

Application reference number	2025/0763
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Application Type	S73 – Variation of conditions
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Proposal Description:	Variation of conditions 2 (Approved Plans and Documentation) and 17 (Noise Impact Assessment) of planning application 2023/0988 (Residential development of 83no. dwellings and associated works (Revised Plans) to allow substitution of house types and minor layout changes.
Location:	Land North of Wood Walk, Platts Common, Barnsley

Applicant	Bellway Homes Ltd.
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Number of Third Party Reps	3no.	Parish:	
		Ward:	Hoyland Milton

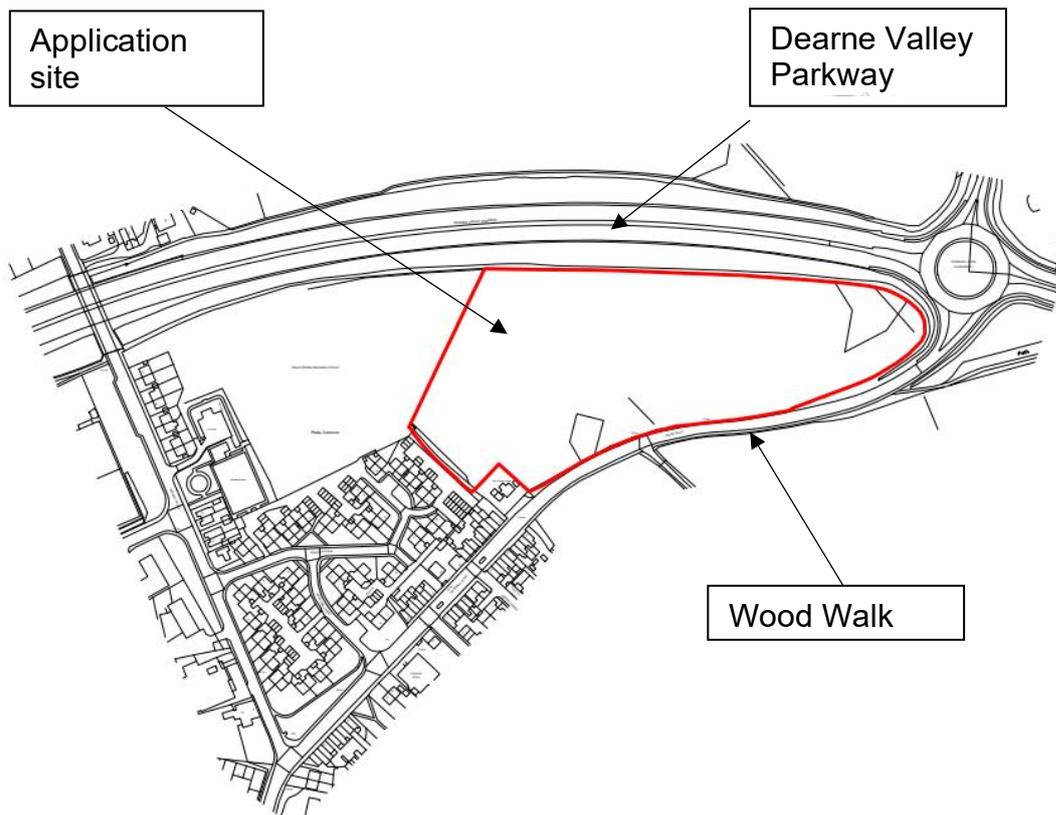
SUMMARY

The applicant has submitted a s73 application to vary conditions 2 (approved Plans and Documentation) and condition 17 (Noise Impact Assessment) of planning application 2023/0988 which was approved for a '*Residential development of 83no. dwellings and associated works (Revised Plans) to allow substitution of house types and minor layout changes*'.

The previous developers associated with application 2023/0988 unfortunately entered financial administration and the current applicants purchased the land from the administrators. The reason for the variation of conditions 2 and 17 is to allow the current applicants to utilise their own house types and amend the Noise Impact Assessment due to the slight change in layout.

The overall principles of the scheme have not changed and the number of dwellings remains at 83.

Recommendation: **GRANT Planning Permission**



Site Description

The site measures approximately 3.6ha in size and is positioned to the north of Wood Walk, on the edge of Platts Common. The Site previous comprised an arable field, left fallow, with improved grassland margins, and boundary hedgerows and lengths of fencing, however, since the approval of applications 2021/1150 and 2023/0988 some remediation work has taken place. There are two mature trees in the southern area of the site and a plantation/woodland with dense scrub defined the eastern extent of the Site. Electricity pylons are located along the site frontage, which run in a north-east direction.

