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**2017/0488**

**Applicant:** Barnsley MBC, C/o West and Machell Architects

**Description:** Proposed variation of condition 2 of outline planning permission 2015/1277 (Erection of 32 dwellings and access road) to enable minor material amendments to the approved site layout plan.

**Site Address:** Land off Longcar Lane, Barnsley, S70 6BB

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The application is referred to the Board as the Council is the applicant. Members are advised that the application is related to application 2017/0251 which is also on the agenda to be considered at the 27th June meeting. No representations have been received on this application. However Councillors are advised that 15 letters of objection have been received from local residents on associated application 2017/0251.

### **Site Location & Description**

The application relates to the recently demolished Longcar Conference Centre located on the corner of Longcar Lane and Racecommon Road. The site is roughly rectangular in shape and measures approximately 0.87Ha. It is situated within an established residential area and borders residential properties to the East and South, with further dwellings opposite the highways to the North and West. There are a mixture of property designs, styles and ages surrounding the site with traditional terraces to the East, red brick semis to the South and South East and modern 2, 2.5 and 3 storey townhouse to the North.

There are a number of trees and hedges on the site which are generally located around the site's boundary. Vehicular access is taken from Longcar Lane to the North.

### **Proposed Development**

The existing outline planning permission (ref 2015/1277) is for 32 dwellings including access, layout and scale. This application seeks permission to make some small amendments to the approved layout and individual property accesses which will then form the basis for reserved matter application 2017/0251. The reserved matters application could not address the amendments to the layout as the only matters to be considered at that stage are appearance and landscaping.

The main differences between the approved outline layout and the current layout are as follows;

- Plots 1 and 2 substitute dwelling type B for A
- Plots 3 and 4 substitute dwelling type A for B4 and B2 respectively
- Access for plot 3 moved from Racecommon Road to the internal access road
- Plot 6 substitute dwelling type B for A
- Plot 23 rotated 90 degrees on its plot and position of parking area amended
- Plot 24 substitute dwelling type A for B3 and vehicular access moved from internal access road onto Longcar Lane
- Plots 31 and 32 substitute dwelling type A for B2
- Introduce a curve along the section of internal access road to the West of the site

## **Planning History**

2015/1014 – Demolition of existing building (prior notification) – It was determined 17/09/2015 that prior approval was not required for the proposed works.

2015/1277 – Erection of 32 no. dwellings and access road (outline) – Outline planning permission with conditions was granted on 29th January 2016.

2017/0251 – Erection of 32 no. dwellings and access road (Reserved Matters of outline planning permission 2015/1277 - appearance and landscaping details)– This application is also referred to the Board for determination at the 27th June meeting and is recommended for approval by Officers.

## **Policy Context**

Planning decisions 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).

## Unitary Development Plan

The UDP designation is Existing Community Facility

## 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  
CSP26 New Development and Highway Improvement  
CSP29 Design  
CSP36 Biodiversity and Geodiversity  
CSP39 Contaminated and Unstable Land  
CSP40 Pollution Control and Protection  
CSP42 Infrastructure and Planning Obligations  
CSP43 Educational Facilities and Community Uses

## Local Plan Submission Version

Proposed housing allocation (AC36)

## Relevant Supplementary Planning Documents and Advice Notes

Designing New Housing

Open Space provision on New Housing Developments

Parking

Financial Contributions to School Places

## 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.

## **Consultations**

Drainage – No objections

Yorkshire Water – No objections

Regulatory Services – No objections subject to conditions

Ecology – No comments but no objections to previous application

Highways DC – No objections subject to conditions

Affordable Housing Officer – No Objections

Ward Councillors – No comments

Barnsley Civic Trust – No comments but no objections to previous application

## **Representations**

The application was advertised by way of a site notice and press notice with immediate neighbours being notified by letter. No letters of objection were received to this application. However 15 representations have been received to associated application 2015/0251.

## **Assessment**

### Principle of Development

The previous decision to grant outline planning permission for application 2015/1277 established that residential development was acceptable in land use planning policy terms and that 32 dwellings was an acceptable amount of development. This is reflected in the submission version of the local plan which identifies the site as housing proposal AC36.

These matters are not up for consideration therefore. The assessment is solely about the acceptability of the proposed amendments compared to the previously approved layout.

#### Design & Visual Amenity

This section 73 application relates to the outline approval, as such only the proposed changes to layout, access and scale are to be considered.

