
2021/1661

Applicant: Barratt Homes

Description: Residential development and associated works, including access and Sustainable Drainage feature.

Land to the south of Coniston Avenue, Darton, Barnsley

Site Description

The site is an irregular shape, circa 1.66 ha of undeveloped farm land, located to the north east of Darton. There is housing backing onto the site to the north east, off Coniston Avenue, the south east, off Sackup Lane, and to the south west off Pennine View. To the west is open fields which are washed over as Green Belt, an area of which has been included in the red line.

The site falls from Coniston Avenue down to Pennine View by circa 6m. As it has been farmed, there is limited vegetation or features with just a few trees around the site edges and linear hedgerows.

The immediate wider area of Darton is residential in character with a mix of housing styles and materials, albeit predominantly brick.

Proposed Development

The proposed is a residential scheme of 48 dwellings, with associated infrastructure. Access is from Coniston Avenue to the north east, running parallel with the site boundary before turning to the east with the housing development then broadly in a grid pattern.

The number of units has been reduced during the application process with the amended mix being:

8 x 1 bed apartments
4 x 2 bed houses
22 x 3 bed houses
14 x 4 bed houses

The houses are a mix of detached, semi-detached and terraced houses with the 8 apartments located in two blocks. The affordable provision on the site is made up of 2 of the two bed houses and the 8 one bed apartments.

All the houses have hipped roofs and are a mix of buff and red brick. There are 11 house types with some variation of design and detailing.

Planning History

The site is an historic allocation, brought forward from the Unitary Development Plan Proposals Map. It has not been developed as a result of access issues and it is noted that the previous applications listed below proposed access from Pennine View and were refused on highway safety grounds.

B/00/1255/DT – Residential development of 31 houses with garages – Refused, Appeal Dismissed

B/03/0120/DT - Residential Development - Erection of 43 dwellings – Refused

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 new Local Plan was adopted at the full Council meeting held 3rd January 2019. In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision making process.

The site is located within Darton which is identified as forming part of Urban Barnsley, the Sub Regional Town in the settlement hierarchy. Urban Barnsley incorporates the main built up area of Barnsley extending from Athersley to Worsbrough (North to South) and Higham to Ardsley (East to West) and also includes Darton and Dodworth. It is within Urban Barnsley as a whole where most development should take place in order to enhance Barnsley's role as a sub-regional town within the Sheffield and Leeds City Regions. Urban Barnsley is acknowledged as the most accessible and sustainable locations in the borough where growth should be encouraged and is therefore the main focus for development.

Site Allocation: HS6 Land south of Coniston Avenue, Darton Indicative number of dwellings 40

SD1 'Presumption in Favour of Sustainable Development'.

GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.

LG2 'The Location of Growth' sets out the priority given to development by location with the Principle Towns second in the hierarchy after Urban Barnsley.

H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546

H2 'Distribution of New Homes' states 43% of new homes to be built in Urban Barnsley.

H6 'Housing Mix and Efficient Use of Land' proposals for residential development are expected to include a broad mix of house size, type and tenure and a density of 40 dwellings per hectare is expected in Urban Barnsley

H7 'Affordable Housing' seeks 20% affordable housing in Darton and Barugh on sites over 15 units.

T3 'New Development and Sustainable Travel'. New development should be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

LC1 'Landscape Character' development is expected to retain and enhance the character and distinctiveness of the individual Landscape Character area in which it is located.

Policy GI1 'Green infrastructure' seeks to protect, enhance and create an integrated network of connected and multi-functional Green Infrastructure assets.

GS1 'Green Space' requires new development to provide or contribute towards green space in line with the Green Space Strategy.

BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CC5 'Water Resource Management'

RE1 'Low Carbon and Renewable Energy'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

AQ1 'Development in Air Quality Management Areas'

UT1 'Hazardous Substances'

UT2 'Utilities Safeguarding'

I1 'Infrastructure and Planning Obligations'

I2 'Educational and Community Facilities'

SPD's

- Design of Housing Development
- Parking
- Open Space Provision on New Housing Developments
- Sustainable Travel
- Financial Contributions for Schools
- Trees and Hedgerows
- Affordable Housing
- Biodiversity and Geodiversity
- Planning Obligations

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.

Consultations

Affordable Housing – The amended layout has a better distribution of the affordable units and the mix of type and tenure is supported.

Air Quality – 1 charging point per unit (dwelling with dedicated parking) the EVCPs will have a minimum “Mode 3” (7 kW, 32 AMP) capability. This is shown on the layout and can be secured by condition.

Biodiversity – Sufficient information on the impact on habitats and species as a result of the development has been provided and a small net gain is achieved on site. On this basis the scheme can be approved subject to conditions securing an appropriate management plan.

Coal Authority – No objection, standing advice only.

Contaminated Land –The Geo-Environmental Ground Investigation 2 Report (ref Haigh Huddlestone E21/7786/R001A) submitted to support this application has been reviewed. This shows that there are no elevated levels of contamination on the site, and as such no conditions are required to address contamination issues.

