



TOWN PLANNING

PLANNING APPLICATION FOR SIX HOUSES AT THE OLD QUARRY, COMMON ROAD, BRIERLEY



PLANNING STATEMENT

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OLIGRA Town Planning

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SUMMARY

- The applicant is seeking planning consent to develop six houses at the old quarry on Common Road, Brierley.
- The local planning authority will support low-density residential development at the quarry, which is blighted by the fly-tipping of commercial and domestic refuse and other anti-social activity including arson. 127 tyres were removed from the quarry last year. Tyres are a fire hazard and are known to be the favoured habitat of disease carrying vermin. Today more tyres have been tipped there.
- The quarry is previously developed land populated by self-seeded apple and pear trees which are part of a blanket TPO running the length of the northern side of Common Road. The entire blanket TPO is also designated Urban Green Space. All except the quarry has been residentially developed.
- Common Road is located in the Brierley Conservation Area, where around seventy new houses have been approved in recent years.

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SECTION 1 INTRODUCTION

- 1.1 My name is David Taylor. I hold a BA Honours Degree in Town Planning and a Diploma in Management Studies. I am a Chartered Town Planner and a Chartered Member of the Institute of Management. I operate as OLIGRA Town Planning.

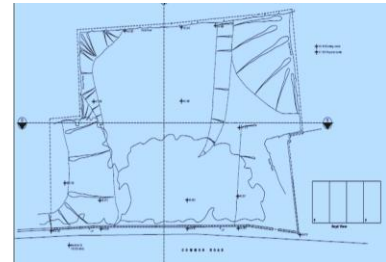
Report Structure

- 1.2 The report is set out in six sections. At Section 2 we describe the subject site and surroundings and any planning designations. At Section 3 we describe the proposed development and at Section 4 we set out the statutory development plan. Section 5 sets out a range of material considerations including evidence of anti-social behaviour, supplementary and national planning guidance and a description of other residential development within Brierley Conservation Area and along Common Road. At Section 6 we offer general conclusions. This report is accompanied by a separate volume of appendices.
- 1.3 Where quotes have been used, they can be verified from earlier, documented correspondence. Photographs and technical drawings have been photo-reduced and their dimensions adjusted for illustrative purposes. Some visual distortion may have occurred.

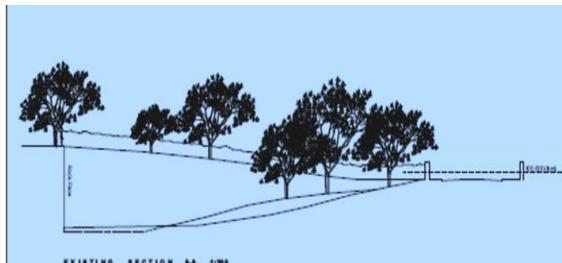
SECTION 2 SITE AND SURROUNDINGS

The old quarry, Common Road, Brierley

- 2.1 Brierley is situated in the eastern part of Barnsley Borough and is centrally located approximately seven miles between Barnsley, Doncaster, Pontefract and Wakefield.
- 2.2 The quarry is located on the northern side of Common Road, which links to Grimethorpe to the south. The quarry is 0.23 hectares in area and is shown edged red (below left). It is located beyond the four terraced houses seen on Common Road and shown on the drawing below right. Note the extensive spread of domestic garden waste fly-tipped into the site at the north-east corner.



- 2.3 The quarry workings have resulted in two distinct levels to the site. The quarry face is approximately fifteen metres high. The self-seeded apple and pear trees are shown on the following cross section looking to the east with the quarry face on the left hand side.



- 2.4 The site is unkempt, overgrown and degraded and is the focus for commercial and domestic fly-tipping and anti-social behaviour including arson: "the

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controlled waste consisting of bathroom fittings, domestic appliances, tyres, car parts and building waste continues to be tipped at the old quarry"
(Barnsley MBC Regulatory Services letter 28th October 2010)

FLY-TIPPING

- 2.5 127 tyres were collected from the quarry in November 2010. Tyres are notorious for being the favoured habitat for rats. More tyres have accumulated on the quarry during 2011, increasing the risk of contagious disease spread by vermin.



