new central road within the site, accessed off Pilley Green.

17no. house types are proposed, the majority of which have accommodation over 2 stories (25no.) but 19 bungalows are also proposed. In addition, to the North west corner of the site a 2 storey apartment block containing 4no. 2 bedroom apartments is also proposed.

With the exception of the apartments and 2 pairs of semi-detached dwellings, all the dwellings would be detached. Every property would have the benefit of in curtilage parking and the majority of the plots, with the exception of 9no. bungalows, would have access to a garage.

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 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).

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: Safeguarded land

Policy GS10 'In areas shown as Safeguarded Land on the proposals maps existing uses will normally remain during the plan period and development will be restricted to that necessary for the operation of existing uses. Otherwise planning permission for the permanent development will only be granted following a review of the UDP which proposes that development on the land in question'.

SPD's

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

Planning Advice Note's

33 -Financial Contributions to School Places

Local Plan

SAF34 – Safeguarded land

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

Affordable Housing Officer: No objections subject to contribution

Biodiversity Officer: No objections subject to conditions

BMBC Drainage: No objections subject to conditions

Coal Authority: No objection subject to condition

Contaminated Land officer: No objection subject to condition

Design: No objections

Education: No objections subject to contribution

Forestry Officer: No objections following revision of plots 17 & 48 & subject to conditions

Highways DC: No objections subject to conditions

Policy: No objection

Regulatory Services: No objections subject to conditions

SYMAS: No objection subject to condition

SYPALO: No objections subject to recommendations

Tankersley Parish Council: Object to the scheme for the following reasons;

- Inaccuracies in application
- Pressure on local schools
- Drainage/flooding
- Ground stability
- Highway safety
- Flats/apartments not in keeping with the area

Waste Management – No objections subject to recommendations

Yorkshire Water: No objection subject to conditions

Ward Councillors – Cllr Barnard has objected to the application for the following reasons;

- Flooding
- Access issues
- Geological fault on the site
- Mine workings under the site

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 above 37 letters of objections have been received. The main points of concern are outlined below;

- Over development of a site within a unsustainable location which local services cannot support.
- Development should be focused towards brownfield sites and not unspoilt Greenfield areas.
- Poor access and highway infrastructure would create unacceptable safety issues, the existing roads are too narrow to accommodate further demand,
- There is insufficient room at the local primary school to accommodate additional pupils.
- Ecological impact and overall harm to biodiversity. The site is haven for wildlife and provides important habitat, this would be lost.
- There is not enough capacity to accommodate additional sewage from the development.
- Public Transport is inadequate to provide an alternate option for residents, Pilley is only served with one bus an hour.
- The ground is unstable and nearby properties have been subject to subsidence, this would apply to the development site.
- The development would result in the loss of important agricultural land.

- There is no need for further new housing.
- The scale of the development would erode the village's character, the land forms a strategic break between existing development the proposals represents unacceptable form of urban sprawl linking Pilley to Lower Pilley and Tankersley.
- There would be significant added disturbance/noise from the development which would adversely affect existing residents.
- The site is Green Belt and should be protected.
- Inadequate mitigation can be achieved to the local highways infrastructure.
- Loss of privacy/increased overlooking.
- Flats/apartments do not reflect the character of the area.
- Increase in street lights & lights from the houses will lead to light pollution.
- Loss of outlook, reduced visual amenity.

Assessment

Principle of development

The site is currently in agricultural use and is allocated as safeguarded land in the UDP and proposed Safeguarded Land in the submission Draft of the Local Plan. However, the principle of residential development has previously been set on the site with the approval of application 2013/1006. As established in the previous permission, the residential development on the site is supported for the following reasons;

UDP policy GS10 is clear that on Safeguarded Land existing uses will normally remain during the plan period and that planning permission for alternative development will only be granted following a review of the UDP. Taken as read the proposal would be contrary to UDP policy.

The intention of Safeguarded Sites is to release land that is required beyond the development plan period to serve long term development needs. The purpose of the Safeguarded Land designation in the UDP was therefore not to protect the land from development in perpetuity, but rather to designate land on the edge of existing settlements that may be required to meet longer term development needs without the need to alter existing Green Belt boundaries at the end of the UDP plan period.

