



**JohnsonMowat**  
Planning & Development Consultants

**BARRATT HOMES  
LAND NORTH OF LEE LANE, ROYSTON**

**APPLICATION FOR FULL PLANNING PERMISSION FOR THE CONSTRUCTION  
OF 164 NO. DWELLINGS**

**PLANNING CASE REPORT**



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Barratt Homes  
Land north of Lee Lane, Royston

Planning Case Report

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## 1.0 INTRODUCTION

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- 1.1 This Planning Case Report has been produced on behalf of Barratt Homes (West Yorkshire) in support of a Full Planning Application for residential development of 164 No. Dwellings at land North of Lee Lane, Royston.
- 1.2 The application site covers an area of approximately 5.4 hectares of land designated as a 'Safeguarded Lane within the current Barnsley UDP and is a preferred residential allocation within the emerging Barnsley Local Plan under reference H11. In addition to the 5.4 hectares of land required for the main development site, an additional area of land to the north of the site is required for water attenuation, that being the control and storage of water during peak/low periods. The water attenuation area extends to 0.3 hectares, it is currently a horse paddock. The site benefits from an extant planning permission under reference 2013/0932 for up to 200 dwellings together with a new retail facility. The 200 dwelling approval extended over a slightly larger area to include land west of this application area. This report demonstrates the land as a suitable and achievable site for residential development.
- 1.3 A pre-application request for this smaller area was submitted to Barnsley Metropolitan Borough Council with a meeting taking place with Council Officers on the 24<sup>th</sup> October 2016 to discuss the proposal. The key issues raised by Officers during consideration of the pre-application enquiry included the following:-
- Residential development is acceptable in principle, established both by the extant planning permission and preferred allocation in the emerging Local Plan.
  - New dwellings should meet the standards set out within the 'Designing New Development' SPD together with internal space standards set out within the South Yorkshire Residential Design Guide.
  - On site affordable housing will be expected at 15% at a mix of 20% intermediate and 80% social subject to a review of viability. The target in the emerging Local Plan is set at 10%, supported by a more up to date evidence base.



- The proposed 'T' junction access arrangement is considered acceptable subject to reservation of the land to facilitate a roundabout to serve the wider allocation H11 at a later date.
- Electric vehicle charging points are requested throughout the site, confirmation these are to be provided can be written into the Design & Access Statement.
- Provision of bin stores will be necessary off private drives to allow refuse collections.
- Consideration should be given to providing high speed broadband in all new residential development.

1.4 A comprehensive overview of the pre-application feedback is set out at Section 3 of this report.

1.5 This Planning Case Report demonstrates how the above matters have been addressed and should be read in conjunction with the following reports which form this full planning application submission:-

- |   |                    |
|---|--------------------|
| • Site Masterplan, Elevations & Layouts | KSL Design Ltd     |
| • Design and Access Statement           | KSL Design Ltd     |
| • Statement of Community Involvement    | IPB Communications |
| • Flood Risk & Drainage                 | ARP/Barratt Homes  |
| • Transport Assessment and Travel Plan  | WSP Consulting     |
| • Phase 1 Geo-environmental Report      | Lithos Consulting  |
| • Ecological Appraisal                  | Brooks Ecological  |

1.6 This Planning Case Report identifies the characteristics of the site and its location, the planning history of the site, the planning policy context and the planning case in support of the proposed residential scheme.



## 2.0 LOCATION AND SITE DESCRIPTION

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- 2.1 The site is located on the western edge of Royston, a large settlement identified as a principal town within the settlement hierarchy of both adopted Core Strategy and the emerging Barnsley Local Plan. Royston is located approximately 4.5 miles north of Barnsley Town Centre and approximately 7.5 miles south of Wakefield. The site extends to approximately 5.4 hectares of land, the topography of which is relatively level. A further 0.3 hectares of land to the north is required for water attenuation.
- 2.2 The site lies within a sustainable location in relation to access to services, facilities, employment opportunities and public transport. The site is accessed from the B6428 Lee Lane, a main route through the centre of the settlement containing a number of local amenities. The local centre of Royston is within 1.3km of the site and therefore within adequate walking distance of local shops, services & amenities including local Co-operative & Asda stores, Royston Leisure Centre, Library & Civic Hall, Royston Parkside Primary School and Royston Welfare Park, a large recreational area containing sports pitches, an outdoor skate park and play equipment.
- 2.3 With regard to healthcare facilities, the Royston Group Practice is located centrally within the town on Midland Road, alternatively the Craven & Partners practice is located a short distance 1km east on High Street. Each of the two practices are currently accepting new patients according to the NHS Choices website. A dental practice, 157 Dental Care is also located within the town on Midland Road.
- 2.4 There are four primary schools within Royston, two of which are located within 1km of the site. Two pre-schools are also located centrally within the town. These include the nearby Meadstead Primary Academy and Royston Summer Fields Primary School, both 1km to the east, Royston Parkside Primary School and Royston St John CoE Primary School, together with the Bethel Church and Little Nippers pre-schools. Outwood Academy is the nearest secondary school, located approximately 2.4 km to the south west in the neighbouring town of Carlton.
- 2.5 Residential properties of varying architectural form and scale are located to the east of the site, some of which have been altered or extended from their original form. Properties located on Applehaigh View which adjoin the eastern boundary of the site range from two



storey dwellings to the south of Applehaigh View to bungalows to the north. A new build two storey property is currently under construction adjacent to 124 Applehaigh View.



## 3.0 PLANNING HISTORY

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3.1 The site benefits from an existing planning permission, approved 24<sup>th</sup> March 2014 under reference 2013/0932 and therefore remains extant until 24<sup>th</sup> March 2017. The application submitted was described by the LPA as follows:-

*“Residential development of up to 200 dwellinghouses and additional retail facility with primary access off Lee Lane (Outline)”*

3.2 Further to approved outline planning permission, no reserved matters submissions have been forthcoming. As the application is materially different to the outline approval due to the overall reduction to the site area and omission of a new retail facility, the application proposed is presented as a full application rather than a reserved matters submission. The extant permission for up to 200 dwellings should however remain a material consideration with regards to the principle of development.

### **Pre Application**

3.3 Prior to the preparation of this application, a pre application enquiry was submitted to the Council to gather feedback on the proposals and where necessary address any comments or concerns.