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ANTI-SOCIAL BEHAVIOUR, ARSON AND VANDALISM

- 2.6 South Yorkshire Fire Brigade has recorded 15 fire incidents at the site over the last two years. Some of these involved the burning of tyres.
- 2.7 South Yorkshire Police Incident Number 1050 concerns young people using the quarry to imbibe drink and drugs out of public view. They are known to use a brick built recess that extends into the bedrock on the eastern boundary which was probably used as a safe-store for explosives and quarrying equipment.



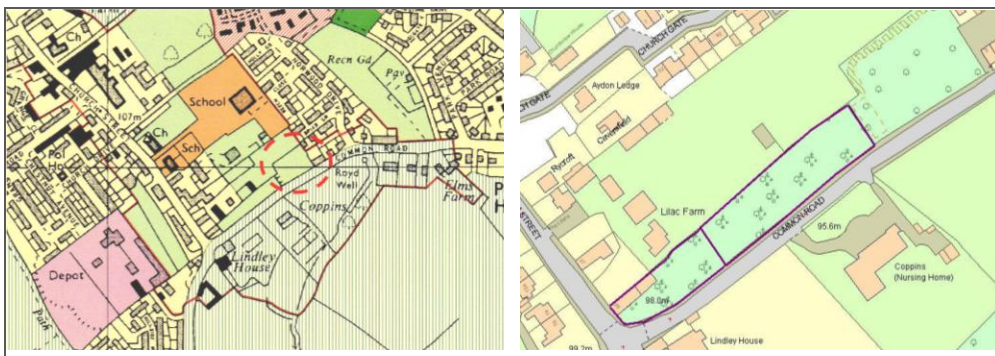
- 2.8 The security fence erected by the applicant has been flattened by people seeking to enter the quarry. (Safer Neighbourhood Team - Criminal Recording Bureau Reference number B-114 955-2010)



The old quarry, Common Road, Brierley

PLANNING DESIGNATIONS

- 2.9 Central Brierley is a Conservation Area. Its southern part is shown edged red below left. The quarry is shown by the red dotted circle. Local Plan Policy GS34 Urban Greenspace runs the length of the northern side of Common Road (below right). The areas edged purple have been developed for residential use. The land north of Common Road is subject to blanket TPO but only the quarry has fruit trees. Fruit trees are not normally the subject of TPOs.



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SECTION 3 THE PROPOSED DEVELOPMENT

PLANNING HISTORY

Planning Applications 2010/1997 and 2011/0337

- 3.1 Planning Application 2010/1997 proposing six houses at the old quarry was withdrawn after a meeting with Alexandra Cotton (Planning Officer) Tony Wiles, (Conservation Officer) and Ed Jowett (Tree Officer). A revised scheme taking into account their recommendations was resubmitted under Planning Application 2011/0337 and refused under Delegated Powers in May 2011. The Parish Council had not objected.

PRINCIPAL OF THE DEVELOPMENT

- 3.2 Alexandra Cotton (Planning Officer) and Tony Wiles (Conservation Officer) had both opined that residential development was appropriate at the old quarry: *"I can see some merit in developing the site as it is fly-tipped and the trees are unmanaged. For the development of your site to be supported I suspect that only a very low density high quality development would be acceptable."* (Alex Cotton) [abridged]
- 3.3 Low density development at the quarry would result in parts of the quarry remaining a focus for the littering, fly-tipping and arson that causes demonstrable harm to amenity. People would not want to buy properties with anti-social activities on their doorstep.

