
2018/1275

Applicant: Barratt Homes

Description: Variation of Condition 2 of 2017/0577 updating the house type design and / or repositioning 149 plots and increasing the total number of units on site by 4.

Site Address: Land Off Newland Avenue and Carrs Lane, Cudworth, Barnsley

2 letters of objection have been received

Introduction

Members will be aware that this development is ongoing in accordance with the approval granted in 2017 under planning application 2017/0577. This application is to amend some of the housetypes to reflect the applicant's latest portfolio and for an additional 4 units.

Site Description

This is a large 11.62ha site located immediately beyond the existing south west edge of the built up settlement of the Cudworth. The site is irregular in shape and spans across a number of fields located to the south of houses located on Newland Avenue/Newtown Avenue and to the west of houses located on Carrs Lane.

The site is currently under development with the spine road through the site now complete and a number of the properties occupied.

Existing residential properties bound the site along Newtown Avenue & Carrs Lane. The site continues to adjoin the countryside to the south and south west. Immediately beyond the south east corner is Ring Farm which was previously home to the horses that were part of the mounted division of South Yorkshire Police.

The land to the west slopes down steeply into a valley before rising again, on the other side of this valley is Lundwood.

Proposed Development

The proposed re-plan area covers the northern and eastern areas of the site and contained 149 homes in total.

A total of 34 plots have been substituted or relocated slightly with alterations to the remaining 111 plots limited largely to minor changes such as reconfigured parking spaces (including the removal or addition of garages) and minor alterations to gardens, footpaths and house orientation. In addition, all the garages now have hipped roofs.

The amendments have created some additional space within the site allowing 4 additional plots to be incorporated. The additional 4 homes will not have a material impact on wider area of the site in respect of drainage or highways matters.

The re-plan area relates to 149 plots. The impact that the proposed development will have in respect of dwelling mix is as follows: -

House Size	Original Scheme	Proposed Scheme
2 Bedroom	22	22
3 Bedroom	127	128
4 Bedroom	129	132
Total	278	282

None of the 15 bungalows on the approved scheme are affected and all 4 of the additional dwellings are located within the central areas of the site (i.e. not adjacent boundaries with existing properties).

History

B/85/1638/CU Residential development (outline) Land at Carrs Lane, Cudworth – Refused

2015/1070 Residential Development of 278 dwellings with public open space and landscaping Land off Summerdale Drive and Carrs Lane, Cudworth, Barnsley – Refused

2017/0577 Residential development of 278 no dwellings with associated roads, public open space and landscaping Land Off Newland Avenue and Carrs Lane, Cudworth, Barnsley - Approved

Policy Context

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and 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 emerging Local Plan has now reached a very advanced stage with the Council having received the Planning Inspector's report for fact checking. The Final Report is anticipated to be received between this report being written and the date that planning and regulatory board will consider this application. This means that substantial weight can be given to the policies contained within the Local Plan. Strictly speaking, the Core Strategy and Unitary Development Plan remain the development plan for the borough. However, in light of the fact the Local Plan that is on the verge of being adopted, these are now afforded less weight, particularly where it is clear that relevant policies within either of the documents are superseded by up-to-date policies within the Local Plan

Saved UDP Policies

UDP notation: Safeguarded Land

Local Development Framework Core Strategy

CSP3 'Sustainable Drainage Systems'
CSP4 'Flood Risk'
CSP8 'The Location of Growth'
CSP9 'The Number of New Homes to be Built'
CSP10 'The Distribution of New Homes'
CSP14 'Housing Mix and Efficient Use of Land'
CSP15 'Affordable Housing'
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'

SPD's

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

Planning Advice Note's

33- Financial Contributions to School Places

Other

South Yorkshire Residential Design Guide

Emerging Local Plan

Policy GD1, General Development
Policy H1, The Number of Homes to be Built
Policy H2, The Distribution of New Homes

Proposed allocation: Housing Proposal (H32). The accompanying text states the following:-

Archaeological remains are known/expected to be present on the 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 development.*

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.