Drainage – No objections subject to conditions securing a detailed drainage strategy and an appropriate easement for the culverted watercourse.

EA – No comments received.

Education – This development would require a S106 contribution due to the pressure on schools places resulting from this and other development within the area. The required contribution would be as follows:

- Primary contribution for 11 pupils at £16,000 per pupil totalling £176,000
- Secondary contribution for 8 pupils at £16,000 per pupil totalling £138,000

Total contribution required would be £314,000

Forestry Officer – No comments received.

Highways – No objections subject to conditions.

Pollution Control – No comments subject to conditions.

Superfast South Yorkshire – Requesting a condition to secure superfast broadband. The applicant has already submitted details, and as such the condition can be for compliance only.

SYMAS – No objections, standing advice only.

Yorkshire Water – No objection subject to conditions

Ward Councillors – Cllr Hunt has objected to the proposed for the following reasons:

- Residents were not aware the land was proposed as an allocation, accepting that the Local Plan was consulted on sufficiently to meet the national requirements, it still passed many residents by and the first that they knew that this land was allocated for housing was when Barratt’s started a consultation process last year. Residents are dismayed that they could have challenged the development at the Local Plan stage but were unaware of this opportunity.

- Given the many changes that have happened since the plan was approved in early 2019 including leaving the EU, the Covid-19 pandemic and likely changes to the government's policies and targets for housebuilding I challenge whether all the development contained in the Local Plan is now required. Developments on green field sites such as this should be halted pending the 5 yearly review of the Local Plan. Brownfield sites should be prioritised at this time.
- Concerns over lack of infrastructure. Residents are aware of this and other proposed developments in the area but do not see what the council's plans are to improve the necessary infrastructure. They question where the extra school places will be in Darton East. They often struggle to get an appointment with a GP and worry that as the population increases this problem will increase. They see the roads getting busier but do not see what the council's plans are to improve the transport infrastructure. I share their concerns.
- Loss of greenspace, Greenspace is vital for many things including mental wellbeing and good air quality. The land that is proposed to be developed on contains much wildlife including deer. As more and more housing is approved in Darton East we are losing our wildlife. Although this part of Barnsley has been designated as "Urban" by the Council in many places in Darton East it is extremely rural. I stand with the residents in fighting against Mapplewell, Staincross, Darton, Windhill and Woolley Colliery merging into one as part of urban sprawl. I cannot support the loss of this greenspace particularly given my earlier comments about whether there is still a need for all the housing contained in the Local Plan.
- Scale of development This development was contained in the Local Plan at reference HS6 as containing an indicative number of 40 dwellings. I welcome the reduction from 53 properties to 48 properties but the number remains above the number contained within the Local Plan. It seems to me that in squeezing in this number of properties Barratt's are not following the Council's guidance for property density properly and are perhaps seeking to increase the number of houses in the pursuance of additional profit.
- Neighbouring properties will be overlooked I have been contacted by residents of Sackup Lane whose back gardens border the development. They are extremely concerned by the site layout which as currently constituted will mean that they will be overlooked and their privacy will be invaded. Could the layout be amended to alleviate their concerns? The same issue may also apply to the residents of Pennine View, Pennine Close and Coniston Avenue
- Concerns over land instability I have been made aware that this area has in the past suffered from subsidence issues. Most notably two semi-detached houses that were previously located near or on the proposed access road from Coniston Avenue had to be demolished as they became unsafe. I am also told that in the nearby Keswick Road Park there were previously properties which also were demolished for similar reasons. I am therefore concerned that the new houses proposed by Barratt's could suffer from subsidence issues particularly the ones nearest to Coniston Avenue. Is this land really suitable for housing given these subsidence issues?
- Proposed Detention Basin I note that the site of the basin is on land outside that allocated for housing in the Local Plan. As this land is greenbelt does it require separate permission to create the detention basin? Who will be responsible for the maintenance of this basin? How will health and safety be managed? Where will water be discharged to? If ultimately it will flow into the River Dearne could this contribute towards flooding issues much further downstream?

Representations

The application has been subject to two rounds of consultation, firstly in December 2021 and again in March 2022 following the submission of an amended layout and supporting statements. The consultation process was advertised in both instances by a press notice, site notice and neighbour letters. Across the two consultations 133 comments have been received, 105 in the first round and

28 in the second, raising a variety of issues as summarised below many of which did not alter as a result of the amendments to the layout.

The comments are summarised below and issues raised have been dealt with in the report, under the Assessment section.