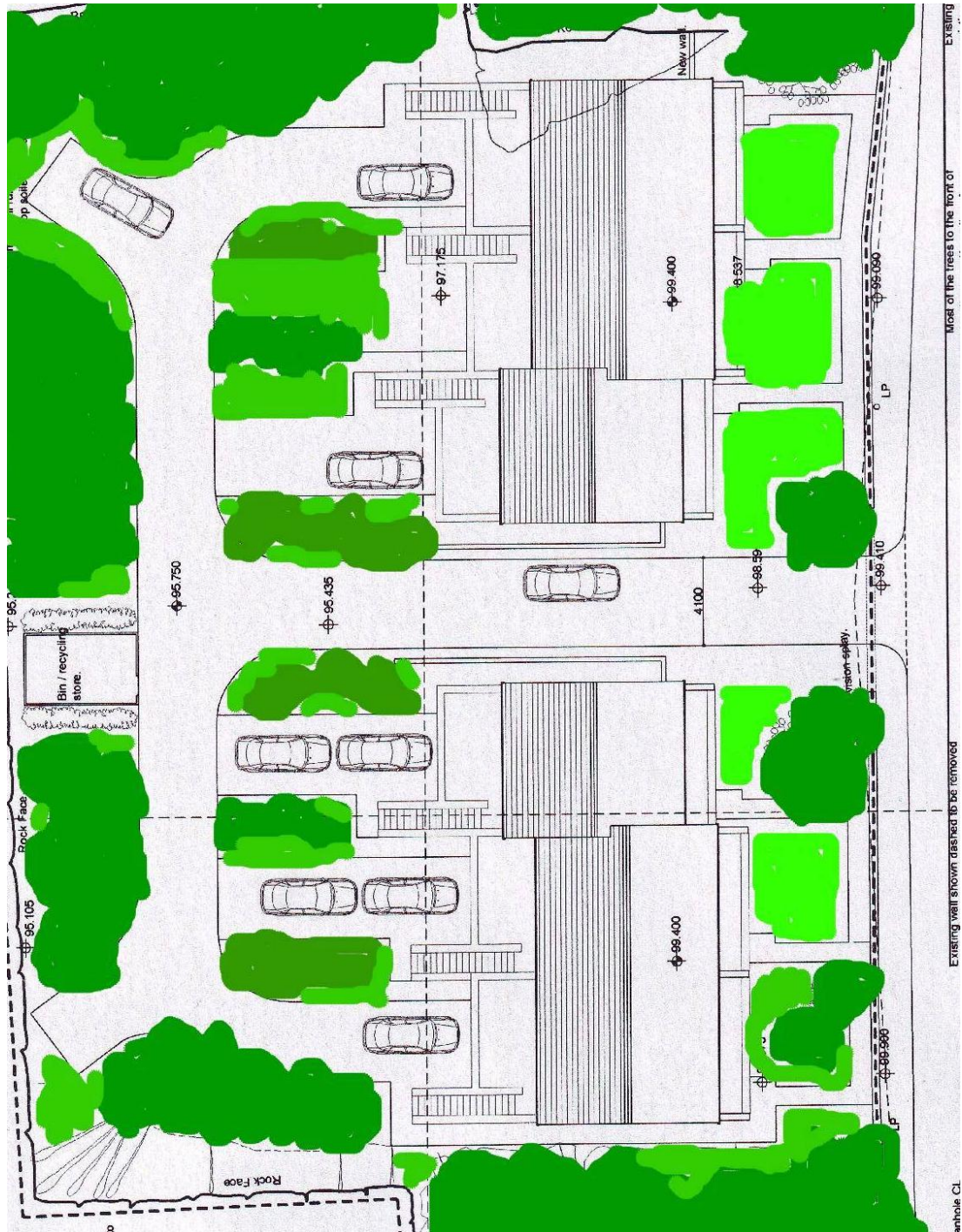
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- 3.4 To prevent this, we have devised a scheme for six houses in two blocks of three at a density equivalent to 24 houses per hectare or only 80% of a typical housing scheme. This allows much scope for onsite tree planting with native species to enhance the Conservation Area. The houses are configured to respect the building line established by the four terraced houses to the east.



- 3.5 We show the site in close up overleaf.

The old quarry, Common Road, Brierley



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3.6 We show the front and rear elevations below

Front Elevation - Common Road (with solar panels in roof)



Rear Elevation - Quarry



The old quarry, Common Road, Brierley

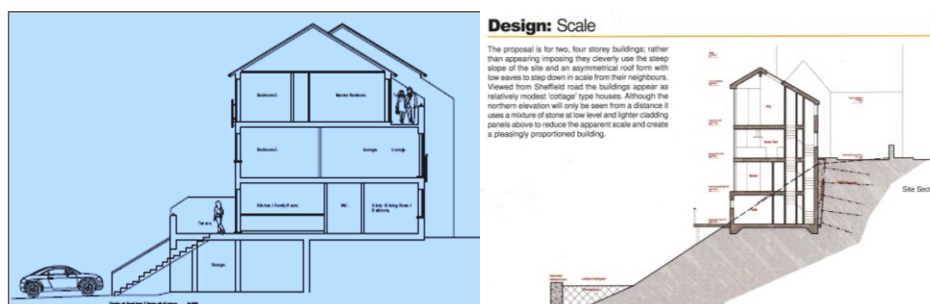
TARGET MARKET

- 3.7 Brierley is located seven miles equidistant between the Wakefield, Doncaster, and Barnsley employment markets. The target market is the young professional, as housing to attract them is limited in Barnsley Borough. In the year 2008/09 there was a 29% fall in the number of new dwellings built in Barnsley, whilst the five year supply for the period 2009-2014 shows unimplemented planning permissions for 6,208 dwellings.