3.4 While the written response of the Council is awaited, the meeting confirmed a residential end use to be acceptable in principle.

3.5 The meeting required the applicant to consider the detailed scheme:-

- **Design** – The design should comply with the both the standards set out within the Council's adopted 'Designing New Residential Development' SPD together with the internal space standards set out within the South Yorkshire Residential Design Guide, which include:-

*2 Bed Dwelling – 62m<sup>2</sup> Minimum*

*3 Bed Dwelling – 77m<sup>2</sup> Minimum*

*4 Bed Dwelling – 93m<sup>2</sup> Minimum*

- **Design & Access Statement** – Should incorporate an independent Building for Life Assessment scored against the revised CABI 12 questions.



- **Parking** – Should comply with the Council’s adopted ‘Parking’ SPD which requires:-
  - 1 / 2 Bed Dwellings – 1 Parking Space
  - 3 + Bed Dwellings – 2 Parking Spaces
- **Public Open Space** – On site provision of open space is to be provided, the central open space feature is acceptable.
- **Affordable Housing** – Core Strategy Policy CSP15 requires an onsite provision of 15% of the overall quantum of development proposed subject to viability, including a mix of 20% intermediate and 80% social rented. As the emerging Local Plan progresses weight may be given to the emerging LP target in place of the adopted CS target, the affordable housing target for Royston is 10% in the emerging Local Plan.
- **Highways** – a ‘T’ junction access reserving land for a roundabout.
- **Public Rights of Way** – Good connectivity where possible.
- **Ecology** – An ecological appraisal will be required to support the application.
- **Drainage** – The development should control surface water run off via SuDS in accordance with adopted Core Strategy Policy CSP3 ‘Sustainable Drainage Systems’.
- **Flood Risk** – A Flood Risk Assessment will be required to support the application.
- **Renewable Energy** – The development will be expected to comply with CSP5 ‘Including Renewable Energy in Developments’ which commits new development to reducing carbon dioxide emissions by a minimum of 15% from levels permissible by 2010 Building Regulations.

### Community Consultation

- 3.6 A drop in community consultation was held on 20<sup>th</sup> October 2016 at the Royston Working Mens Club to inform local residents and businesses of the future proposals for the site. A summary of the responses received to the consultation together with the feedback can be found within the Statement of Community Involvement prepared by IPB Communications which supports the application.
- 3.7 This report sets out the schemes compliance with both national and local planning policy together with how the scheme has incorporated feedback received from the pre-application consultation with the Council.



## 4.0 PLANNING POLICY

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4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

*“If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise.”*

4.2 The development plan for this residential scheme comprises the following local documents:-

- Saved policies contained within the Unitary Development Plan (UDP) – Adopted December 2000
- Core Strategy – Adopted 8<sup>th</sup> September 2011

4.3 The UDP Part 1 together with the Part 2 Sites Allocations was adopted in December 2000 and was only intended to cover the plan period 1986 to 2001. The plan is therefore significantly time expired and although the Council continue to refer to saved policies contained within the UDP where compliant with national policy, these can only be attributed little weight.

4.4 Similarly, the Core Strategy was adopted in September 2011 and pre dates the National Planning Policy Framework which was adopted March 2012. Where a Local Development Plan is out of date, limited weight can be attached to the policies within the document where they conflict with more recent Government policy.

4.5 The Council are currently consulting on an emerging draft Local Plan which will replace both the saved policies of the UDP and the adopted Core Strategy, forming the statutory development plan for the Borough for the period 2014 to 2033. The plan is committed to delivering a minimum of 20,900 homes across the plan period at a rate of 1,00 per annum.

4.6 The Council’s current Local Development Scheme timetables examination of the emerging Local Plan in February 2017 with adoption targeted for Summer 2017.



## Material Considerations

4.7 There are a number of other relevant policies and documents which are material considerations and these are as follows:-

- National Planning Policy Framework (March 2012)
- National Planning Practice Guidance (March 2014)
- Barnsley UDP Saved Policies (December 2000)
- Barnsley Core Strategy (September 2011)
- Emerging Barnsley Local Plan (2016 Consultation Draft)

## National Policy

### National Planning Policy Framework (March 2012)

4.8 The Government's National Planning Policy Framework (the Framework) now forms the relevant policy guidance at the national level for the determination of all planning applications; this is especially so where the local development plan is either silent, absent or out of date (paragraph 14) (underlining our emphasis).

4.9 The Framework is based around the core principle of creating sustainable development. The Framework states at paragraph 6 that all of the policies in paragraphs 18-219 of the Framework, "taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system." There are three dimensions to sustainable development comprising economic, social and environmental roles. These are to be considered as mutually dependent and should not be considered in isolation (paragraph 8). At the heart of the planning system is a new presumption in favour of sustainable development. Paragraph 14 of the Framework identifies how this presumption is to be applied in making decisions on individual applications. This means:-

- "Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent silent or relevant policies are out of date, granting permission unless:
  - Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or



- Specific policies in this Framework indicate development should be restricted.”

4.10 The presumption follows the content of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (see paragraph 2 of the Framework) and states that “*planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.*”

4.11 A set of 12 core land use principles are to underpin plan making and decision taking; these are stated at paragraph 17 of the Framework.

4.12 There are 13 topic areas which form the Framework document and those topic areas considered of relevance to this planning application are set out below.

#### **Section 1: Building a strong, competitive economy**

4.13 Paragraph 19 makes it clear that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. Planning policies should “recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing” (paragraph 21). The provision of housing is therefore identified as an essential component of economic growth and necessary to job creation and retention.

#### **Section 4: Promoting sustainable transport**

4.14 Provisions for the promotion of sustainable transport are set out in Paragraphs 29 to 41. At Paragraph 32 it is made clear that all developments that generate a significant amount of movement need to be supported by a Transport Statement or Transport Assessment.

#### **Section 6: Delivering a wide choice of high quality homes**

4.15 Paragraphs 47 to 55 provide the policy guidance for plan making and decision taking under the overall aim of significantly boosting the housing supply. Paragraph 47 states that local planning authorities should:

- “Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as



far is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

- Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward for later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

- 4.16 Paragraph 49 states that housing applications are to be considered in the context of the presumption in favour of sustainable development and relevant policies regarding housing supply should not be considered up to date if a five year supply of deliverable sites cannot be demonstrated (underlining our emphasis).