As the number of dwellings and layout remains largely the same as the existing outline planning permission it remains the case that the development is acceptable in SPD design terms. An assessment of the elevations from an appearance point of view and landscaping are considerations for associated application 2017/0251.

#### Residential Amenity

Relationships between existing and proposed dwellings were considered and judged acceptable as part of the previous outline application which approved the position of the houses when layout details were approved. This application seeks to make minor changes to the previously approved layout. However the changes are sufficiently minor not to materially alter any of the proposed relationships. As such the proposal does not raise any new implications from a residential amenity perspective.

#### Highway Safety

Access arrangements for the development was approved as part of the existing outline planning permission and are essentially unchanged as a result of the proposed amendments, aside from the alignment of the new estate road within the site and the driveways of a small number of plots (Nos 3, 23 and 24) being altered to either be served off the new estate road, or Longcar Lane in the case of plot 24. Highways have not raised any concerns regarding the proposed changes.

#### Others

##### Education, Green Space and Affordable Housing

The outline planning application established a need for contributions towards primary school places and the provision of green space and affordable housing. This was covered by conditions 15, 16 and 17 of the outline which would need to be carried across to the new decision. Provisions are to include 4 on site affordable housing units, a contribution of £56,330 towards recreation/green space and £49,168 towards primary school places.

#### Ecology

An Ecological Impact Assessment was submitted with the original outline planning application. The survey identified that the site was of a low ecological value. A series of enhancement measures, such as bat roof boxes, are proposed which align with the objectives of the NPPF and policy CSP 36. These measures would be the subject of a condition.

#### Trees

As with the previous approval this application would retain the majority of the trees, with new tree planting also proposed as part of the scheme. The majority of the existing trees are category 'C' and the only 'B' category tree, an Ash to the front of plot 31 and adjacent to Longcar Road, would be retained given its prominent location and contribution to the

streetscene, despite the proposed plot substitution. Landscaping is a consideration for associated application 2017/0251.

### Drainage

The Council's Drainage Engineer and Yorkshire Water have raised no objections to the proposed changes subject to conditions.

### **Conclusion**

An assessment has been carried out of the proposed amendments to the plans associated with outline planning permission 2015/1277. None of the changes proposed are considered to be materially significant and are therefore minor material in nature. As such it remains the case that the plans would satisfy the relevant policies including the Designing New Housing Development SPD and CSP29. The application is recommended for approval by Officers accordingly.

### **Recommendation:**

Grant variation of condition 3 of outline planning permission 2015/1277 to enable minor material amendments to the layout

- 1 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.**
- 2 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 design and external appearance of the proposed development.
  - (b) 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.**
- 3 The access, layout and scale 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. This includes the mitigation measures recommended in the supporting reports and surveys referenced below. The approved plans and documents are as follows;
  - 3382(1)002M - 'Site Layout - external works'Documents
  - Preliminary Land Contamination and Geotechnical Risk Assessment - 12-17-16-1-6005/DSR1
  - Tree Survey - 150703
  - Ecological Impact Assessment - 0885-A
  - Design and Access Statement**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**

- 4 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 in accordance with Core Strategy Policy CSP 29, Design.**
- 5 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.**
- 6 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.**
- 7 No development shall take place until:  
(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority;  
(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;  
(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;  
Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.  
**Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 8 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.**

- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The parking of vehicles of site operatives and visitors
  - Means of access for construction traffic
  - Loading and unloading of plant and materials
  - Storage of plant and materials used in constructing the development
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - Wheel washing facilities
  - Measures to control the emission of dust and dirt during construction
  - Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**
- 10 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
- Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 11 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
- Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 12 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.
- Reason: In the interests of road safety in accordance with Core Strategy Policy CSP26 'New Development and Highway Improvement'.**
- 13 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
- The development shall be carried out in strict accordance with the approved details.
- 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.**