DENSITY, SITING AND MASSING: Supplementary Planning Guidance -

PAN 2: The Design and Layout of New Housing

- 3.8 PAN 2 requires development to take advantage of a site's shape and topography. Development in villages such as Brierley should *"take account of the street context rather than the character of the village as a whole"* (Page 15). The proposed layout makes the best use of the quarry shape and topography and respects the street context at this section of Common Road. It compares favourably with the detached houses approved in Penistone under Planning Permission 2010/0321 below right.



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- 3.9 Density equates to 24 houses per hectare or only 80% of a typical housing scheme. The scale and massing make reference to the more traditional Brierley buildings.

Brierley Post Office Lindley House, Common Road



Brierley Manor House Lindley House today

DESIGN

- 3.10 The design incorporates traditional elements such as small timber framed windows and doors, sandstone walls, sandstone flagged roofs, and edges of boundaries defined by sandstone walls and toppers.

LANDSCAPING AND COMMUNAL AMENITY SPACE

- 3.11 Front gardens are provided to enhance the appearance of the housing. Private terraced patios to the rear provide a desirable lifestyle feature against the backdrop of the quarry, which will remain a tranquil private communal space to be enjoyed by all residents. To the front are southward views over rolling countryside towards Grimethorpe.



The old quarry, Common Road, Brierley

ACCESS

- 3.12 The quarry has an existing access onto Common Road. We propose to relocate it more centrally. In this way, the length of the stone wall will remain the same and so preserve the amenity value offered to the Conservation Area. Sight lines are adequate in each direction.



- 3.13 We are mindful that the local authority has recently approved a detached house on high ground next door to the quarry. It is served by a new access on to Common Road that cuts through the stone wall. The new access was *“not considered to be a significant issue as it was necessary to facilitate the redevelopment of the site.”* (Alexandra Cotton)



The old quarry, Common Road, Brierley

TREE SURVEY

- 3.14 The quarry trees have been surveyed by JCA Ltd. Their report is provided under separate cover. The quarry is populated with poor quality self-seeded apple and pear trees which serve to obscure from public view the people who are fly-tipping or committing other anti-social acts.
- 3.15 The survey has established that no trees must be retained. There are three Category B fruit trees whose retention *is desired*. The old fruit trees would be replaced by native species that would mature to give lasting enhancement to this part of the Conservation Area. We will provide this information on a tree planting scheme to be approved by the planning authority.

TREES ON THE QUARRY TOP

- 3.16 The trees on the quarry top enhance the communal amenity space. They are outside the planning application area and are not owned by the applicant. We do not know who owns them but we do know they stand adjacent to the recreational space included in the approved forty houses at Lilac Farm. Our tree survey states they are in a perfectly acceptable condition but we would suggest they are checked by the owners on a regular basis in the future. We are not sure whether they are covered by a blanket TPO or individual TPOs, but it is not unusual for such trees to be removed or replaced when required.

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HOUSEHOLD WASTE, SURFACE AND FOUL WATER

- 3.17 Surface water would naturally soak away in the lower quarry. Soakaways and porous surface materials would enhance this. A main drain runs down the length of Common Road for foul water disposal. An area for refuse bins would be provided.