General:

- Previous consultation on this site in the Local Plan was inadequate. Only one site notice and near the port office so no close to the site.
- The communication about the scheme from the planning department hasn't given residents confidence, some houses were missed, and the consultation had to be extended. The dates on the site notices and letters are all different.
- More houses should have been consulted and it shouldn't have been over Christmas.
- More residents on Keswick Road should have been notified. They will be affected by the traffic.
- Variation in the number of properties and storey heights has also been an issue.
- Barnsley Local Plan is not fit for the present day, it has not been correctly engaged with the public and residents and communities have been overlooked, left in the dark and used in favour of other solutions within the other areas of brownfield sites. It is not environmentally sensitive it is driven more by financial views.
- This and the other development sites in the area should have been part of a masterplan like those provided for Royston and Carlton. This would have been more transparent and helped residents to see how this level of development could be achieved.
- Barrett Homes haven't consulted correctly missing people who are directly impacted by these proposals.
- Why has this application been submitted when previous applications for less houses were refused.
- Requests to see the S106.
- The geological report that the site has two fault lines, and it suggests that properties at the north end of the site be built on pilings. Drilling was only done mid-January will the results of the report be published before the application is decided?
- Due to the location, it is likely that people purchasing the homes would work in surrounding cities rather than in Barnsley meaning the local economy may not benefit from having additional residential properties.
- What about climate change and the carbon footprint of so many additional properties in this area?
- To minimise the carbon footprint of this scheme will the houses all have air pump or ground pump heating systems, appropriate solar panels & electric car plug in systems installed as part of the build? In new build houses this is the minimum to be expected. What will the developers be doing to offset the carbon cost of the build & manufacture?
- For many years now the area has been under the umbrella of 'urban barnsley' and clearly is not urban. I would ask the council to consider redefining the area and giving this area back to the community.
- Why can't you build in Cawthorne?

Disturbance during construction:

- 2 houses have already sunk on Coniston Avenue and had to be demolished due to subsidence just a few feet away. It has a 7.5 tonne weight limit placed on it. Vibrations from constant HGVs will affect other homes possibly causing damage.
- The recent ground investigation works cause clouds of coal dust which clung to windows and cars. How will they stop this happening again?
- Working hours should be limited and weekdays only.
- How long will the construction period be?
- Because the land is on coal shale there will need to be a lot of extraction to find stable ground.

- The area has a mixed population with lot of children playing in the street and elder people walking to access shops and services, the construction traffic will have a huge impact on safety.

Affordable Housing:

- No information on delivery of registered provider for the affordable housing. Will they deliver these last?
- 20% affordable housing isn't enough with increased need, especially with rising cost of living.
- Two-storey, 1 bed flats may not be suitable for older people.
- Affordable houses should not all be grouped together. This would create an isolated community.
- The design of the affordable houses should be better, this would make them more acceptable to local people.
- The affordable flats overlook existing homes and will tower over them.
- The affordable block of houses should be moved away from Pennine View.
- This is a good place to build social housing and reduce the council house waiting list, Barnsley is labour and should be helping those who don't want to buy, there's houses going to be built on Darton Lane so this area has enough of private homes stop using the excuse it's government policy you are labour.
- Also "creating affordable homes" is completely unacceptable in this area as Pennine View is a fully detached street of what are not "affordable homes" and this whole idea brings down the exclusivity of the street and the reasons why people want to actually live here and why areas like this are so sought after.
- We did not move to this house to be next to Council houses, as the neighbours we have; all work for a living or are retired and peaceful residents. Speaking from a previous experience of having the nightmare of renting next to council houses, of the sheer noise and anti-social behaviour that surrounded us once, as they have nothing better to do than be bored with their time.
- There are a variety of buildings that are closed in city centres, which could be made into "Affordable Homes," because why should the tax payer, pay for someone to have a garden and plenty of space, when others have to work hard for this. Flats would be the solution.

Loss of Greenbelt/greenspace:

- The land is green belt. Building in the countryside shouldn't be allowed. Why is our green belt being targeted and destroyed?
- Greenspaces should be protected and brownfield land built on.
- There is already huge areas of Darton and Mapplewell being built on with more large building in the pipeline.
- Engineering works for the road extend into the green belt as shown on the engineering feasibility layout.
- Loss of farmland when we already import so much food is a disgrace.
- Barnsley is known for being surrounded by countryside and its lovely villages. Don't sacrifice these fields. Don't allow these villages to merge through the loss of the very fields that divide and surround us with nature.

Drainage / Flood Risk:

- The retention pond shouldn't be in the field, it is green belt and this area already floods. It will be a risk for nearby houses.
- The extension into the green belt with the drainage pond will affect the boundary here, making it less defensible.
- The plans show details of the draining off of surface water into existing drains/culverts. But it stresses that this is subject to further exploration into the suitability of the existing drains

and culverts. Will the development not go ahead if the results of the further investigations prove the existing culverts and drains are not suitable?

- The beck / stream already floods when it rains with water from the fields. Extra water will not soak away and will flood gardens and houses.
- Some water pipes already leak on Sackup Lane and Pennine Way causing drainage issues.
- Gardens already flood where they back onto the development site.
- How deep will the balancing pond be and will it be safe? Who will maintain it?