The Site is bounded by Wombwell Wood Roundabout to the east and sits between the A6195 Dearne Valley Parkway to the north, and the B6096 (Wood Walk) to the south. The urban fabric of Platts common and Hoyland is located to the southwest of the site, comprising residential and commercial development. To the south east is an area of farmland.

The site has a history of opencast mining and was previously developed as part of this activity, with a high wall running through the site.

Proposed Development

The applicant has submitted a s73 application to vary conditions 2 (approved Plans and Documentation) and condition 17 (Noise Impact Assessment) of planning application 2023/0988. The reason for this is that the current applicants bought the land off administrators, given the previous applicants of application 2023/0988 went into financial administration, as such, the applicants now want to build out their own house types rather than those of the previous house builder. Furthermore, some amendments to the housing mix have been made in order for the scheme to remain viable and provide the full S106 contributions.

Layout proposed;



Relevant Site History

<i>Application Reference</i>	<i>Application description</i>	<i>Status</i>
2021/1150	Residential development of 83no dwellings and associated works	Approved 9th November 2022
2023/ENQ/00243	Non material amendment to the plans approved under planning application 2021/1150 following further investigations to confirm the location of the high wall plus the addition of a substation adjacent to plot 5, double garage to plot 32 and substitution of single detached garages to attached ones on plots 48, 49 and 50	Approved 22nd September 2023
2023/0988	Residential development of 83no dwellings and associated works (Revised Plans)	Approved 27th August 2025

Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making.

The Local Plan was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering

its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027, or earlier, if circumstances require it.

Local Plan

The site is identified as site HS69 'Land North of Wood Walk, Hoyland' within the Local Plan and as such the following policies are considered to be relevant to this application:

SD1 Presumption in favour of Sustainable Development

LG2 The Location of Growth

GD1 General Development

GS1 Green Space

H1 The Number of New Homes to be Built

H2 The Distribution of New Homes

H5 Residential Development on Large Non-allocated sites

H6 Housing Mix and Efficient Use of Land

H7 Affordable Housing

T3 New Development and Sustainable Travel

T4 New development and Transport Safety

D1 High Quality Design and Place Making

Poll1 Pollution Control and Protection

BIO1 Biodiversity and Geodiversity

CC1 Climate Change

CC2 Sustainable Design and Construction

CC4 Sustainable Drainage System (SuDS)

RE1 Low Carbon and Renewable Energy

I1 Infrastructure and Planning Obligations

Adopted Supplementary Planning Documents relevant to this application:

- Trees and hedgerows
- Biodiversity and Geodiversity
- Sustainable Construction and Climate Change Adaptation
- Design of Housing Development
- Parking
- Sustainable Travel

- Financial Contributions to schools
- Open Space Provision on New Housing Developments

Other

South Yorkshire Residential Design Guide
New Strategic Housing Market Assessment

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. NPPF policy of relevance to this application includes:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 61 - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay

Para 73 - Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership

Paras 78-81 - reiterates the importance of a deliverable supply of homes to meet the needs of the district.

Para 96 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places

Para 116 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 131 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 136 - trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

Para 139 - 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Relevant Consultations:

Highways DC – No objections subject to conditions

Pollution control – No objections subject to a condition requiring the development in accordance with the updated NIA.

Ward Councillors – No comments

Representations

Neighbour notification letters were sent to 213 surrounding properties, a site notice was placed nearby and a press notice placed in a local newspaper.

4no. representations were received (2 no. from the same address) The representations raised the following material planning issues:

- Height, position and style of fencing
- Lack of information on the road layout
- Traffic Issues
- Dust/noise during construction
- Drainage, particularly the water levels in the attenuation basin

The representations also raised the following non-material planning issues;

- Internet problems
- Power cuts since work commenced

Assessment

The main issues for consideration of this s73 application are as follows:

- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards
- The impact on the existing trees
- Financial contributions

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of development

The site is located within the Hoyland Principal Town Area and also on the edge of Wombwell. The significance of the site being located in the Hoyland Principal Town area is that is a priority

location to accommodate growth and new residential development in spatial and sustainable development terms making it compliant with policies LG2 and H2.

In accordance with Local Plan Policy H1 'The Number of New Homes to be Built' and H2 'The Distribution of New Homes', the site is allocated for Housing under site HS69 'Land north of Wood Walk'. The development largely adheres to the site specific policy in that it retains the broadleaf plantation to the East and dense scrub to the West, it retains the Ash tree to the centre of the site and has assessed and retained hedgerows where possible.