#### **Section 7: Requiring good design**

- 4.17 This section of the Framework initially identifies, at paragraph 56, that the Government attaches great importance to the design of the built environment and that it also considers that design is a key aspect of sustainable development. In addition it also recognises that design is indivisible from good planning and should positively contribute to making places better for people.
- 4.18 Paragraph 57 states “it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes”.

#### **Section 11: Conserving and enhancing the natural environment**

- 4.19 Paragraph 109 refers to the contribution and enhancement of the natural and local environment including minimising impacts on biodiversity. At the point of determining an application paragraph 118 of the Framework identifies that local authorities should aim to conserve and enhance biodiversity by applying such principles as “development proposals where the primary objective is to conserve or enhance biodiversity should be permitted; and opportunities to incorporate biodiversity in and around developments should be encouraged”.



## **Decision Taking**

- 4.20 In relation to the decision taking section of the Framework, paragraph 187 notes that local planning authorities should “look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible.” This includes working proactively with applicants to “secure developments that improve the economic, social and environmental conditions of the area.”
- 4.21 In determining applications, paragraph 196 requires that “applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise” in line with the established plan-led planning system. Paragraph 197 confirms that in assessing and determining development proposals, “local planning authorities should apply the presumption in favour of sustainable development”.

## **Local Policy**

### **Saved Policies of the Barnsley UDP (December 2000)**

- 4.22 The Barnsley UDP was adopted **16 years ago**. The UDP looked forward to a notional end date of 2001. The LP is clearly time expired. Indeed a revision to this LP has been awaited for (at least) 14 years.
- 4.23 Saved policies of the LP were adopted prior to guidance set out in the Framework coming into the decision making process. Contrary to the provisions of Framework Paragraph 213, the LPA has not yet adopted an up to date replacement plan to deliver the housing allocations required to meet the Council’s planned target.
- 4.24 The site is allocated as ‘Safeguarded Land’ within the UDP Proposals Map for Royston, reserved for long term development beyond the plan period.

### **(2011 Barnsley Core Strategy)**

The Barnsley Core Strategy (CS) was adopted in 2011, prior to guidance set out in the Framework coming into the decision making process. The CS covers the period 2008 to 2026.

- 4.25 The CS was prepared to conform to those policies set out within the Yorkshire & Humber Regional Spatial Strategy (May 2008) which was revoked in July 2010 by Central Government, a matter acknowledged by the spatial strategy of the CS:-



*“The Core Strategy has been prepared to be in conformity with the Yorkshire and Humber Plan: Regional Spatial Strategy to 2026 (RSS). Whilst the RSS has now been revoked our proposed spatial strategy remains the optimum strategy for Barnsley”*

4.26 The adopted CS is therefore based upon a dated evidence base, with no up to date adopted plan in place.

4.27 The Settlement Hierarchy of the adopted CS identifies Royston as a Principal Town. The CS states at para 7.68:-

*“The Core Strategy policy CSP8 identifies the Principal Towns such as Royston as a priority for development and the main local focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities. CSP10 anticipates 1000 new homes for Royston over the plan period. Central Royston housing opportunities include the redundant Royston school site as well as peripheral greenfield sites. Additionally there is the opportunity to consider using part of the UDP safeguarded land on the western side of Royston. CSP17 supports the housing regeneration programme in Royston which forms part of the Green Corridor initiative and this will be an important consideration when planning housing provision in the town.”*

4.28 In the interests of clarity all relevant CS Policies are considered below.

#### **CSP8 – The Location of Growth**

4.29 This policy states that priority for growth will be given to Urban Barnsley together with Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe (Dearne Towns), Penistone and Royston.

#### **CSP9 – The Number of New Homes to be Built**

4.30 This policy commits the Council to delivering a minimum of 21,500 homes across the plan period 2008 to 2026, a rate of 1,194 dwellings per annum. The housing requirement set out in the CS is based upon the now revoked RSS and therefore does not represent an up to date Objectively Assessed Housing Need (OAN) for the district.



#### **CSP10 – The Distribution of New Homes**

- 4.31 This spatial policy provides the distribution of the minimum 21,500 homes targeted to be delivered across the CS period, with Royston accommodating 1,000 dwellings and therefore representing 5% of the overall CS requirement.

#### **CSP14 – Housing Mix and Efficient Use of Land**

- 4.32 This policy affirms that housing proposals will be expected to include a mix of house size, types and tenures to create mixed and balanced communities. The policy confirms that priority will be given to the development of previously developed land and that a minimum density of 40 dwellings per hectare will be expected to be achieved.

#### **CSP15 – Affordable Housing**

- 4.33 This policy sets an affordable housing threshold of 15% on site units applicable to Royston subject to the viability of the site. The requirements of this policy will eventually be superseded by Policy H8 of the emerging Local Plan which sets a new threshold of 10% affordable units to be provided on site.

#### **National Planning Practice Guidance (March 2014)**

- 4.34 The Planning Practice Guidance was published as a live 'working' document on 6th March 2014. It extends to over 600 pages and is intended to replace over 7,000 pages of now revoked guidance.

#### **Barnsley Five Year 'Deliverable' Housing Land Supply Report (March 2016)**

- 4.35 The Council have recently published an updated position paper on the deliverable five year housing land supply for the district. The paper provides an assessment of deliverable supply for the period 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2019 and is therefore sets a base date which is already two years out of date.
- 4.36 The paper informs of a deliverable supply net total of 4,727 dwellings against a five year requirement of 7,062 dwellings, which results in a housing land supply of 3.35 years, a significant way short of five years. Therefore in the context of the paragraph 49 of the Framework, relevant policies for the supply of housing should not be considered up to date.



- 4.37 It is understood the Council are looking to prepare an updated position paper to inform of the five year housing land supply position for the current period in due course.
- 4.38 However, the Council has submitted more up to date housing completion data to Government which then appears on the DCLG Live Monitoring Table Website. Table 4.1 below provides an assessment of actual delivery against the target delivery as expected in the 2011 CS.

**Table 4.1 – Barnsley MBC Historic Delivery**

Year	CS Target	Actual	Variance
2011/2012	800	840	+40
2012/2013	862	657	-205
2013/2014	996	747	-249
2014/2015	1100	620*	-480
2015/2016	1200	710*	-490
<b>Total</b>			<b>1,384</b>

(\*Data recovered from DCLG Live Table 122).