Services/Amenities:

- Doctors and dentist are already stretched well beyond capacity
- The local schools are all already full.
- There are not any schools or doctors within 800m radius of the site, they are all in the 1200m radius.
- Darton is a small village with limited services.
- Services will be under increased pressure with number of new residents expected to move onto this development and also the further six other sites indicated in the local plan (HS2, HS11, HS3, HS8, HS1, HS25)
- There is a lack of good quality, accessible sports and play space in the area. The application doesn't provide any either or confirm any financial commitments to improving existing facilities.
- More parking is needed at the post office on Sackup Lane as there are already issues here.
- Dog fouling in the area is an issue and more people will mean more dogs.

Layout/Residential Amenity:

- The scheme looks very high density, with houses very close together and small gardens and limited soft landscaping
- The scheme should be 40 dwellings per hectare not 45. Some respondents have stated it should actually be 30 dwellings per hectare.
- Three storey houses will cause overshadowing and loss of views in the area.
- The density of development and high number of semidetached and terraced houses will mean existing residents are looking at a wall of development.
- The properties do not enhance the area and the layout and design looks uninspiring, they are basic builds with no architectural appeal.
- There are no bungalows for older people. The flats do not provide for quality of life.
- The plan incorporates areas for bins in plots 35-42 that are close to native shrubs and trees. This creates a risk of vermin. The bins should be located at the front of the properties where vermin is less likely to home.
- Loss of privacy for residents on Coniston Avenue whose gardens are higher up.
- Loss of Privacy for residents on Pennine Close, the houses will completely overlook properties and rear gardens.
- People have invested in their gardens and houses to take advantage of the tranquillity and views and this will be lost as a result of the development.
- Loss of views and tranquillity as a result of the development and lost value of houses.
- Semi detached and terraced properties are not in keeping with the area.
- The road alignment at the head of Pennine View should be changed to stop people attempting to drive through onto Pennine View. A knee rail here is not adequate and the turning head for a Yorkshire water tanker looks to go over the drive for plot 45.
- Streetscenes as seen from existing houses should be provided and the applicant should show sections and levels.
- The engineering plans show retaining walls where the site plan shows just fences, which is correct.

- Impact on sky tv reception from taller houses to the rear of existing properties.
- The pedestrian access onto Pennine View will create a through route here increasing crime and antisocial behaviour on this quiet cul de sac as well as damage to nearby properties and cars.

Highways:

- Access to the site will affect highway safety.
- The traffic predictions are underestimated, there will be more traffic than suggested.
- The roads are not suitable for the volume of traffic in both building it and when it is occupied, in an already congested area. The villages are already at near to gridlock.
- Darton, Mapplewell and all access routes in and out of this area are congested. Access into Darton along Sackup Lane or onto Staincross Common Road have high traffic volume currently, with difficulty getting out of the junction at Sackup Lane and Coniston Avenue onto Staincross Common which is a very busy access route for all types of vehicles including a large number of heavy good vehicles gaining access to the Motorway Junction at Haigh.
- Increased traffic on Sackup Lane will also create increased risks at the bottom of Sackup Lane opposite the school. It's already a difficult junction to pull out of especially when turning right. Traffic approaching from the right is not visible until late on because of the hill and bend coming up from Darton village centre.
- The route through Darton Village from Sackup Lane comprises of a very tight turn under the railway bridge which is an area that cannot accommodate increased traffic flow.
- The main route in and out will be on Windhill Lane and the traffic here speeds above 40mph.
- Sackup lane is a lane, it's not a road and it can be sometimes a challenge to drive along especially when passing buses, traffic increases again increase risks. Winter days are a challenge and often see the local streets grind to a halt as grifters cannot reach us.
- There is an increased risk of accidents on Keswick Road where the playground is because of increased traffic near a children's playground and children's home.
- The junction with Kingsway is often difficult and visibility blocked with cars and refuse vehicles.
- Wakefield Road towards Smithies is a bottleneck every day at various hours as us up towards Town Centre.
- Concerns Keswick Rd / Coniston Rd area will become a rat run due to increased traffic on the nearby roads i.e., Windhill Lane, Staincross Common. People may divert through to miss out the Windhill Lane / Sack up Lane junction.
- Previous applications on the site failed twice because of concerns about the access from Pennine View, there is now footpath / cycle route, why is this safe? Pedestrian facilities are poor here.
- Why has the access been moved to Coniston Avenue from Pennine View, why is this road seen to be safer? It is at the brow of a hill and visibility is poor with regular accidents.
- Coniston Avenue is already at peak traffic levels with no speed reduction / safety measures.
- There have already been accidents / near misses at the junction of Coniston with Sackup Lane, elderly people crossing for the bus are not visible when coming round the corner.
- No access should be allowed on Pennine View during construction.
- Pedestrian access onto Pennine View is a concern and would prefer it remains a cul de sac. This passage could lead to noise and unsocial behaviour. It is also too close to existing residents driveways.
- Near the Sackup Lane crossroads there can be double parking near the Post Office store. This crossroads backs up with traffic at peak times it is set to worsen with increase of vehicles.
- Sightlines at the existing junctions with Sackup Lane / Coniston Avenue and Sackup Lane / Windhill Lane are not good and more traffic will make these worse.