In any case, the principle of 83no. dwellings on this site has been established through the approval of applications 2021/150 and 2023/0988. This report will focus on the proposed amendments to the layout and house types, through the variation of conditions 2 and 17 under the headings below;

Residential Amenity

The site is bound by Dearne Valley Parkway to the North, Wood Walk to the South, Wombwell Wood roundabout to the East and a recreation ground to the North-west, as such, only the South-Western boundary adjoins existing residential properties.

That area of the site remains very similar to that previously approved with only very minor alterations. The attenuation basin and green space remain in that area with relatively low density housing adjoining the existing residential properties, as such, residential amenity for existing residents would reflect that previously approved and accord with Local Plan Policy GD1.

As with the previous approvals, the site layout has been designed with regards to the required separation distances set out in SPD 'Design of Housing Development' in that principal elevations are at least 21m apart (with the exception of across road ways where 12-19m is acceptable), principal elevations to side elevations are 12m apart and rear elevations have at least 10m separation to rear boundaries. As such, the residential amenity of future occupants in terms of outlook, privacy and levels of light would be acceptable and accord with Local Plan Policy GD1 and SPD 'Design of Housing Development'.

The proposed 2-bedroom dwellings have access to private amenity space of at least 50m² and the 3- and 4-bedroom units have at least 60m², in accordance with the SPD. The 1-bedroom units approved as part of the previous application have been omitted from this scheme.

Internally, the house types proposed generally meet or exceed the internal spacing requirements of the South Yorkshire Residential Design Guide and all the habitable rooms have access to adequate natural light and an acceptable outlook.

As with the previous scheme, the dwellings backing onto the North-Eastern and Northern boundaries would have an acoustic barrier as their rear boundary. However, the fence would be viewed against the existing mature landscape barrier beyond the site boundary. The boundary treatments would also be orientated to the North of the properties, as such, they would not significantly overshadow garden areas or be overbearing features.

Visual amenity

As outlined above, the road layout remains as previously approved and the Public Open Spaces are in the same positions and offer the same functions. The general overall layout is as previously approved, but the substitution of house types has resulted in slight variations in footprints which has resulted in relatively minor repositioning and changes to parking and

garaging. However, the overall appearance of the development is not significantly different to that approved and the proposed house types are appropriate for the site and its surrounding in terms of design, scale and materials. As such, visual amenity would be maintained, in accordance with Local Plan Policy D1.

When viewed from Wombwell Wood Roundabout the development would not be highly prominent due to the existing landscaping outside of the redline boundary as well as the retained wooded area and proposed public open space to the East of the site within the red line boundary. Similar can be said regarding views from Dearne Valley Parkway given the mature landscaped banking outside of the redline boundary and the proposed landscape bund and fencing within the boundary.

As with the previously approved development, the existing mature landscaping outside of the site boundary, as well as the retained hedges, trees and landscaping within the site, in addition to the proposed landscaping scheme and public open spaces, would aid to soften the development within its edge of settlement surroundings. The existing site, especially centrally, is particularly devoid of character and features, but the assets the site does have, in terms of trees, hedges and landscaping are largely retained.

Each property has a buffer garden to the front, and the parking solutions are varied across the streetscene, with some front of dwelling parking, some side of dwelling parking and a number of garages. The parking solutions are also separated by soft landscaping which avoids a continuous run of hard landscaping and vehicles, as such, the development would not be car dominated.

Each property has pedestrian access to the rear amenity space which allows bins and recycling containers to be stored away from principal elevations and public vantage points. Bin collection areas are also proposed adjacent to private drives to avoid them being visually untidy and obstructive on bin collection days.

As with the previous approval, the submitted site layout plan sets out the proposed boundary treatments for the development. There are timber acoustic fences to the North West and North of the site with close boarded fencing predominantly to the rear of the dwellings. In more prominent areas feature fencing is proposed and more open areas and areas of public open space would have timber knee rails. It is noted that concerns have been raised by a resident regarding the boundary treatments, particularly around the attenuation basin, however, they remain similar to those previously approved and are considered appropriate for the development and would provide good levels of visual and residential amenity, in accordance with Local Plan Policy D1.

As set out in the National Planning Policy Framework, the Government attaches great importance to the design and quality of the built environment, stating that 'it is important to plan positively for the achievement of high quality and inclusive design for all development'. Given the comments set out above, it is considered that the development is of a high-quality design and takes advantage of the features of the site and surrounding area, in accordance with the NPPF and Local Plan Policy D1. This weighs significantly in favour of the development.