- 4.39 Table 4.1 above informs of significant under-delivery against the target in the last 5 years. The scale of under-delivery in the last 2 years is of such a scale that would require a 20% buffer (NPPF para 47) to be applied.

#### **Emerging Local Plan (July 2016 Consultation Draft)**

- 4.40 The Council are currently consulting on a draft Local Plan which will replace both the saved policies of the UDP and the policies contained within the adopted CS. The emerging Local Plan will provide allocations to deliver the minimum requirement of 20,330 dwellings by 2033. Under the Settlement Hierarchy, Royston is retained as a principal town, and under Policy LG2 'Location of Growth' remains a priority area for development.
- 4.41 Policy H2 of the emerging Local Plan proposes a minimum 1,282 dwellings to Royston across the plan period 2014 to 2033, accounting for 6% of the minimum target of 20,330 dwellings. Policy H2 identifies existing planning permissions totalling 454 dwellings within Royston and therefore leaving a residual requirement of 828 dwellings (minimum) to be identified.



- 4.42 The emerging Local Plan proposes to allocate both the application site and wider strategic parcel of land under Policy H11, with capacity for 770 dwellings. Paragraph §5.52 of the emerging Local Plan states:-

*“The key areas of opportunity for the future development of Royston are the former Royston High School site and the substantial area of land proposed for housing at the western edge of the town at Lee Lane.”*

- 4.43 Policies contained within the emerging plan relevant to the proposal are considered below.

#### **Policy SD1 – Presumption in Favour of Sustainable Development**

- 4.44 In line with the objectives of the NPPF, this policy details the presumption in favour of sustainable development and the Council’s positive approach toward working with applicants to find solutions to delivering development proposals that improves the economic, social and environmental conditions of the area.

#### **Policy GD1 – General Development**

- 4.45 This policy details a series of criteria of which development meeting each of the requirements will be approved without delay. Such considerations include impacts on amenities of existing and future occupiers, compatibility with neighbouring uses and environmental impacts.

#### **Policy H6 – Residential Development on Large Non-Allocated Sites**

- 4.46 This policy sets out the Council’s considerations for large scale residential development (10 dwellings or more) on those sites not identified as preferred housing allocations through the emerging Local Plan. The policy in full states:-

*“Proposals for residential development on sites above 0.4 hectares which are not shown as housing sites on the Policies Maps will be given priority where they are:*

- *Located on previously developed land.*



- *Located within Urban Barnsley or the Principal Towns as shown on the Proposal Maps*

*If the above criteria are satisfied residential development will be allowed where it can be demonstrated that the site:*

- *Is located within the built up area. Sites on the edge of settlements will need to provide acceptable mitigation of their impact on the countryside or they will not be considered to be acceptable locations for residential development; and*
- *Is accessible by public transport; and*
- *Has good access to a range of shops and services.”*

#### **Policy H7 – Housing Mix and Efficient Use of Land**

- 4.47 This policy aligns with Policy CSP14 of the adopted Core Strategy and seeks an appropriate mix of house type, size and tenure together with a target density of 40 dwellings per hectare.

#### **Policy H8 – Affordable Housing**

- 4.48 This policy will supersede Policy CSP15 of the adopted Core Strategy and sets an onsite affordable housing requirement of 10% in Royston subject to the viability of the site.



## 5.0 THE PLANNING CASE

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- 5.1 This section of the report identifies the main planning considerations and provides an assessment of the planning merits of the case in support of the proposed development.

### **Principle of Development**

- 5.2 The principle of residential development has already been established by way of the extant planning permission for up to 200 dwellings, approved under reference 2013/0932. The site has therefore been tested against the three strands of sustainability under para 7 of the Framework. Whilst the application now presented is a fresh full application and not a reserved matters application pursuant to the outline approval, the existing permission is a material consideration which should weigh favourably in support of the principle of development.
- 5.3 The previous permission for the site included a wider site area, with an increase in the number of homes proposed together with a new retail facility. There is however no longer the desire to pursue a new retail store, with alternative facilities having been provided elsewhere within Royston.
- 5.4 The application site is presently designated as 'Safeguarded Land' within the 2000 UDP Proposals Map, however the emerging Local Plan identifies the site as a preferred residential allocation under Policy H11, with capacity for 770 dwellings. The site would effectively form the 'first phase' of the development of site H11, and is therefore a 'plan led' approach toward development within the district. While a further 0.3 hectares of Green Belt land is required for water attenuation, the works involved are essentially creating a basin for storage. As such, the use of that land does not conflict with the aims of keeping Green Belt land open and would accord with paragraph 90 of the Framework.
- 5.5 The emerging Local Plan proposes a minimum of 1,308 dwellings of the district wide plan target of 20,900 dwellings to be proportioned to Royston and identifies 480 dwellings subject to existing planning permissions therefore leaving a residual requirement of a minimum 828 dwellings to be identified. The proposal fully supports the objectives of the emerging Local Plan, supporting Policy LG2 'Location of Growth' which confirms that Royston as a principal town is a priority area for development.



- 5.6 The site would further meet full compliance with policy GD1 'General Development' of the emerging Local Plan, complying with each of the criteria of the emerging policy.
- 5.7 The pressing need for residential development, in both Royston and across the district is further highlighted by the Council's March 2016 position paper on five year supply, which concludes that based upon the Council's latest evidence (up to 2014) a supply of only 3.35 years can be demonstrated. The shortfall is therefore significant, and unless the authority take steps now to support deliverable sites, the housing land supply position is unlikely to improve until such time the emerging Local Plan is adopted and allocations can be brought forward.
- 5.8 It is our opinion the situation has worsened since 2014 such that the requirement warrants a 20% buffer. The supply calculation is therefore no better than a 3 year supply.
- 5.9 Therefore, in summary:-
- i. The site currently benefits from an extant outline permission for up to 200 homes under application reference 2013/0932, the application remains 'live' until 24<sup>th</sup> March 2017. Although the application now proposed is technically a fresh full application, the extant permission is a material consideration to the determination of the application;
  - ii. The site together with adjoining land forms a preferred residential allocation in the emerging Barnsley Local Plan under Policy H11. The plan has reached publication stage and is anticipated to be adopted around Summer 2017. The grant of planning permission would conform with the emerging plan;
  - iii. The Council cannot currently demonstrate a deliverable five year housing land supply and until such time that the Local Plan is adopted and sites currently constrained by policy restrictions (i.e. Green Belt land) can be released, there is an immediate need for suitable residential sites to address the shortfall. This should be seen as an additional benefit which favours in the grant of planning permission; and
  - iv. The site is allocated as 'Safeguarded Land' within the existing UDP, the site has therefore been deemed suitable for long term development by an appointed Inspector. The UDP is now time expired and can only be given limited weight, the Council are currently unable to demonstrate a five year supply of housing