- Walking routes to school - The area around bottom of Sackup Lane and New Rd are close to the two local primary Schools these are busy roads and varying width of pavements with increases in volume of traffic on school walking routes there is child, pedestrian safety concerns. Parked cars are increased at school start and end of the day this impacts on the drivers view of the road and increases the risk of injury to pedestrians who may walk out between cars to cross these areas.
- The site is close to a bus route and the bus passes the Keswick Rd to Coniston Ave bend near the entrance to the site. The travel plan is incorrect in reporting of nearest bus stops being on Sackup Lane. They are also sited on Coniston Avenue and also on Keswick Rd.
- What about sustainable travel routes? There is no cycle access to Barnsley.
- People use Warren Lane as a walking route, increased traffic will make it unsafe.

Pollution:

- The increased traffic will add to air pollution issues, in an area already affected by high volumes of traffic and congestion.

Biodiversity:

- The area is one of nature conservation and the council should be protecting green spaces, parks are areas of natural beauty.
- Husband Wood is ancient woodland and is nearby but hasn't been surveyed.
- The statement 'hedgerows and trees will be retained where possible' means nothing and provides no guarantees.
- The hedgerow between Pennine View and the site will need to be replaced properly.
- Deer are often seen on the fields near Husband Wood but are not mentioned in the ecology appraisal.
- Bats, foxes, owls, hawks, polecats, Weasels, Stoats, nesting Pheasants, nesting Buzzard, swifts, house martins and swallows are also seen in the area.
- What will the applicant do to mitigate the impact on biodiversity?
- Who will maintain the large trees that are being retained?
- Why are more new trees not being planted, there should be 1 tree per plot.
- Increased rubbish and litter from increased residential population will impact on wildlife.
- The walkthrough location (if this is to be an absolute must) is completely unacceptable as it is too close to an old tree potentially scaring away the wildlife, birds and bats and degrade the trees quality of life. The plans for this tree are also misleading as the tree survey states it is advised this tree is to be taken down to accommodate the walkway, but in the site plan it is advised that this tree shall remain.

Comments:

Now the access has been moved to Coniston Avenue where the bus route is, I no longer wish to object but there should be more affordable houses to help people get on the property ladder.

Assessment

Local Plan Policy LG1 sets the basis for growth in the Local Plan with LG2 providing an overview on the approach to the location of development with Urban Barnsley as the main focus for housing, employment, shopping, health, leisure, business and public services in the region. Policy H1 identifies the number of homes to be built, with Policy H2 allocating 43% to Urban Barnsley. The site is allocated in the Local Plan for housing under site specific policy HS6 with an indicative yield of 40 houses.

Sites which are allocated for housing, and where there are no site-specific details in the policy, shall be determined in accordance with the Local Plan. Policy GD1 provides a starting point for assessing all development proposals and sets various criteria which development should comply

with. Various other policies in the Local Plan cover these criteria in more detail and the proposed is assessed against GD1 and these other policies in the report.

The scheme includes a proposed SUDs pond located in the adjacent field which is in the green belt where Local Plan Policy GB1 applies which seeks to protect the green belt in accordance with the National Planning Policy Framework (NPPF). Paragraph 150 of the NPPF lists certain forms of development which are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, this includes engineering operations such as the proposed SUDs Pond. Looking first at the impact on openness, the SUDs pond is a single retention basin with sloping sides with a perimeter of 122m and an overall ability to hold 40m³ of water. It will be a greenfield feature, with species rich grassland planting alongside trees and hedgerows. In this respect the SUDs feature will be green and appear more as a natural pond, therefore, it will not impact on the openness of the green belt or conflict with the purposes of including land within it as required by Local and National Planning Policy.

Landscape Impact and Visual Amenity

A Landscape and Visual impact assessment has been provided in support of the application. This assesses the overall visibility of the site, its current landscape value and the potential impact of the development in the context of the landscape character and value of the wider area.

The landscape character and value of the site itself is limited by it being farmland which is relatively featureless. Its visibility is limited because it is surrounded on 3 sides by existing housing development which restricts views and there are no public rights of way across the site and limited views from the PROW's in the surrounding area. Views of the site are therefore restricted to those of existing residents who back onto the site and some longer distance views from the west, which are less sensitive given the development would be viewed against the backdrop of the existing urban area.

The visual impact on existing residents who back onto the site is accepted to be high, they currently enjoy open views across the field and in some cases over the wider agricultural landscape beyond this to the west. Whilst planning does not allow for a right to a view, the applicant has been asked to reduce the number of units, break up larger blocks and provide some increased landscaping along these boundaries. Overtime this planting will soften the impact on existing residents but not remove it.

With regards to the views from the west, as stated these are longer distance so will be seen in the context of the existing urban edge. However, the landscaping plan includes a hedgerow along this boundary which has been extended to cover rear garden boundaries as well as around the SUDs pond.