Highway Safety

As with the previously approved development, the proposed development would utilise 1no. access point off Wood Walk.

Within the site there is a main spine road with smaller shared surfaces and private drives off. The private drives serve no more than 5 dwellings in accordance with the South Yorkshire Residential Design Guide.

Each 2-bedroom property has access to at least 1no. dedicated parking space and each 3- and 4-bedroom property has access to at least 2no. dedicated parking spaces, in accordance with SPD 'Parking'.

Highways initially requested amendments in terms of the bin collection points for plots 5 to 7 and the positioning of plot 1 given its proximity to the main site access. Both these points have since been addressed by the applicants and, as such, Highways DM have raised no objections to the amendments to the approved scheme. This weighs significantly in favour of the development.

It is noted that objections have been received regarding potential traffic issues during construction and also following occupation of the site as well as a lack of information on the road layout, however, the access and road layout remains as previously approved and conditions remain regarding the construction phase.

Condition 11 from the previous application requiring highways engineering drawings to be submitted and approved pre-commencement will be carried over to this permission, along with all the other highways conditions previously requested.

Noise

The applicants are applying to amend condition 17 of application 2023/0988 which states;

The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the Noise Impact Assessment carried out by Environmental Noise Solutions Limited, dated August 2025, Ref NIA-11210-25- Planning Statement Land North of Wood Walk, Platts Common Page 10 12495-v1, unless otherwise agreed in writing. The development shall be constructed in accordance with the approved details which shall be retained thereafter for the lifetime of the development.

The reason for this is that the NIA has been updated as a result of the layout changes. The conclusion of the revised NIA remains largely in line with the previous report in that the residential development can be accommodated subject to mitigation measures through a scheme of sound insulation works, including an acoustic barrier. As such, condition 17 will simply be amended to substitute the previous NIA and its associated mitigation measures with the current NIA and mitigation measures.

Residents have raised concerns regarding noise and dust during the construction phase, however, construction impacts are only temporary and this s73 application would not differ from the previous approvals and would be subject to the same conditions.

The amenity of the future residents of the scheme would be to a reasonable degree, in accordance with Local Plan Policy GD1 and this weighs significantly in favour of the development.

Drainage

The site is located within Flood Zone 1 which is defined in the Planning Practice Guidance as a low-risk area, which comprises land assessed as having less than 1 in 1,000 annual probability of river or sea flooding (0.1%). Planning Practice Guidance states that all uses of land are appropriate in Flood Zone 1.

The previous application was accompanied by a Flood Risk Assessment which concluded 'sources of flooding have been assessed and the risk of flooding from these sources is considered to be low and/or manageable with mitigation'. This application will be condition to accord with that FRA.

A neighbour has raised concerns regarding the clay soil and the level of water in the area of the attenuation basin. The applicant has been in contact with the Drainage Authority and Asset Management to pump into a neighbouring drain in Silkstone View the short term.

Trees

No change from the previous approval.

Ecology

No change from the previous approval

Affordable Housing

As with the previous approval, the current proposal contains 8no. affordable units which equates to 10% of the development and accords with Local Plan Policy H7. The units are also located within the same positions within the layout.

Application 2023/0988 had a mix of 1, 2 and 3 bed affordable units whereas the current proposal is for all 2-bedroom units which does not provide the same mix or choice and is partially contrary to SPD 'Affordable Housing'. However, the previously approved 2021/1150 application was also for all 2-bedroom units. The units have a 75:25 rented/shared ownership split which is contrary to the 60:40 split set out in the SPD.

However, as set out above, the housing mix has been amended to allow the scheme to be viable while still providing all the required contributions. If the mix was amended it could result in a viability assessment where affordable housing would be the first element to be reduced, as policy H7 allows for reductions where it can be demonstrated the required figure/mix would render the scheme unviable. As such, on balance, given the planning history of the site a refusal could not be sustained in this instance. This weighs moderately against the development.

Accessibility

22% of the proposed dwellings comply with M4 (2) standards and 4% comply with M4 (3) standards for accessible and adaptable homes. This falls marginally short of the 26% M4(2) and 6% M4(3)(2)(b) set out in SPD 'Design of Housing Development' SPD, however, on balance, it would not warrant a refusal or further amendment in this case. This weighs moderately against the application.