Sections of relevance include:

Consultations

Drainage – No objections.

Highways – No objections.

SYP – have provided some comments in relation to designing out crime.

Representations

The application has been publicised by press and site notices and individual neighbour notification to 228 households. 2 objections have been received from local residents. The main objections to the proposals are summarised as follows:-

- Concerned about further disruption to residents as a result of the ongoing building works, particularly as the site is already operating outside of the agreed hours;
- The consultation is a waste of time as residents were not listened to regarding the current approved scheme.

Assessment

Principle of development

The principle of development has been established by the approval of planning application 2017/0577. The assessment of the application therefore concentrates on the impact of the changes to the housetypes and the additional 4 dwellings. If approval is granted the contributions secured under the S106 agreement related to 2017/0577 would also be tied to this application.

Design and Layout

The relevant local planning policies for assessing the plans are the Designing New Residential Development SPD, CSP29 'Design', CSP14 'Housing Mix and Efficient Use of Land'. In addition it is necessary to consider the effect of the development on the visual amenity of the adjacent Green Belt.

The first aim of CSP14 'Housing Mix and Efficient Use of Land' is to ensure that housing developments achieve a mixture of house size, type and tenure. The application was previously assessed as acceptable with the only change in actual tenures on this amended proposal resulting from the additional 4 units. These are split into one new 3 bed and three additional 4 bed properties.

The remaining changes on site include 34 amended house types, the repositioning of houses within plots and amended parking arrangements; with some spaces relocated and garages either added to or removed from some plots. The changes would still be in keeping with the character of the overall development and would not encroach any closer to the boundaries with the Green Belt than the previously approved scheme.

Overall the amendments are minimal with the development continuing to be acceptable in relation to housing planning policy and design/visual amenity considerations taking into account a range of policies including CSP14 'Housing Mix and Efficient Use of Land', the Designing Residential Development SPD and CSP29 'Design'.

Residential Amenity

The original application was sensitive because the site borders a number of existing properties which have established open views across the sites fields. However, the proposed changes are minimal and largely location internally within the site. External spacing standards continue to be met in line with the Designing Residential Development SPD and as such the proposed amended scheme would have no greater impact on neighbouring properties than the original approved scheme.

Highway Safety

No objections or concerns have been raised regarding highway safety. The accesses previously approved onto the existing road network, along with the internal road layout, would remain as previously approved. Adequate off street parking would also be provided for all of the dwellings. The Council's Highways Section have raised no objections to the scheme.

Drainage

The Council's drainage officer has confirmed that the amendments will not impact on the agreed drainage strategy.