The proposed development has been reduced in number from 53 units to 48 following initial consultation and comment. This reduction has brought the overall density down to just slightly over 40 dwellings per hectare (40.3 dph) which is consistent with Local Plan Policy H6. Residents have commented that Darton is a village and so the density should be lower, however, the Local Plan is clear that Darton falls within Urban Barnsley where the higher density rate of 40 dph is applied. The reduction has resulted in improvements to the overall design, including:

- Increased space between proposed and existing dwellings with the larger apartment blocks split and one relocated to the northern end of the site, this reduced the overall bulk and massing impact; and
- Frontage parking remains dominant but there is more space between parking blocks to allow soft landscaping, including some increases in tree planting.

The proposal includes a variety of house designs with some variation in elevational treatments, scale and roof designs. Two different types of brick are also proposed which will provide some interest.

Based on the above the proposed is judged to be in accordance with Site Specific Policy HS6, Local Plan Policy D1 and the accompanying SPD Guidance.

Residential Amenity

There are houses to the north, east and south boundaries of the site with existing rear elevations and gardens backing onto the site. The proposed layout has been designed to exceed the minimum separation distances where new properties back onto these houses directly, the closest relationship being the block of flats located in the south east corner which is just over the 21m required but has an existing tree retained on this boundary which provides additional screening. No.1 Pennine Close has an extension to the side and rear which would be within 15m of the rear elevation of one of the new plots, however, this is single storey at the rear so can be screened by the proposed hedgerow and fencing. On this basis the layout meets the required design standards with regards privacy.

The layout has been amended to break up the units around the site edges, reducing some of the bulk and massing impact here and the landscape plans include measures to soften the boundaries with existing residential properties. This, along with the distances between existing and new dwellings does address the residential impact in terms of overshadowing / overbearing impacts.

The proposed housetypes include some individual rooms which do not comply with the internal space standards, albeit the overall internal floor area of all the house types does meet the standards. Gardens are sufficient to meet the external amenity space requirements as set out in the Design of Housing Development SPD and the South Yorkshire Residential Design Guide.

Taking account of the above the impact on residential amenity is accepted to comply with Local Plan Policies D1 and Poll1.

Highways

The site lies between Coniston Avenue to the north and Pennine View to the south and is an allocated residential site within the Local Plan which is accepted to be in a sustainable location.

Access is shown from Coniston Avenue with the proposal originally seeking to introduce a simple priority junction with Coniston Avenue; which becomes a dead end with few traffic movements to the west of the site. This western end serves Coniston Farm. As the farm is unlikely to generate a significant number of vehicular trips, the predominant movement would be into and out of the development site. Given this predominant movement, the Highways Section considered that this new development access route should take priority and amended plans were sought.

In addition, various changes to the internal highway layout were made and additional tracking, visibility and swept path information requested. This has resulted in the current site layout plan ref P21:5394:01-N which addresses highway concerns. There does remain an under provision of visitor parking on the site with 7 provided when the requirement in the SPD is 12. However, the SPD also states that flexibility for visitor parking will be given on a site by site basis and given that the parking standards for each unit are met, and to avoid an over-dominance of parking areas, the visitor parking provided is considered acceptable in this instance

The applicant is providing cycle storage and Electric Vehicle Charging Points for all houses alongside a Sustainable Travel contribution. In addition, a Travel Plan has been provided. Finally, pedestrian access through to Pennine View ensures improved connectivity between this site and

Darton to the south as well as for residents of Pennine View and to the south in connecting to the park on Keswick Road.

On this basis, the proposed complies with Local Plan T3 and T4 with regards to Sustainable Transport and Highway Safety.

Climate Change and Sustainability Considerations, including Biodiversity

Biodiversity

With regards to Biodiversity, there is a requirement under Local Plan Policy BIO1 and the accompanying Biodiversity and Geodiversity SPD to demonstrate no net loss of biodiversity on the site.

The applicant has provided a detailed Ecological Appraisal and accompanying Biodiversity Habitats Metric, a calculation of the habitats lost on site as a result of the proposed development in accordance with the latest guidance in the Defra Metric 3.0. The proposed development results in the loss of arable land, poor semi-improved grassland (field margin), amenity grassland, and impacts to species-poor hedgerow, and a poor-condition hedgerow with trees.

The hedgerows on site meet the criteria for those that are listed as Habitats of Principal Importance but have been assessed to be in poor ecological condition and are poor examples of the habitats. Nevertheless, there is some historical value as they may form part of an historical parish boundary.

As part of the design, some greenspace will be provided (made up the sustainable drainage system (SuDS) and some areas of verge around the site edges) New sections of native species-rich hedgerow with trees will be planted to link up existing hedgerows around the site which are to be retained. Vegetated garden plots and trees planted across the site provide further habitat enhancements.

In addition, recommendations are made for specific species including bird and bat boxes and hedgehog gaps to encourage hedgehog foraging.

The newly created habitats should be managed for their wildlife interest and a Biodiversity Enhancement Management Plan (BEMP) should be produced to provide management prescriptions to ensure the favorable management of these habitats. This hasn't been provided but can be secured by condition.