Any Other Material Planning Considerations

In support of the application a Housing Mix Report has been submitted to justify the change in housing mix compared with the previously approved scheme. The proposed development maintains the 83 dwellings previously approved and supports 12no. different house types. This meets the requirements of Local Plan policy H6 in that an acceptable housing mix is provided. The proposed mix is set out below;

Table 1.1 Proposed Mix

Bed numbers	Market	Affordable	Total	% overall
2 bedroom flat/maisonette	0	6	6	7%
2 bedroom semi-detached	0	2	2	2%
3 bedroom semi-detached	42	0	42	51%
3 bedroom detached	8	0	8	10%
4 bedroom detached	25	0	25	30%
Total	75	8	83	100%

The proposed development broadly follows the trends identified within the Strategic Market Housing Assessment in that the area where 3 bedroom properties make up the majority of the need. However, the development also provides smaller properties for people starting on the property ladder while also allowing for downsizing. There is also the opportunity for upsizing to the larger 4 bedroom properties. The applicants have also stated the additional larger properties compared to the previous approval, are needed to make the development viable whilst still providing all the contributions required.

Planning Obligations

Paragraph 55 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 57 states that planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

These are the statutory tests as set out in the Community Infrastructure Levy Regulations 2010.

The Section 106 package associated with 2023/0988 comprised of:-

- £288,000 towards primary school provision;
- £208,000 towards secondary school provision;
- £60,450 towards sustainable travel;
- 10% affordable housing (8 units on-site); and
- £129,311.21 towards public open space.

The Sustainable Travel provisions would remain unchanged and, despite the omission of the 1 bed units, the Primary and Secondary Education contributions would remain the same. As outlined above, the 10% affordable housing would remain the same, however, the mix and the split has been amended.

Given the mix of housing has been amended and bedroom numbers have changed, this has had an impact on Public Open Space contributions as set out below;

Public Open Space

In line with SPD 'Open Space Provision on New Housing Developments' a minimum of 15% of the gross site area of new housing development (of 20 or more dwellings) must be open space of a type appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses.

In this case the applicants are proposing at least 15% on site public open space, including an area to the West adjacent to the attenuation basin, a central area to the South of the site and an area to the East of the site, including new tree planting and areas to both sides of the existing broadleaf plantation which is to be retained. The plantation is not included in the 15% as it is considered a non-developable area given its retention forms part of policy HS69.

Although 15% of the site would be public open space, as with the previous application, the applicants are only proposing informal play space and informal landscaped areas. As part of the provision on a site of this size Equipped Children's Play Areas and Formal Recreation areas are required. As such, given these are not provided on site an off site contribution is required inline with the figures set out in Appendix 2 of the SPD. A combination of on site and off site provision is commonplace and the SPD states '*on sites of over 40 houses, depending on individual circumstances, a combination of on and off site provision is a likely outcome, with informal open space being provided on site, and a financial contribution to enhance existing formal recreation facilities and equipped children's play facilities off site*'.

In accordance with appendix 2, the off site contribution in this instance is £136,809.61 compared to the previously approved figure of £129,311.21. The change is due to differing house types and bedroom numbers compared to the previous scheme. The contribution will be subject to a s106 agreement/deed of variation.

Total contributions

- £288,000 towards primary school provision;
- £208,000 towards secondary school provision;
- £60,450 towards sustainable travel;
- 10% affordable housing (8 units on-site); and
- £136,809.61 towards public open space.

Total: £693,259.61

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2023) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site suitable for residential development in the Local Plan and this weighs considerably in favour of the application. Furthermore, the principal of an 83 dwelling residential development on the site has been set through 2no. previous approvals. In addition, the amendments to application 2023/0988 have shown that a suitable layout can be achieved that would be reflective of the character of the area and safeguard neighbouring properties through appropriate separation distances and this weighs significantly in favour of the application.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal subject to conditions or S106 contributions and holistically this weighs moderately in favour of the application.

Limited weight in favour of the application has been afforded to the potential economic benefits generated by the proposal.

The noise and smells associated with equipment used during the construction of the site can be mitigated and controlled by condition and the short term noise and disturbance associated with implementing the planning permission is considered to carry limited weight against the proposal.

Having balanced all material planning considerations, whilst a number of objections have been received in respect to the proposal they have been suitably addressed through the information supplied and further amendments to the scheme. As a consequence, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations.

The proposal is therefore, on balance, recommended for approval subject to a Deed of Variation of the signed S106 Agreement.

RECCOMENDATION

Approve subject to conditions and Deed of Variation