The Unitary Development Plan was adopted in 2000 therefore the extent it can be relied upon in terms of current development needs is becoming dated. The NPPF also states that decision makers should only afford full weight to policies adopted from 2004 onwards.

The Council cannot demonstrate a deliverable five year supply of housing land and as such the presumption in favour of sustainable development in the National Planning Policy Framework (NPPF) applies and indicates that the proposal should be allowed.

It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, paragraph 49 is clear that where no five year supply can be demonstrated, the presumption in favour of sustainable development at paragraph 14 of the NPPF should be used to determine planning applications and that relevant policies for the supply of housing should not be considered up to date. Other relevant development plan policies and material considerations should, however, still be considered.

As the principle of residential development has already been established for 35 dwellings, this report will focus on the impact of increasing that number to 48 and also the matters which were not previously considered such as appearance, layout, design and landscaping. The impact will be explored under the following headings:

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.

Affordable Housing

The site falls within Penistone East which is part of the Rural West whereby a 25% affordable housing requirement is needed in accordance with policy CSP15. The subtext of the policy alludes to the fact that this need can also be met offsite. Indeed Members will be aware that offsite contributions have been considered on recent developments elsewhere in the Borough including the previous permissions on this site.

The previous application (2013/1006) was considered alongside a further outline residential development at land off New Road/Lidgett Lane. The applicants committed to the delivery of a combined 18 offsite affordable units which would have been constructed at the former Rockingham Colliery site which was owned by the applicants and obtained planning permission under application B/02/0986/WB for the construction of 41 dwellings. With the exception of the 18 units the site has been constructed, being developed in the mid 2000's by Ben Bailey Homes. The planning permission therefore remains extant. The delivery of the affordable units was included within a s106 agreement.

As mentioned above, the application site and another site at New Road/Lidgett Lane were previously linked by one s106. However, the New Road/Lidgett Lane site recently gained planning permission for 56 dwellings (2016/1027) and was subject to its own S106 which separated the contributions of the two sites. That S106 required the New Road/Lidgett Lane site to provide 10. of the dwellings on the Rockingham Colliery site, as well as 3. units on site and a contribution for 1no. unit off site.

In accordance with CSP 15 this site would result in a requirement for 12 affordable units. 8 of these units would be provided on the Rockingham Colliery site to add to the 10 provided by the New Road/Lidgett Lane site. The remaining units would be provided on site, the plot numbers and types of dwelling are still being discussed with colleagues in the Affordable Housing Team. A condition has been recommended for full details to be submitted prior to commencement and, as with the previous application, this would be secured through a S106 agreement.

Education

The Education Officer was consulted on the application and calculated that there is a surplus at primary schools within the surrounding area but a deficit of places at secondary schools, as such; compensation would be required for the additional 8 secondary school places generated by the development. The contribution per place for secondary schools equates to £14,102, therefore, an overall contribution of £112,816 (8 x £14,102) is required as a result of the development. As with the Affordable housing contribution above, this will be subject to a S106 agreement.

Design / Visual Amenity

Residential development would represent a significant departure from its Greenfield Status where the site is currently used for agricultural purposes. Many of the objections have raised this as a concern, with the consensus being that this would represent a sprawl into open countryside. It needs to be stressed that the site is not subject to any special designations, including Green Belt, SSSI's, Landscape Value or Conservation Area, its visual amenity attributes would therefore not be sufficient to outweigh the NPPF's presumption in favour of sustainable housing development. Furthermore, the principle of residential development on the site has previously been established and a similar development for 56 units has recently been approved on a similar agricultural site to the East.

The site is defined by strong boundaries provided by the highway as well as to the recreation ground. Given that there is existing residential development to the North, West and South of the site the proposal would present itself as a natural extension to the existing settlements of Pilley.

Concerns have been raised from both the Parish Council and residents over the scale of the development proposals. The Pilley and Tankersley area has seen several residential developments over the years, it is perceived that no further development should be encouraged for fear of the village losing its unique character. It is acknowledged that the density of the development would increase compared to the previous approval on the site but it is still lower than the majority of new build sites, and those advocated by CSP 14 'Housing Mix and Efficient Use of Land' especially given the site constraints such as the level change. The lower density generally reflects a more rural grain which is akin to that of Pilley and Tankersley Village.