5.10 Having regard to all of the above, it is clear that the site is suitable in principle for residential development.

#### **Prematurity**

5.11 The National Planning Practice Guidance states that in the context of the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than in exceptional cases, where it is clear that any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. Such grounds may include:-

- i. The development would be so substantial, or its cumulative effect would be so significant that to grant planning permission would undermine the plan making process.
- ii. The emerging plan is at an advanced (submission) stage but not yet part of the development plan for the area.

5.12 In this instance, the site forms a preferred allocation within the publication draft of the emerging Local Plan under Policy H11. The proposal can therefore not be seen as in anyway prejudicing the Local Plan given its conformity with the policies contained within.

5.13 The development proposed would comprise 164 No. dwellings, which would represent 0.8% of the total plan target of 20,900 dwellings. The site is therefore not at all significant in scale to prejudice the emerging plan which has already reached an advanced stage.

#### **Other Material Considerations**

5.14 Having regard to the sites suitability in principle for residential development, other material considerations are summarised in detail below. For clarity, further detail can be found within each of the supporting technical reports which accompany the planning application submission.

#### *Design & Sustainability*

5.15 The development would form a logical urban extension to the western edge of the existing settlement. The layout and design of the proposed residential development has been considered through the supporting Design & Access Statement.



- 5.16 The scheme would propose a mix of detached and semi-detached, 2, 3 & 4 bed properties that would deliver choice and meet local needs within Royston. The development would also provide 16 new affordable homes subject to viability and would therefore accord with policy H8 of the emerging Local Plan.
- 5.17 Consideration has also been given to CABI Building for Life 12 (2012) and the Design & Access Statement supporting the application has evaluated and considered the proposal against each of the 12 criteria.
- 5.18 With respect to the amenities of future occupiers, the South Yorkshire Residential Design Guide (2011) has been adopted by the Council as a best practice guide for appraising the quality of new housing proposals. The guide is intended to compliment the Building for Life Scoring criteria and amongst other design principles, sets out recommended minimal internal space standards and rear garden spaces for new build residential accommodation. An extract from the technical guidance is detailed within Tables 6.1 and 6.2 below:-

**Table 6.1 – Recommended Minimum Internal Space Standards (South Yorkshire Residential Design Guide)**

Dwelling Size	Recommended Internal Floor Space (Minimum)
2 Bed / 3 Person Dwelling	62m <sup>2</sup>
3 Bed / 4 Person Dwelling	77m <sup>2</sup>
4 Bed / 5 Person Dwelling or More	93m <sup>2</sup>

**Table 6.2 – Recommended Minimum Amenity Space Standards for Rear Garden Areas (South Yorkshire Residential Design Guide)**

Dwelling Size	Recommended Amenity Space (Minimum)
2 Bed Dwelling	50m <sup>2</sup>
3 Bed Dwelling or More	60m <sup>2</sup>

- 5.19 Each of the dwellings proposed would meet both the minimum internal space standards together with the recommended rear amenity space standards as set out in the South Yorkshire Residential Design Guide (2011).

*Impact on Neighbouring Amenities*

- 5.20 The South Yorkshire Residential Design Guide (2011) has been adopted as a best practice guide by the Council and advocates a 21m separation distance between the back-to-back dimensions of properties. The guidance contained within the South Yorkshire Residential



Design Guide has been taken into consideration when assessing the impact of the proposal on existing neighbouring properties located on Applehaigh View and it is noted that following the community consultation exercise and feedback received from local residents, the 21m separation distance has in some instances increased further, above and beyond what is set out within the guidance.

- 5.21 It is therefore considered that by virtue of the size, scale, siting and massing of each of the plots proposed together with their relationship and separation distances, the development would result in no adverse impacts on the amenities of both existing neighbouring properties and future occupiers. The development would therefore meet the tests of bullet point 4, paragraph 17 of the Core Planning Principles of the Framework.
- 5.22 The proposal is therefore fully compliant with policies SD1 'Presumption in Favour of Sustainable Development', GD1 'General Development' and H6 'Residential Development on Large Non-Allocated Sites' of the emerging Local Plan.

#### *Highways*

- 5.23 The Transport Assessment undertaken by WSP has reviewed the previously consented proposal together with the proposed development of 164 No. dwellings. Based on the quantum of new homes proposed, the report demonstrates that the development is forecast to generate some 99 and 113 two-way vehicle trips during the AM and PM peak hours respectively. The development would utilise a single point of access from Lee Lane, however it is noted that land has been reserved in order to upgrade to a roundabout in the future, which would serve both the application site and future emerging allocations identified through the Local Plan.
- 5.24 The Transport Assessment concludes that the impact of the traffic generated by the development on the junctions within the study area is not considered severe, even with a number of robust assumptions. The assessment demonstrates that in the PM peak, the highest increase in traffic movements on any approach is less than 1 vehicle per minute.
- 5.25 It is therefore concluded that there are no significant adverse impacts identified through the Transport Assessment and in accordance with paragraph 32 of the Framework there are no grounds to refuse the application on this basis.



### *Ecology*

- 5.26 There are no designated sites located within 1km of the application site. The application is supported by a detailed Ecological Appraisal undertaken by Brooks Ecological together with a Bat Activity Survey.
- 5.27 The Ecological Survey confirms there are no significant ecological impacts that would arise as a result of the proposals and therefore no mitigation works are necessary.

### *Ground Conditions*

- 5.28 The Preliminary Geo-environmental Investigation Report prepared by Lithos Consulting highlights no significant development constraints.

### *Flood Risk & Drainage*

- 5.29 The site is located within Flood Zone 1 of the Environment Agency mapping, meaning that it is very unlikely to flood and the sequential test is satisfied. A Flood Risk Appraisal has been produced by ARP Associates which concludes that the site would satisfy the tests of the Framework and the PPG in relation to flood risk.
- 5.30 Subject to detailed design, water attenuation would be located to the north eastern area of the site, within a separate red line boundary as detailed on the site location plan.