Recommendation

Grant planning permission subject to an amended S106 Agreement and conditions

- 1 The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission: -

- YW-04-03 AE, Proposed Site Layout
- BALD 00CD Drawing 01, Embassy range, Alderney Classic (Det)
- BCSR 00CD Drawing 01, Embassy range, Chester Classic (Det)
- BENN 00CD Drawing 01, Ambassador range, Ennerdale Classic (Det)
- BENN 00CE Drawing 01, Ambassador range, Ennerdale Classic (Det)
- BENN 00CE Drawing 01, Ambassador range, Ennerdale Classic (End)
- BHLN 00CD Drawing 01, Embassy range, Halton Classic (Det)
- BESK 00CS Drawing 01, Embassy range, Eskdale Classic (Semi)
- BESK 00CD Drawing 01, Embassy range, Eskdale Classic (Det)
- BFKS 00CI Drawing 01, Statesman range, Folkestone Classic (Mid)
- BFKS 00CE Drawing 01, Statesman range, Folkestone Classic (End)
- BKEY 00CD Drawing 01, Embassy range, Kingsley Classic (Det)
- BMAI 00CI Drawing 01, Statesman range, Maidstone Classic (Mid)
- BMAI 00CE Drawing 01, Statesman range, Maidstone Classic (End)
- BRAD 00CD Drawing 01, Embassy range, Radleigh Classic (Det)
- BRIP 00CD Drawing 01, Embassy range, Ripon Classic (Det)
- BWAJ 00CI Drawing 01, Statesman range, Washington Classic (Mid)
- BWAJ 00CE Drawing 01, Statesman range, Washington Classic (End)
- BWIE 00CD Drawing 01, Embassy range, Windermere Classic (Det)
- BBLD 00CS Drawing 01, Statesman range, The Beadle Classic
- BAOD 00CD Drawing 01, Statesman range, The Alford Classic
- Garage Type SSGIS, single detached side gable
- Garage Type SD2S, single semi detached side gable
- Dual Branded Garages, Double Elevations SDG1H8 & SDG2H8
- Dual Branded Garages, Double and 2 Singles Floor Plan SDG1H8 & SDG2H8
- Dual Branded Garages Single Plan & Elevations SSG1H8
- Tanalised Timber Post & 4 Rail Stock Proof Fence
- ST-04-04, Boundary Treatment A, 1800mm high screen wall
- ST-04-04, Boundary Treatment B, 1800mm high close-boarded timber fence
- SCP report ref GWB/14923/TA/01 'Transport Assessment'
- SCP report ref GWB/14923/TP/01 'Travel Plan'
- Bryan G Hall stage 1 road safety audit
- SCP/14923/SK014 Rev A, Off site highway works White Cross Road and Low Cudworth Green Footway Improvements
- SCP/14923/SK016 Rev A, Proposed Footway Improvements, Carrs Lane
- ARP report ref 1048/69r1a 'Flood Risk Assessment'
- FDA Landscape Ltd 'Landscape Appraisal'
- Sirius report ref C6138A Rev 3 'Geo-environmental appraisal'
- Sirius letter C6138/JL/6572 rev 2 'Gas assessment letter (rev 2)'
- C6138B/MB/6765 Rev 3, Sirius Supplementary Mining Investigation letter

**Reason: In the interests of the visual amenities of the locality
accordance with Core Strategy Policy CSP 29, Design.-YW-
04-03, Site Location Plan**

- 2 Prior to the commencement of development of the plots amended by this application, plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details and previously approved plans 39094/006 - 39094/014 Rev E and 2017-083-101 Rev A.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Core Strategy Policy CSP 29, Design.
- 3 Prior to commencement of development of the plots amended by this permission, 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 and previously approved plan 2017/083-03 Rev B.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.
- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 5 The Development, including any works of demolition, shall be constructed in accordance with the approved Construction Method Statements:
Dust Control (dated 28.02.18);
Noise Control (dated 28.02.18)
Mud Statement (dated 29.05.2018)
Traffic Management (2nd Issue) 29.05.2018
The approved Statement shall be adhered to throughout the construction period.
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.

6 Prior to the occupation of the 50th dwelling, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- a) Footway widening on Carrs Lane
- b) Provision of footway on the south side of Low Cudworth
- c) Provision of footway to connect the western footway on Low Cudworth to the steps to White Cross road
- d) Provision of signs warning of pedestrians in carriageway on Low Cudworth in the vicinity of White Cross Road
- e) Provision of new road markings at the Carrs lane/Lunn Road/White Cross Road junction
- f) Provision of "junction ahead" warning sign on Lunn Road
- g) Measures to control footway parking on Lunn Road Manor Rd/Barnsley Rd need to give this further consideration
- h) Provision of/any necessary alterations to street light lighting
- i) Provision of/ any necessary alterations to highway drainage
- j) Any necessary resurfacing/reconstruction
- i) Any necessary signing/lining

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.

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

7 Visibility splays, having the dimensions 2.4m x 43m, shall be safeguarded at the junction of the access road with Carrs Lane, 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.

8 The sales cabin and parking for staff and customers visiting the site, as per approved drawing YW-04-20 B, CLC/LP-01 and 2016 Barratt Marketing Suite Drawing 03, shall be retained for the entire construction period.

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

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

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

10 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.