Locally architectural styles vary significantly, the proposed dwellings are more akin to those of more recent residential developments at Silkstone Close, Thorncliff Way and Stone Leigh where detached family housing is the predominant house type. In addition, the recent approval on the Lidgett Lane/New Road site incorporates detached family dwellings of a similar style. The proposals would therefore provide an element of cohesion with the existing/proposed housing stock.

Furthermore, unlike the recently approved scheme to the East, which is more rural in character and predominantly relates to larger detached dwellings, this site is immediately adjacent to ex Local Authority properties and smaller detached and semi-detached dwellings. As a result, this site contains more of a mix of housing stock including detached, semi-detached, 2 storey dwellings, bungalows and apartments. This would accord with CSP 14 and provide options for future purchases, not just catering to the more affluent family purchaser. Given the mix of properties it could also aid younger buyers from the village to stay within the village and, given the number of proposed bungalows, elderly residents to remain in the village following downsizing.

In terms of existing features, there are few constraints which significantly influence the design or layout. The agricultural nature of the sites means that tree cover and hedgerows are generally located on or just outside of the development boundary. The layout shows that the majority of the existing trees and hedgerows can be retained and that a substantial amount of tree planting can also be planted throughout the site, . It is acknowledged that the hedgerow to the North of the site would be removed, but that was the case with the previous approval. The removal of the hedgerow benefits highway safety, as discussed in the Highway Safety section below, furthermore, the applicant has proposed a new relatively continuous landscaping strip along the Lidgett Lane frontage to replace the hedge and soften the development.

The applicant has proposed 17 house types which complies with CSP 14 and adds visual interest across the site. The proposed house types are considered acceptable for the site and are positioned so that they have an acceptable relationship with the existing and proposed road layouts, in order to create attractive streetscenes. The level changes across the site are acknowledged and the majority of the retaining walls required are incorporated as rear boundaries so as not to be prominent from the highway or public vantage points.

It is acknowledged that the proposal incorporates an apartment block within a relatively prominent position on the corner of Lidgett Lane and Pilley Green. Apartments are not a common feature of the village and some neighbours have objected to this element of the development, however, the building is only 2 stories in height and is positioned adjacent to the church. It is also set back from the highway and both the building and associated parking court are surrounded by mature landscaping. The design of the apartment building will reflect the proposed dwelling and would harmonise with the development as a whole.

In summary of the considerations on design/visual amenity grounds, the application is not considered to raise any significant issues. It is considered that a high-quality development would be achieved at the site which incorporates sustainable techniques and complies with CSP29 'Design' and relevant criteria of SPD.

Residential Amenity

It is acknowledged that the site is currently in agricultural use and the introduction of 48no. dwellings would result in noise and disturbance associated with residential activity and vehicular movements. However, as previously mentioned, the principle of residential development on the site has already been set. The introduction of an addition 13no. of units would not significantly increase the noise and disturbance within the area to the detriment of residential amenity.

The site directly borders residential properties to the south which includes a total of 4no. of properties, fronting onto Pilley Green and Silkstone Close. There are residential properties to the West, but these are separated from the site by Pilley Green, and further residential properties to the North, which are built on a higher level and separated from the site by Lidgett Lane. There is also a property to the east of the site

The proposed dwellings to the North and West of the site are an acceptable distance from the existing properties, opposite the adjoining highways, and comply with the separation distances set out in SPD 'Designing New Housing Development'. The proposed dwellings on the Southern boundary of the site, directly adjoining boundaries shared with existing neighbouring properties, have habitable room windows circa 21m plus from existing principle elevations and are at least 10m from shared boundaries with private amenity space, again in accordance with the SPD. The property to the east has its side elevation facing the site and the nearest part of this dwelling is over 50m from the site,

With regards to the separation distances within the site between the proposed dwellings, it is acknowledged that some of these fall short of the requirements of the SPD. However, this is generally where bungalows back on to each other or the two storey dwellings are built on a lower level than the neighbouring bungalow. A number of cross sections have been produced to accompany the application in the majority of areas where this relationship occurs. The cross sections demonstrate that given the level differences, retaining structures and orientations the proposed dwellings would still retain reasonable levels of residential amenity.