### *Trees*

- 5.31 Trees are generally limited to those contained within the northern and southern boundaries of the site. The Arboricultural Assessment provided by AVA Tree Consultants confirms the majority of trees to be removed are lower value 'Cat C' trees not worthy of retention however an oak tree (T45) has been identified for removal within the north eastern section of the site which provides a greater value of amenity.
- 5.32 A Landscape Masterplan has been provided by FDA Landscape which provides opportunities for a high quality landscape scheme together with public open space to be delivered through the proposals including additional tree planting. It is therefore considered that the wider benefits of the proposals outweigh the loss of T45.



### *Economic Benefits*

- 5.33 The development would generate a number of economic benefits including supporting direct and indirect construction jobs, together with economic construction spend and additional resident spending power. A list of economic benefits generated by the proposals are detailed below.

#### *Construction Impacts*

- A total of 49 direct construction jobs would be generated per annum including an additional 4 construction jobs filled by apprentices.
- A total of 20 full time equivalent (FTE) construction jobs would be generated including an additional 2 FTE construction jobs filled by apprentices.
- The development would support an additional 74 indirect and induced jobs per annum.
- The development would generate an economic output of £2,686,907 Gross Value Added (GVA) per annum together with an additional with an additional £3,788,539 GVA per annum as a result of indirect economic output.
- A total of £25,901,785 GVA would be generated across the build period.

#### *Expenditure Impacts*

- The development would generate a total first occupation expenditure of around £899,250 through new residents decorating and furnishing their homes.
- The total potential spending power of the new residents generated would equate to around £3,867,560 and would support the equivalent of 24 indirect and induced FTE jobs per annum.

#### *LPA Fiscal Impacts*

- The development would generate around £250,155 in Council Tax per annum in addition to around £1,500,930 in new homes bonus payments over 6 years.



## **Planning Balance**

- 5.34 The site is located on the western edge of the principal town of Royston, an area of land safeguarded as for development in the 2000 UDP and proposed as an allocation in the emerging Local Plan.
- 5.35 The site is located within a sustainable location, with good access to social and physical infrastructure. The development would be fully compliant with both existing policies contained within the adopted Core Strategy and policies within the emerging Local Plan. The development can contribute toward the planned growth and residual requirement for Royston and is therefore fully aligned with the spatial strategy's approach for development to be focussed in principal towns.
- 5.36 The site is subject to no significant environmental constraints and the various technical reports produced to accompany this application submission demonstrate that there will be no adverse impacts as a result of granting planning permission. The site is not of high environmental quality and there are no technical reasons for refusal. In accordance with policies SD1 'Presumption in Favour of Sustainable Development', GD1 'General Development' and H6 'Residential Development on Large Non-Allocated Sites' contained within the emerging Local Plan, together with provisions of the Framework, permission should therefore be approved without delay.
- 5.37 The proposed development will be in keeping with the local characteristics and proposes a mix of property types without detriment to neighbouring amenities. The settlement characteristics and the site's opportunities and constraints have been assessed in the supporting Design and Access Statement.
- 5.38 There are a number of significant benefits that can be delivered through the development of these housing proposals. The site would provide a deliverable supply of much needed land for housing in a district where the identified housing land supply is significantly short of five years. Unless the authority take action now to approve suitable & deliverable sites, the shortfall in housing land supply will likely continue until such time the Council are in a position to adopt the Local Plan. Whilst the site should be looked upon favourably even were a five year supply of housing to be demonstrated, this benefit should carry further significant weight in favour of the development.



- 5.39 Other benefits include the provision of a range of new house types to provide increased housing choice. The development would also generate a significant amount of investment to the area in terms of the construction value of the project and associated spend during the construction period. Benefits include direct jobs during the construction phase, indirect “spin-off” jobs in services and other business from the wage spending of construction workers and supplier sourcing and additional resident expenditure as a result of new homes in the town.
- 5.40 Having regard to all of the above, it is clear that there is a significant presumption in favour of the development. The proposal is fully policy compliant and has demonstrated there to be technical issues which would prevent the grant of planning permission.



## 6.0 SUMMARY AND CONCLUSIONS

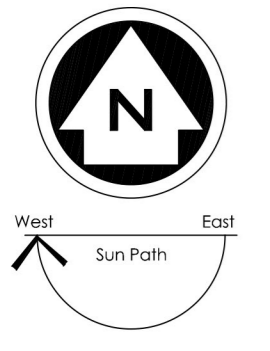
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- 6.1 The National Planning Policy Framework indicates that housing applications should be considered in the context of the presumption in favour of sustainable development which should be seen as the golden thread through both plan-making and decision-taking.
- 6.2 The development proposed constitutes sustainable development having access to a wide range of local facilities. The site can make an immediate contribution towards overcoming the district shortfall in housing delivery and can contribute toward boosting the five year housing land supply together with a significant number of economic and social benefits.
- 6.3 The site would make for a compatible use and the technical reports accompanying the application detail how the development will not give rise to any adverse impact upon matters of transport, drainage, trees or ecology or the amenities of present and future occupiers. The development would therefore comply with the Core Principles of the NPPF as detailed within paragraph 17 of the Framework.
- 6.4 Therefore taking account of the all of the above factors including all merits of the scheme taken as a whole, this report has demonstrated that when assessed against the requirements of the Framework, there are no adverse impacts that would arise from a residential development of the site. In accordance with paragraph 14 of the Framework, permission should therefore be approved without delay.