The detail has been assessed by the Council's Ecologist and accepted as accurate. Overall, there is a biodiversity net gain on the site which is over and above the requirements of Local Planning Policies BIO1 Biodiversity and Geodiversity and G11: Green Infrastructure and can be seen as a benefit of the scheme.

Trees

Given the limited number of trees and hedgerows on site, all of which are retained, and the proposed enhancements secured through the landscaping requirements and biodiversity mitigation, the impacts on trees will be positive with additional trees and hedges planted. Therefore, the proposed complies with BIO1 and the accompanying Trees and Hedgerows SPD.

Sustainable Construction and Drainage

The application is supported by a flood risk assessment which sets out the approach to drainage for the site. Foul water flows will be to the exiting sewer network which Yorkshire Water have agreed can be accommodated. With regards to surface water, the underlying ground conditions do

not support infiltration therefore in accordance with the sustainable hierarchy in the NPPF and Local Plan Policy CC4, surface water will be stored on site and discharged to an existing watercourse located to the west of the site at a restricted flow rate which is equivalent to the natural flow rate for the catchment. Allowances are also be made for climate change in agreeing this flow rate. The condition and ability of the watercourse to accommodate this surface water will be investigated and further detail provided under conditions applied to the application requiring no increase in flood risk.

Finally, all new housing developments must comply with Part L of the Building Regulations, meeting national standards relating to conserving fuel and power in dwellings. This is in accordance with Local Plan Policy CC2.

Land Stability and Contamination

A Geo-Environmental Assessment prepared by Haigh Huddleston & Associates Ltd ref: E21/7786/R001A; dated December 2021; along with their 'Additional Site Investigation' report regarding the mining situation ref: E21/7786/MD/002 dated 30th November 2021 have been submitted with the application.

The above reports do not advise for any further works relating to potential shallow coal mining voids, which appears a fair conclusion given the findings, but does advise for: piled foundations through opencast fill, differential settlement considerations over high walls, ground gas and incidental coal considerations. This approach is not unusual in areas such as this where there has been previous mining activity.

Resident concerns regarding past subsidence in the area has also been flagged to South Yorkshire Mining Advisory Service who have advised that this will be related to the historical deep coal mining activities in the wider area which has now ceased and as such the subsidence is no longer an issue.

The detailed foundation design can be dealt with at the building control stage of development. In consideration of the above, should permission be granted only the Coal Authorities Standing Advice will be applicable within the decision notice.

S106 Agreement

Based on the current layout and mix of dwellings, assessed against the formulae in the published SPD's the following contributions would be required: -

Affordable Housing – 20% is being delivered which equates to 10 units. These will split 50% affordable rent and 50% shared ownership

The mix of dwellings is:

- 8 x 1 beds
- 2 x 2 beds

Education – There is an identified shortfall in secondary and primary school places within the area and as such a contribution is required to address this. The single bedroom homes and bungalows have been excluded from the calculation in accordance with the SPD. On this basis, the development will generate 11 primary school place at £16,000 per pupil and 8 secondary places at £16,000 per pupil, The total contribution required would be £314,000

Sustainable Travel – Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel, where levels of accessibility through public transport, cycling and walking are unacceptable. Using the formulae in Appendix C of the SPD the figure required is £36,000.

In addition, EV charging points would need to be conditioned for each dwelling as would cycle storage.

Greenspace – There is limited greenspace on site with the Suds pond likely to be fenced off and accessed only by Yorkshire Water or the management company responsible for it. As such a contribution is required toward formal, informal and youth and child facilities off site. This contribution totals £78,722.80. There are play facilities on Keswick Road to the north which would benefit from investment and are accessible from the site.

Conclusions

The proposed is for residential development on an allocated housing site which has been carried forward from the previous Unitary Development Plan allocations. Access is via Coniston Avenue which has been demonstrated to be suitable and designed to meet highway safety requirements.

The development meets wider design standards and will deliver 48 residential properties, including 10 affordable units as well as benefits through enhancements to biodiversity and contributions towards greenspace and sustainable travel improvements.

Therefore, the application is recommended for approval subject to various conditions and the agreed package of S106 contributions.

Recommendation

Approve – Subject to a S106 Agreement and conditions

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 amended plans and specifications as approved

P20:5394:02-A Location Plan

P20-5394-01 Site Layout Rev N

P20-5394-03 Materials Plan Rev G

P20-5394-04 Boundary Treatment Plan (Rev A)

106-02-01 Rev 03 Landscape Proposals

BDW-STD-HT-3204 Denford

BDW-STD-HT-3250 Type 60 61

BDW-STD-HT-1000 Alderney AS

BDW-STD-HT-1001 Alderney OP

BDW-STD-HT-3195 Denby (AS)

BDW-STD-HT-3196 Denby (OP)

BDW-STD-HT-3199 Ellerton (AS-OP)

BDW-STD-HT-3189 Kingsley (AS)

BDW-STD-HT-3190 Kingsley (OP)

BDW-STD-HT-3184 Maidstone (AS-OP)