It should also be noted that the SPD states that separation distances maybe relaxed depending on a number of factors including site level relationships. Furthermore, it goes onto to say that a reduced distance maybe acceptable for bungalows provided they meet garden size standards and ensure adequate levels of amenity for occupants in terms of outlook, privacy and daylight.

The proposed dwellings generally meet or exceed the internal spacing requirements of the South Yorkshire Residential Design Guide and also meet or exceed the required external spacing/garden sizes set out in the Design Guide and the SPD.

Green Space

In accordance with CSP35, CSP42 and the SPD: Open Space Provision on New Housing Developments, all residential development over 20 units are expected to provide green space, whether that be on site or a financial contribution to upgrade existing offsite facilities

General open space requirements require a minimum of 15% of the gross site area of new housing development must be open space of a type appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses as per 'SPD: Open Space Provision on New Housing Development' standards. An initial green space assessment states that an off-site contribution would be required, in connection with the requirement for new green space as per policy requirements.

The contribution calculation for off-site provision, as part of appendix 2 of SPD 'Open Space provision on New Housing Developments Consultation', can be utilised. There are 48 no. dwellings proposed in total. 17no. with 4 bedrooms which generate a contribution of £2013.13 per dwelling (£34,223.21), 14no. 3 bedroom properties which generate a contribution of £1723.66 per dwelling (£24,131.24) and 17no. 2 bedroom properties which generate a contribution of £1436.82 per dwelling (£24,425.94). As such, a total off site contribution of £82,780.39 is required. This can be secured through a legal agreement.

Highways Safety

The site lies to the south of Lidgett Lane, an all-purpose road which is subject to a 30mph restriction. It connects Pilley Green (West) to New Road (east). The road provides direct access to frontage properties located on the north side of Lidgett Lane the majority of which are dependent on on-street parking. In the vicinity of the sites frontage to Lidgett Lane the carriageway has a 5.5m width and is served with a 1.8m wide footway and 0.5m wide verge. The visibility at the junction to Pilley Green exceeds the 2.4m x 43m recommendation of Manual for Streets. Extending beyond the site to the east, Lidgett Lane becomes far more rural in character being subject to several pinch points and not having a continuous footway.

There are bus stops within the vicinity of the site, but, the bus services are limited to one per hour. These bus stops are of a high standard and SYPTTE do not request any improvements. Two national cycles network routes (no's 6 and 67) run within close proximity of the site which provides wider connectivity. The nearest railways station is located at Elsecar approximately 4.3km away. This is served with hourly off peak and half hourly on peak services to Barnsley, Sheffield, Huddersfield and Leeds.

Highway safety issues have been a prevalent concern expressed within the representations received. Principle concerns relate to the volume of traffic on local roads, inadequacy of Lidgett Lane and annual Flooding along New Road. In accordance with policy CSP26 new development must be designed to ensure that safe, secure and convenient access for all road users can be achieved. Mitigation must be secured where there is either a known or potential safety issue on hand.

It should be acknowledged that a previous outline application has been approved on the site for up to 35 dwellings, 13 less than are currently proposed. That previous application included access and proposed a new road and junction directly onto Lidgett Lane. The current application proposes 3no. smaller access points onto Lidgett Lane, serving the apartments and 3no. private drives, with the main access serving the majority of the properties directly off Pilley Green. Highways have assessed the proposed access points onto the existing road network and have raised no objections, given the proposed visibility and proximity to existing junctions.

Similar to the previous approval, the proposed access arrangements provide for the widening of Lidgett Lane along the sites frontage, this would accommodate a 5.5m wide carriageway, dedicated lay-by parking for existing residents, 2m wide footways and appropriate visibility splays.

To address concerns over pedestrian safety along Lidgett Lane the application seeks to introduce a footpath through the adjacent recreation field linking through to the approved New Road Site. The purpose of this is to provide a safer and more direct access to New Road for parents and children attending St Peters School. This would not only directly serve the development sites themselves but would also offer an option for existing pedestrians walking between Pilley and Tankersley. This has been met with the approval of highways and is considered to be significant safety benefit to the proposals.

It is considered that the proposed mitigation measures would deliver significant improvements that more than offset the impacts associated with the additional traffic generated. Therefore, taking into account policy CSP26 and paragraph 32 of the NPPF, the development would not have a detrimental impact upon the highway network.