## **Appendix 1 – Proposed Planning Layout**

# Lee Lane, Royston Planning Layout



### Schedule of accommodation

House Type	Sq. Ft.	No.
<b>3 bed semi-detached</b>		
Pm Palmerston	776	12
Ma Maidstone	830	22
En Ennerdale	916	2
<b>3 bed detached</b>		
Cn Collaton	863	10
En Ennerdale	916	18
Ed Eskdale	1058	3
<b>4 bed town house</b>		
W Woodcote end	1206	14
W Woodcote mid	1206	1
<b>4 bed detached</b>		
Wm Windermere	1074	18
Kg Kingsley	1079	17
Rn Ripon	1120	22
Ald Alderney	1225	9
<b>Affordable Properties</b>		
Ky Kenley end	614	8
Ky Kenley mid	614	2
Bn Barton	705	6
<b>Total:</b>		<b>164</b>

### Legend

- Existing Dwellings
- Proposed Dwellings
- Primary Street
- Secondary Street
- Private Drive
- 1.8m high timber screen fence
- 1.2m high timber post and rail fence
- Front entrance door
- Bin collection points on private drives
- Affordable housing
- Indicative Landscaping
- Existing trees removed / pruned
- Existing trees to remain.
- Proposed public open space

Development:	Lee Lane
Location:	Royston
Marketing Name:	
Drawing Title:	Planning Layout
Drawing Number:	LL-PL / 01
Revision:	Scale @ A1: 1:500
Drawn By:	Date Started: Nov 2016



**BARRATT  
HOMES**

Raynham House, 2 Capitol Park, Morley, Leeds LS27 0WH  
Tel: 0113 307 6850



**Appendix 2 – Local Plan Consultation July 2016,  
Relevant Extracts**

## 9 . Housing

### Royston

#### Site H11 Land off Lee Lane, Royston Indicative number of dwellings 770

Planning permission has been granted on this site for 202 dwellings. The indicative number of dwellings above relates to the remainder of the site.

The development will be subject to the production of a masterplan covering the entire site which ensures that:

- access is via the construction of a roundabout on Lee Lane which along with the road layouts will allow the development of the entire site
- a small scale convenience retail facility as part of the development that is in compliance with Local Plan policy TC5 Small Local Shops
- options are investigated for improving public transport access to the development and interventions included to encourage public transport use by residents.
- archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary) that must include the following:
  - Information identifying the likely location and extent of the remains, and the nature of the remains
  - An assessment of the significance of the remains
  - Consideration of how the remains would be affected by the proposed development.
- retain, buffer and manage hedgerows, the trees at the west side of the site and the strip adjacent to the disused railway line at the north of the site.





**Appendix 3 – Previous Decision Notice,  
Reference 2013/0932**



# BARNLSLEY

Metropolitan Borough Council

## GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0932

**To** NJL Consulting LLP  
Unit 8 - Ashbrook Office Park  
Longstone Road  
Heald Green  
Manchester  
Lancashire  
M22 5LB

**DESCRIPTION** Residential development of up to 200 dwellinghouses and additional retail facility with primary access off Lee Lane (Outline)  
**LOCATION** Land to the North of Lee Lane Royston Barnsley S71 4RT

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 27 August 2013 and described above.

The approval is subject on compliance with the following conditions:

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
**Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.**
- 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 layout of the proposed development.
  - (b) scale of building(s)
  - (c) the design and external appearance of the proposed development.
  - (d) landscaping**Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.**

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed *Stephen Moralee*  
Head of Planning, Building Control and Sustainability

Dated 24 March 2014

- 3 The access arrangements hereby approved shall be carried out substantially in accordance with the details shown on the plan: 'Roundabout Plan 255-F01 REVB' and specifications as approved unless required by any other conditions in this permission.  
**Reason: To ensure a safe and adequate access can be achieved to the highway network, in accordance with Core Strategy Policy CSP 26.**
- 4 The reserved matters shall be designed in substantial accordance with details contained with the details shown on the plan 'Parameters Plan P 10-083-PP01' dated 14 February.  
**Reason: To ensure that design aspirations of the sites development are achieved in accordance and that the privacy and amenities of the occupiers of adjoining residential property are safeguarded in accordance with Core Strategy Policy CSP 29.**
- 5 Detailed plans shall accompany the reserved matters submission for any phase of the development indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 6 The development hereby approved shall not exceed a maximum of 200 residential units, the details of which shall be submitted as part of the application for approval of reserved matters.  
**Reason: To ensure the development conforms with the approved outline planning Permission and stays with the maximum assessed level of development.**
- 7 No residential property along the sites eastern boundary bordering Applehaigh View shall be more than two storeys in height.  
**Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property in accordance with Core Strategy Policy CSP 29.**
- 8 In accordance with Core Strategy policy CSP 35 'Green Space' a minimum of 15% of the development sites gross area shall serve as Public Open Space including provision of LEAP Standard play area. Detailed plans shall accompany the reserved matters submission indicating the type and location of the public open space and a landscape management plan, which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 5 years. Thereafter, the development and the landscape management plan shall be carried out in accordance with the approved details.  
**Reason: In the interests of residential amenity to ensure adequate provision of public open space to meet local needs in accordance with Policy CSP 35 of the Core Strategy.**
- 9 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 CSP35 and the Open Space Provision on New Housing Developments SPD. The provision or enhancement of the off-site open space shall be provided prior to completion of the development in accordance with the approved scheme.  
**Reason: In the interests of residential and visual amenity to ensure adequate provision of public open space in accordance with Core Strategy Policy CSP 35.**

- 10 A scheme for disposing of surface water by means of a sustainable drainage system shall accompany the reserved matters application. The scheme shall include the following details:
- Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - A timetable for its implementation; and
  - A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.
- The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.
- Reason: To ensure proper, sustainable drainage of the area in accordance with Core Strategy policy CSP3**
- 11 All on-site vehicular areas within any phase shall be surfaced and drained in an approved manner prior to that phase of the development being brought into use.
- Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety in accordance with Core Strategy Policy CSP 26.**
- 12 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrances/exits such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway.
- Reason: In the interests of road safety in accordance with Core Strategy Policy CSP 26.**
- 13 No phase of development shall take place, including any works of demolition, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period for that phase. 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
- The works shall be completed in accordance with the approved details and a timetable shall be submitted and approved in writing by the Local Planning Authority.
- Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.**