- 11 In addition to the condition survey provided on commencement of development, the Local Planning Authority may require further surveys during the course of the development if in the opinion of the Local Highway Authority there appear to be new defects attributable to the traffic ensuing from the development that require remedial action prior to the completion of the development. Any remedial works identified by the Local Highway Authority as a result of these further surveys shall be completed within a reasonable period of time specified by the local highway authority at the developer's expense. On completion of the development a final condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify any remaining 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 Phasing of the development shall be carried out in accordance with the approved details as per drawing 2017-083-07.
Reason: To ensure a safe and adequate highway network, in accordance with Core Strategy Policy CSP 26.
- 13 No part of the development shall be occupied or brought into use until the approved drainage scheme (drawing 39094/1000 Rev A, 39094/035 Rev A, 39094/026 - 39094/034 Rev A) 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.
- 14 Notwithstanding the approved landscaping details as shown on drawings: 39094/1000 Rev A, 39094/035 Rev A, 39094/026 - 39094/034 Rev A, no development of the plots as amended by this application 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 (updated to reflect ecological mitigation measures); 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.

- 15 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.
- 16 Notwithstanding the approved landscaping details as shown on drawings: 39094/1000 Rev A, 39094/035 Rev A, 39094/026 - 39094/034 Rev A a revised landscape management plan for the plots as amended by this permission, 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.
- 17 The development shall be constructed in accordance with the approved Arboricultural Method Statement dated 11819-C/AJB
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.
- 18 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.
- 19 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

- 20 The boundary treatments as shown on the Landscape Masterplan (R/1789/1B) shall be completed before the dwellings are occupied. Development shall be carried out in accordance with the approved details unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29
- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of plots 95, 96, 140-145, 153, 154, 178, 177, 196-197, 200-202, 205, 266, 215-217 and 111-113 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: To safeguard the openness and visual amenities of the Green Belt in accordance with Core Strategy Policy CSP 34, Protection of Green Belt.
- 22 The boundary treatment to be erected for the area located around the attenuation pond shall be constructed in accordance with the Technical Layout 2017_083_01J and Boundary Treatment 2017_083_04A. The boundary treatment shall be completed before the pond is brought into operation or in accordance with a timescale to be agreed. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29
- 23 Prior to commencement of development of the plots as amended by this permission an amended Ecological Mitigation Plan 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.
- 24 No construction of buildings or other structures within 5m of the sewer that is laid within the site shall take place until measures to divert or otherwise formally close those lengths of sewer that would otherwise conflict with the proposed development have been implemented in accordance with details that have been submitted to and approved by the local Planning Authority.
Reason: In the interests of satisfactory and sustainable drainage