In terms of the internal road arrangements of the site, the 4no. private drives proposed serve no more than 5no. properties each, in accordance with the South Yorkshire Residential Design Guides. The proposed roads which would be adopted have been assessed by Highways DC and meet their requirements in terms of widths, pavements, hard margins, visibility splays etc. In addition, the parking for the individual plots accords with the requirements of SPD 'Parking'.

Drainage & Flood Risk

No watercourses run directly through the site and the site lies within Flood Zone 1 on the Environment Agency's Flood Risk map. Development located within Flood Zone 1 is identified as being suitable for all types of development and the risk of flooding from rivers etc. is low. The Environment Agency has been consulted and raised no objection to the application subject to details of surface water disposal being conditioned.

The site would be developed with separate foul and surface water drainage systems. Geological records indicate the presence of sandstone underlying the majority of the site which suggest that soakaways may be feasible. This will however, require further investigation. Notwithstanding this, the proposed surface water drainage systems would have to be designed with an allowance for climate change and restricted to the greenfield discharge rates with appropriate attenuation proposals incorporated.

There are no objections in principle to the proposals, but due to the size of the development and potential impact on the watercourse, full drainage details would be required via condition.

Subject to the compliance with the above, the proposed development can satisfy the requirements of the National Planning Policy Framework, its accompanying Technical Guidance in relation to flood risk and accords with Core Strategy policies CSP1, CSP 3 and CSP4.

Ecology and Biodiversity

A preliminary Ecological Appraisal (Brooks Ecological, Jan. 2016) has been submitted alongside the application. The site is a single field of improved grass which is considered to be of little ecological value. Some value can be attributed to the site boundaries, although this is reduced through human disturbance associated with roads, housing etc. The Northern hedgerow would be removed as part of the application, however, this was the case with the previous approval. The Eastern and Southern boundaries would be retained, along with the limited ecological value associated with them.

The Councils Ecologist has assessed the proposal, and associated documentation, and has not raised objection to the scheme, subject to conditions.

Land Contamination and stability

The preliminary site investigation report identifies that there is potential for some onsite contamination risks associated with Agricultural activities and Mining Legacy. This should not be to an extent that should comprise residential development, especially given the previous approval on the site. As is common with most developments it is recommended that a condition is applied requiring an intrusive site investigation to be undertaken. Accordingly, the contaminated land officer has raised no objections.

In terms of coal mining legacy the site has potential risks from mining legacy hazards in the form of unrecorded shallow mine workings, associated land instability and fugitive mine gasses, there is also a fault recorded across the site. This is not an uncommon situation within the Borough given the coal mining heritage. SYMAS recommend further intrusive ground investigations are conditioned so that conditions can be fully evaluated and suitable remedial works (if necessary) put in place. This would accord with the principles of CSP39 and sections 120 and 121 of the NPPF.

Conclusions

The principle of residential development has been set with the approval of application 2013/1106. In addition, the proposals are considered to be sustainable taking into account the three dimensions of sustainable development (economic, social and environmental) referred to in the NPPF. Accordingly, the NPPF Presumption in Favour of Sustainable Development applies.

Having thoroughly assessed the application against other relevant development plan policies and taking into account other material considerations, including those raised in representations, it is not considered that there are adverse impacts which significantly and demonstrably outweigh the benefits of the scheme (subject to securing the necessary mitigation sought within the S106 agreement and recommended planning conditions). On this basis, the proposals are considered acceptable.

Recommendation:

Members resolve to grant subject to the conditions given and completion of section 106 agreements securing off site open space, education and affordable housing contributions.