- 14 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority, of arrangements which secure the following highway improvement works:-
- provision of a roundabout at the junction of Lee Lane and the site access;
  - provision of a 2m wide footway along the entire site frontage;
  - alteration of the speed limit on the site frontage;
  - widening of Shaw Lane carriageway to create left and right turn lanes;
  - provision of 2m footway on shaw Lane;
  - any necessary signing/lining;
  - any necessary alterations to/provision of street lighting
  - any necessary alterations to/provision of highway drainage;
  - any necessary resurfacing/reconstruction.
- Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.**
- 15 Within 6 months of the occupation of any dwelling a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Once approved the Travel Plan shall be fully implemented.
- Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.**
- 16 Details shall accompany the Reserved Matters submission indicating how it is intended to secure the improvement and retention of existing or provision of alternate footpaths within the site. Thereafter the development shall proceed in accordance with the proposed details.
- Reason: In the interests of residential amenity and to ensure that pedestrian access is facilitated in accordance with CSP25**
- 17 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 interests of highway safety.**
- 18 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
- Reason: To ensure a safe and adequate highway network, in accordance with Core Strategy Policy CSP 26.**
- 19 The layout submitted as part of any reserved matters application shall include details of a vehicular route to be provided from the sites entrance off Lee Lane which leads through to the western boundary of the site. The development shall thereafter be implemented in accordance with the approved details.
- Reason: To ensure that access to adjoining land is not prejudiced in the interests of comprehensive and sustainable planning in accordance with policy CSP 26.**

- 20 The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal system has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Core Strategy policy CSP4.**

- 21 A scheme for disposing of surface water by means of a sustainable drainage system shall accompany the reserved matters application. The scheme shall include the following details:

Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

A timetable for its implementation; and

A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.

**Reason: To ensure proper, sustainable drainage of the area in accordance with Core Strategy Policy CSP 3.**

- 22 No development shall take place until full foul drainage details have been submitted to and approved in writing by the Local Planning Authority, the scheme shall then be implemented in accordance with the approved details.

**Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.**

- 23 No development shall commence until full details of the structural condition (including CCTV survey of any culverted section) and the exact route of the watercourse have been submitted to the Local planning Authority. In the event that any culverted section is in need of repair, or that the watercourse channel is in need of clearance/dredging works, then a repair scheme / works schedule shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

**Reason: To demonstrate its fitness for purpose and proper functioning of the existing watercourse.**

- 24 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any watercourse.

**Reason: To prevent damage to the existing watercourse.**

25 No development within any phase, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation within that phase and this has been approved in writing by the Local Planning Authority. The WSI shall include:

The programme and method of site investigation and recording.  
The requirement to seek preservation in situ of identified features of importance.  
The programme for post-investigation assessment.  
The provision to be made for analysis and reporting.  
The provision to be made for publication and dissemination of the results.  
The provision to be made for deposition of the archive created.  
Nomination of a competent person/persons or organisation to undertake the works.  
The timetable for completion of all site investigation and post-investigation works.

Thereafter each phase of the development shall only take place in accordance with the approved WSI and each phase shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled for that phase 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.**

26 No phase of development or other operations being undertaken on site shall take place until the following documents have been submitted to and approved in writing by the Local Planning Authority in respect of that phase:

Arboricultural impact assessment  
Tree protective barrier details  
Tree protection plan  
Arboricultural method statement

No development or other operations shall take place except in complete accordance with the approved methodologies.

**Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality.**

- 27 No development works within any phase shall begin until a report in relation to that phase, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-  
A survey of the extent, scale and nature of contamination.  
An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.  
An appraisal of remedial options, and proposal of the preferred option(s).  
A remediation statement summarising the works to be undertaken (if required).
- The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".  
**Reason: To protect the environment and ensure the site is suitable for the proposed use in accordance with Core Strategy Policy CSP34**
- 28 The dwelling(s) shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.  
**Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP2.**
- 29 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.  
**Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.**
- 30 Notwithstanding the details submitted within the ecological assessment detailed plans shall be submitted with the Reserved Matters application indicating biodiversity mitigation and enhancement measures. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**

- 31 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.  
**Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**
- 32 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.**
- 33 The retail unit hereby permitted as part of the development shall only be open between the hours of 06.00hrs to 23.30hrs Mondays to Sundays.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 34 The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
- i. The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 15% of housing units/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.**
- 35 The roundabout shall be constructed from materials which are of a sufficient quality to withstand potential traffic impacts. Details of the materials shall be submitted to the Local planning Authority for approval in writing. The development shall be carried out in accordance with the approved details.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

## Informative(s)

*Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.*

- 1 The decision to grant planning permission has been taken having regard to the policies and proposals in the adopted Core Strategy and saved policies of the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

### Core Strategy Policies

CSP1 'Climate Change'  
CSP2 'Sustainable Construction'  
CSP3 'Sustainable Drainage Systems'  
CSP4 'Flood Risk'  
CSP5 'Including Renewable Energy in Developments'  
CSP8 'The Location of Growth'  
CSP9 'The Number of New Homes to be Built'  
CSP13 'The Release of Allocated Housing Land'  
CSP10 'The Distribution of New Homes'  
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'  
CSP32 'Small Shops'  
CSP33 'Green Infrastructure'  
CSP35 'Green Space'  
CSP36 'Biodiversity and Geodiversity'  
CSP37 'Landscape Character'  
CSP39 'Contaminated and Unstable Land'  
CSP40 'Pollution Control and Protection'  
CSP42 'Infrastructure and Planning Obligations'

### Saved UDP Policies

UDP notation: Safeguarded land

Policy GS10/RO6

### SPD's

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

### Planning Advice Note's

30 -Sustainable Location of Housing Sites  
33 -Financial Contributions to School Places

### Other

South Yorkshire Residential Design Guide  
Emerging Development Sites and Places DPD  
DSAP Proposed allocation: Employment land option

NPPF  
Para 32  
Para 49  
Para's 58 & 60

This informative is only intended as a summary of the reason for granted planning permission.  
For further details on the decision please refer to the application file, by contacting 01226 772593.

- 2 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

- 3 Public Rights of Way may be affected during the construction stage of this development, and you should contact Mrs Sarah Ford (tel: 01226 772696) or Mr Mike Gibson (tel: 01226 772569) to discuss the possible need for a temporary closure or diversion.
- 4 The granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from [www.naturalengland.org.uk](http://www.naturalengland.org.uk)
- 5 The applicant is advised that Condition 28, relating to the Code for Sustainable Homes, applies specifically to the aspects of the Code not covered by the Building Regulations. The development will therefore need to comply with the standards applicable under the Building Regulations, which may be higher than Code 3 if Building Regulations Approval is obtained from 2013 onwards.
- 6 If upon development it was proposed to discharge surface water to a suitable watercourse, then it is recommended that flow should be restricted to no more than the existing rates of discharge to avoid flooding problems.

## **NOTES:-**

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

### **Purchase Notices**

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

### **Compensation**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.