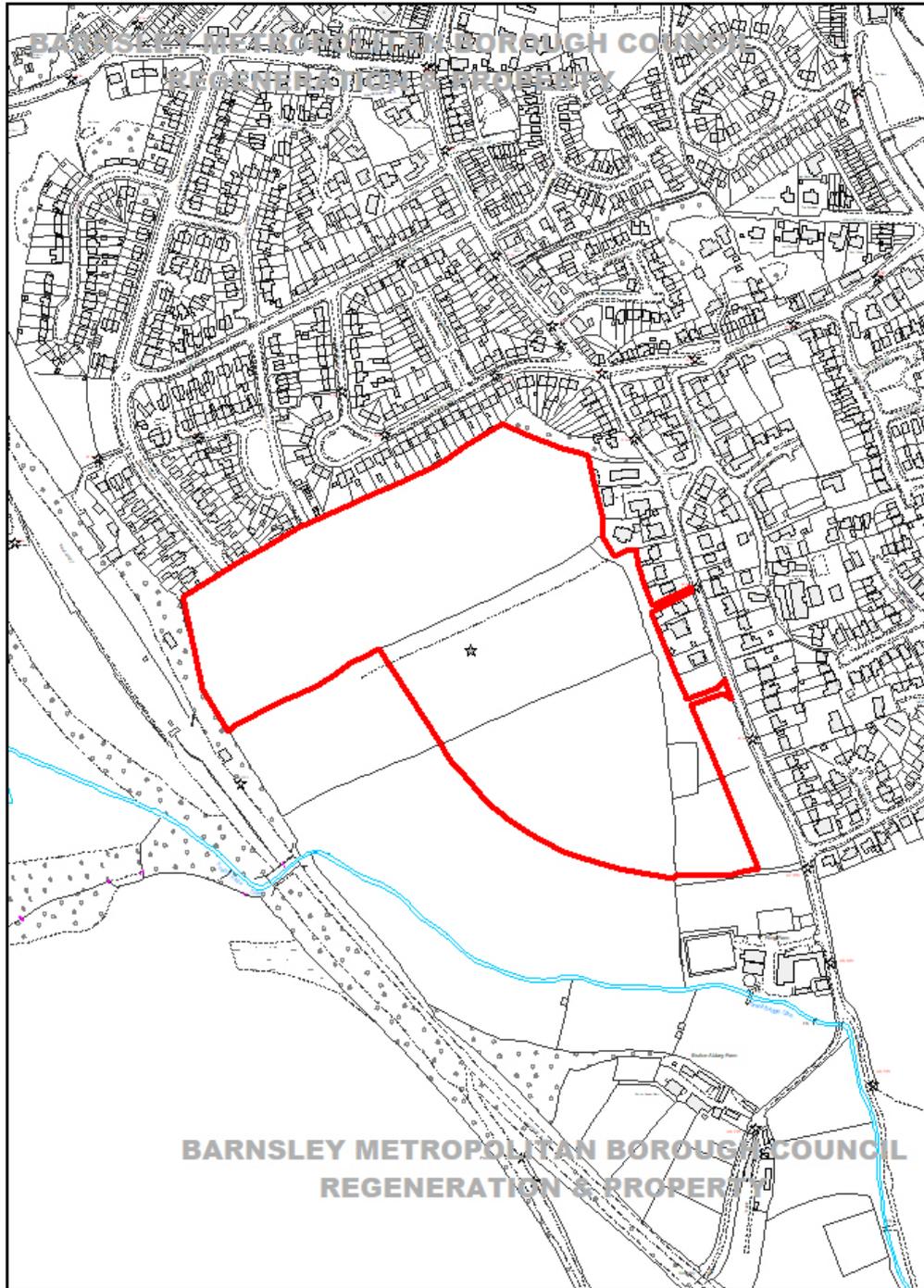
- 25 The development shall be carried out in accordance with the recommendations in Sirius report ref C6138A Rev 3 'Geo-environmental appraisal', and Sirius Supplementary Mining Investigation letter C6138B/MB/6765 Rev 3
Reason: In order to ensure safety and stability of the proposed development in accordance with CSP39
- 26 The development shall only take place in accordance with the approved WSI (BYW19-01) 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.
- 27 Notwithstanding the approved Bin Storage (plan 2017-083-01 Rev E), development of the plots as amended by this permission shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of bin storage areas. The approved bin storage shall be implemented in accordance with the approved details prior to the occupation of the building(s).
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29 and in the interest of highway safety, in accordance with Core Strategy Policy CSP 26
- 28 The High Speed Broadband for the development shall be carried out in accordance with the approved letter from OpenReach BT.
Reason: In order to ensure compliance Core Strategy policy CSP 42, policy I1 in the emerging Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.
- 29 Prior to completion of the development details for the provision of grit bins within the development have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the dwellings, or an alternative timetable to be agreed with the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

30

The hereby approved Travel Plan prepared by SCP (amended version dated June 2017) shall be implemented in accordance with an implementation strategy to be submitted and approved in writing by the Local Planning Authority prior to the occupation of the residential development hereby permitted. Reports demonstrating the progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of first occupation to the Local Planning Authority for a period of 5 years from first occupation of the residential development hereby permitted.

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

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Scale 1: -----