- 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. The plans are outlined below;
 - 0125/14/01/100 - Q
 - 0125/14/02/50 - Housetype A1 - Floor Plans
 - 0125/14/02/51 - Housetype A2 Timber - Elevation
 - 0125/14/02/51 - Housetype A2 Timber - Plans
 - 0125/14/02/52 - Housetype A3 Tile-hung - Elevations
 - 0125/14/02/52 - Housetype B2 timber - Floor Plans
 - 0125/14/02/52 - Housetype A3 Tile-hung - Floor Plans
 - 0125/14/02/52 - Housetype A4 - Elevations
 - 0125/14/02/53 - Housetype B1 Elevations
 - 0125/14/02/53 - Housetype B2 Timber - Elevations
 - 0125/14/02/54 - Housetype B3 tile-hung - Floor Plans
 - 0125/14/02/55 - Housetype C1 - Elevations
 - 0125/14/02/55 - Housetype B3 Tile-hung - Elevations
 - 0125/14/02/56 - Housetype C1 - Floor Plans
 - 0125/14/02/57 - Housetype C2 Timber - Plans
 - 0125/14/02/58 - Housetype C2 Timber - Elevations
 - 0125/14/02/58 - Housetype C3 Tile Hung - Elevations
 - 0125/14/02/58 - House type C3 Tile-Hung - Floor Plans
 - 0125/14/02/58 - Housetype C4 Asymmetric - Floor Plans
 - 0125/14/02/58 - Housetype C4 asymmetric - Elevations
 - 0125/14/02/58 - Housetype E - Floor Plans
 - 0125/14/02/59 - Housetype E - Elevations
 - 0125/14/02/62 - Housetype F - Floor Plans
 - 0125/14/02/63 - House Type F - Elevations
 - 0125/14/02/66 - Type D Apartment Block - Floor Plans
 - 0125/14/02/66 - Type D Apartment Block - Floor Plans
 - 0125/14/02/67 - Type D Apartment Block - Elevations
 - 0125/14/02/67 - House Type G - Floor Plans
 - 0125/14/02/68 - House Type G - Elevations
 - 0125/14/02/69 - House Type H - Floor Plans
 - 0125/14/02/70 - House Type H - Elevations
 - 0125/14/02/70 - House Type J - Plans

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 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.

- 5 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.

- 6 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(s).

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

- 7 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 other of similar size and species.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

- 8 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 9 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.
- 10 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-
1. A survey of the extent, scale and nature of contamination.
 2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
 3. An appraisal of remedial options, and proposal of the preferred option(s).
 4. A remediation statement summarising the works to be undertaken (if required).
- The above 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 thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".
- 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.**

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

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

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity

- 12 The erection of barriers and any other measures specified 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 safeguard existing trees, in the interest of visual amenity.

- 13 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 NPPF 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 25% of housing units/bed spaces;
 - 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.

- 14 No development shall take place unless and until
(a) Full foul and surface water drainage details, including a scheme to maintain or reduce surface water run-off from existing greenfield rates, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.
(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways and
(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways are all approved in writing by the Local Planning Authority.
Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.
- 15 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.
Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.
- 16 No development shall take place until a scheme for disposing of surface water by means of a sustainable drainage system is approved by the Local Planning Authority.
The scheme shall include the following details:
Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and
the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
o A timetable for its implementation; and
o A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.
The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.
Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.