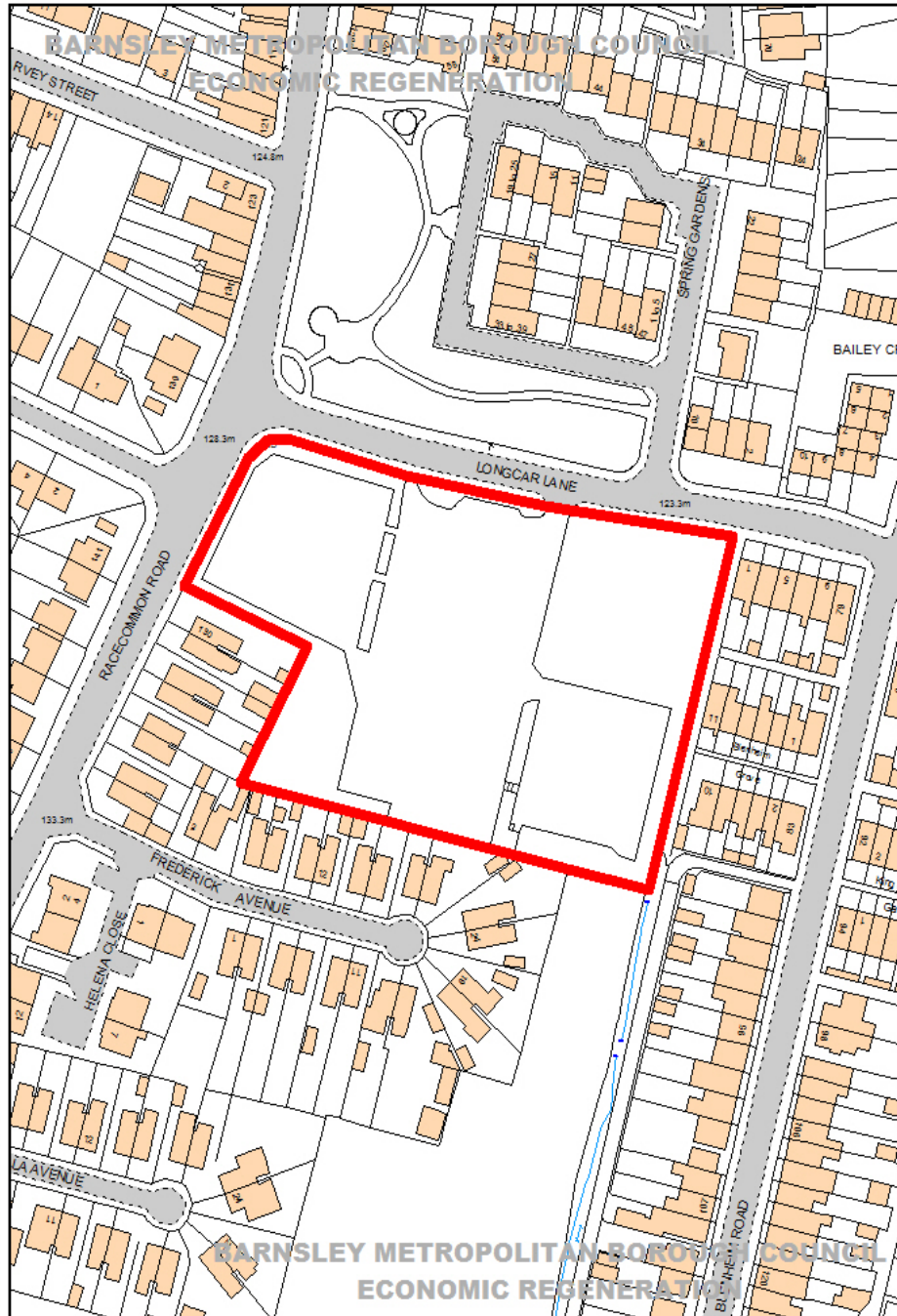
- 14 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained 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.**
- 15 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 15% 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.**
- 16 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 Core Strategy policy CSP 35 and the Open Space Provision on New Housing Developments SPD.  
**Reason: In the interests of residential and visual amenity to ensure adequate provision of public open space in accordance with Core Strategy Policy CSP 35 and the Open Space Provision on New Housing Developments SPD.**
- 17 Prior to commencement of development details of 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 shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In order to mitigate against the effect of the development in light of the insufficient capacity within local primary schools.**
- 18 Notwithstanding details submitted within the ecological assessment detailed plans shall be submitted with the reserved matters application including biodiversity mitigation and enhancement measures. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: In accordance with CSP 36 'Biodiversity and Geodiversity'.**



PA Reference:-

2017/0488

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**BARNESLEY MBC - Economic Regeneration**

Service Director: David Shepherd  
Westgate Plaza One, Westgate  
Barnsley, S70 9FD  
Tel. (01226) 772621



Scale 1: 1250