BDW-STD-HT-3235 Maidstone-Moresby (AS-OP)

BDW-STD-HT-1026 Moresby (AS)

BDW-STD-HT-1027 Moresby (OP)

BDW-STD-HT-3265 Type 67 (AS/AS/OP)

BDW-STD-HT-3191 Windermere (AS)

BDW-STD-HT-3192 Windermere (OP)

Double Garage BDW-STD-GAR-1001

Single Garage BDW-STD-GAR-1000
Post and Rail Fence DB-SD13-007
Boundary Wall Type 1 - DB-SD13-004
Boundary Wall Type 3 DB-SD13-013
Close Boarded Fence DB-SD13-006
Biodiversity Metric 3.0 Rev B
7786L003 Gas Report
7786R001B SI Report

Arboricultural Report Rev 1 by Wharnccliffe Trees and Woodland Consultancy unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3. Notwithstanding the approved detail, no development shall commence until an amended landscape plan has been submitted to, and approved in writing by the Local Planning Authority, showing the retention of hedgerow no.5 which runs north / south along the eastern boundary of the site. The development shall be carried out in accordance with the approved details and the hedgerow retained.

Reason: In the interests of the visual and historical amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making and HE4 Developments affecting Historic Areas or Landscapes.

4. No development shall commence until full construction, engineering, drainage and street lighting details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter be constructed in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with Local Plan policy T4 - New Development and Transport Safety.

5. Notwithstanding the approved details, details of the pedestrian access to Pennine View shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian access as approved shall be implemented in accordance with the approved details, prior to the occupation of any dwelling hereby approved.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making

6. Before any dwelling hereby approved is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway (Coniston Avenue) in accordance with details submitted to and subsequently approved in writing by the LPA.

Reason: To ensure satisfactory development of the site and in the interests of highway safety, in accordance with Local Plan policy T4 - New Development and Transport Safety.

7. The gradient of the vehicular access shall not exceed 1 in 12 as measured from edge of the adjacent carriageway.

Reason: In interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4

8. Pedestrian visibility splays having dimensions of 2m x 2m shall be safeguarded at the drive entrance/exit. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 1.0m to the rear of the footway/ verge which would obstruct the visibility splay. The visibility splay shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: In the interests of highway safety, in accordance with Local Plan policy T4 - New Development and Transport Safety.

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 Local Plan Policy T4 New Development and Transport Safety.

10. 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:

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in constructing the development
- v. Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety in accordance with Local Plan Policy T4

11. No development shall take place until a survey of the condition of the adopted highway to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- i. A plan to a scale of 1:1250 showing the location of all defects identified
- ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety in accordance with Local Plan Policy T4

12. The Travel Plan hereby approved shall be implemented in accordance with the measures set out therein. Within three months of occupation, evidence of the implementation of measures set out in the Travel Plan shall be prepared, submitted to and agreed in writing with the LPA. Ongoing monitoring and review shall be in accordance with the Travel Plan monitoring strategy contained within the plan.

Reason: To support sustainable transport objectives in accordance with Local Plan Policy T3

13. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.

14. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network in accordance with Local Plan Policy CC3.

15. Prior to commencement of development a Biodiversity Enhancement Management Plan (BEMP) detailing the long-term management of the ecological mitigation in the approved Biodiversity Metric 3.0 Rev B and the accompanying 106-02-01 Rev 03 Landscape Proposals 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 Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

16. No development shall take place unless and until full foul and surface water drainage details, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no dwellings shall be occupied or brought into use until the approved drainage details for that dwelling have been implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3

17. In the case of the 150mm public surface water sewer no building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public sewer i.e. a protected strip width of 6 metres, that crosses the site. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

Reason: In the interest of public health and maintaining the public sewer network in accordance with Local Plan Policy CC3

18. 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 building or structure shall be placed or erected within 3 metres, measured horizontally, of any watercourse.

Reason: To prevent damage to the existing culverted watercourse in accordance with Local Plan Policy CC3.

19. The provision of gigabit-capable full fibre broadband for the dwellings hereby permitted, shall be implemented in accordance with the detail provided by Virgin Media (ref:248530, dated 05/05/2022) prior to occupation.

Reason: To accord with Local Plan Policy I1

20. Upon commencement of construction works, details of electric vehicle charge points (EVCPs) shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.

Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.

21. Except in case of emergency, operations shall not take place on site other than between the hours of 08:00- 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays. There should be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority shall be notified the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance With Local Plan Policy POLLI

22. Heavy goods vehicles shall only enter or leave the site between the hours of 08:00 - 18:00 on weekdays and 09:00 - 13:00 Saturdays and no such movements shall take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance With Local Plan Policy POLLI

23. No development (including construction, land raising and demolition if required) shall be carried out other than in accordance with a Construction Environment Management Plan (CEMP) that is first submitted to, and approved by, the local planning authority

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance With Local Plan Policy POLLI

24. All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

25. All out of curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'

PA Reference:-

2021/1661