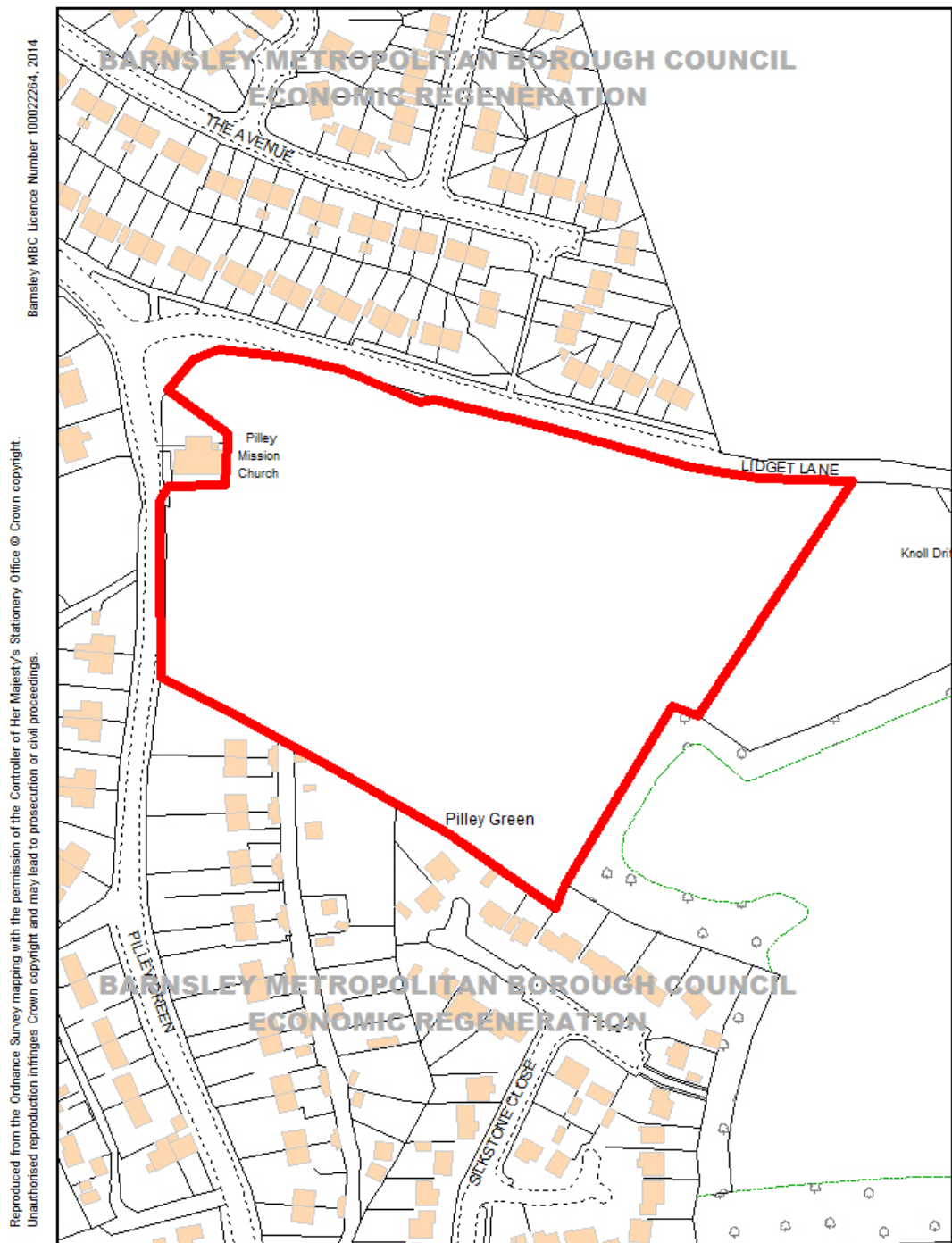
- 17 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 18 Visibility splays, having the dimensions 2.4m x 43m, shall be safeguarded at the junction of the access road with Pilley Green and all internal site access roads, 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.
- 19 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 20 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:
- Widening of Lidgett Lane to provide a 5.5m carriageway and a 2m wide parking layby;
 - Provision of 2m wide footway along entire site frontage;
 - Measures to prevent parking at the junction of Lidgett Lane/ Pilley Green;
 - Provision of roundabout at the junction of Pilley Green/New Road/Carr Lane;
 - Provision of /any necessary alterations to street lighting;
 - Provision of /any necessary alterations to highway drainage;
 - Reconstruction/resurfacing as necessary.
- The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.
- 21 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 interest of highway safety, in accordance with Core Strategy Policy CSP 26.

- 22 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.
- 23 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.
- 24 Prior to the occupation of the building 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 shall be fully implemented, in the interests of sustainable development.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 25 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;
-Measures to prevent mud/debris being deposited on the public highway.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

- 26 Prior to the commencement of development, details of the ecological enhancements, including a timetable of their implementation, shall have been submitted to and agreed in writing with the Local Planning Authority. The enhancements shall be in line with the recommendations as set out in Brooks Ecological Preliminary Ecological Appraisal (Ref: R-2463-01) dated January 2016. The scheme shall then proceed in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.
- 27 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of plots 6-14, 20-26, 31-36 & 45-46 which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: In the interest of residential amenity in accordance with CSP29.
- 28 No building or other obstruction including landscape features shall be located over or within 3.0 (three) metres either side of the centre line of the water main i.e. a protected strip width of (6) metres, that enters the site. If the required stand-off distance is to be achieved via diversion or closure of the water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.
Reason: In order to allow sufficient access for maintenance and repair work at all times in accordance with CSP4

PA reference :-

2016/1308



BARNESLEY MBC - Economic Regeneration

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