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SECTION 4 STATUTORY DEVELOPMENT PLAN

BARNSELY UNITARY DEVELOPMENT PLAN (2000)

- 4.1 The proposed houses satisfy all the criteria set out in the Housing Strategy:
- They provide a site to meet the demand from the housing market;
 - They are located near to employment opportunities, transport routes, local services and facilities;
 - They are well related to existing houses;
 - They increase the attractiveness of Barnsley as a place to live; and they improve the housing stock to assist economic regeneration.
- 4.2 The houses would meet the demand from the housing market for contemporary housing set in a unique setting in a desirable rural settlement in the Barnsley hinterland; they would be located in a sustainable location near to employment opportunities, transport routes, local services and facilities; they would increase the attractiveness of Barnsley borough as a place to live; and they would improve the housing stock to assist economic regeneration
- 4.3 **Policy GS2: Derelict & Degraded Land** prioritises new development, including housing, on degraded and under-used land.
- 4.4 **Policy GS34: Urban Greenspace**
- Proposed development of urban greenspace will be assessed for their effect on the present and potential formal and informal function of the area as a facility for recreation; an area of amenity value; an area of nature conservation value; and as a link between adjacent areas. Where material considerations such as flytipping, arson and anti-social behaviour indicate approval, the reduction in

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urban greenspace may be offset by compensatory improvements outside the development site.

- 4.5 The local authority has stated that the old quarry serves no function as a facility for recreation or as a link between urban areas. They think it *may* have merit as an area with amenity or conservation value; we cannot agree. The site is a magnet for fly-tipping and is litter strewn with domestic and commercial waste and detracts from the Conservation Area. The site links only to the private grounds of the approved detached house next door.
- 4.6 **Policies BE1 & BE1A Conservation Areas:** Development of the highest quality of design and materials will be approved only if it enhances or preserves the character or appearance of a conservation area.
- 4.7 The proposed houses seek to exceed the benchmark set by recently approved housing in the near vicinity which are designed with no reference to the traditional styles and which fail Policy BE1A's requirement for development of "the highest quality of design and materials" to enhance or preserve the character or appearance of the conservation area.

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- 4.8 Proposed development will be assessed in terms the quality of layout, and suitability of scale of the development; the detailed design and facing materials; the quality and design of open space within the site; and the development's relationship with adjoining land uses.
- 4.9 The layout of the proposed houses at the front of the quarry respects the existing streetscene. Positioning the houses to the front also promotes private amenity space, with the open land in the lower quarry being retained for landscaped communal parking and to provide a secluded backdrop.

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SECTION 5

MATERIAL CONSIDERATIONS

- 5.1 Material Considerations may outweigh local plan policy: *“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 made in accordance with the plan unless material considerations indicate otherwise.”* (Section 38 (6) of the Planning & Compulsory Purchase Act 2004). The following are material considerations to indicate approval:

- Anti-social and criminal behaviour
- Annual Monitoring Report 2008-09
- Emerging Policy Barnsley Core Strategy
- National Planning Policy Framework
- Precedent - Residential Development on Common Road
- Precedent - Residential Development in Brierley Conservation Area

ANTI-SOCIAL AND CRIMINAL BEHAVIOUR

- 5.2 Fly- tipping, the dumping of vehicle tyres, arson and criminal behaviour have a significant adverse effect on the amenity function of the quarry and detract from the amenity of the Conservation Area. The proposed housing would remove these activities to enhance the Conservation Area. Neighbourhood consultation indicates this is preferred and Brierley Parish Council raised no objections to the earlier planning application that was refused by the planners under delegated powers.

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ANNUAL MONITORING REPORT (2008-2009)

- 5.3 There was a 29% fall in the number of new dwelling built in Barnsley, with 6,208 approved houses not having been built. At the same time the proportion of houses built in small settlements, such as Brierley, rose from 13.2% in 2002/03 to 29.4% in 2008/09. We believe this shows that locations like Brierley are bucking the borough downward trend.

EMERGING POLICY: BARNSELEY CORE STRATEGY

- 5.4 **CSP 30 Historic Environment** seeks to protect or improve the character and appearance of a Conservation Area. By removing the overgrown fly-tipped site with its anti-social activities we will improve the character and appearance of the conservation area.
- 5.5 **CSP 35 Green Space** seeks to protect land close to towns and villages that could be used by people for recreation, or by wildlife. Such land can be developed where an assessment shows there is other land in the area to meet the green space needs of the borough. This must be the case at Brierley as the planning authority has approved the new house next door to the quarry.

NATIONAL PLANNING POLICY FRAMEWORK

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- 5.6 The National Planning Framework was adopted on March 28th 2012. It has to be implemented in emerging Development Plans and is a material consideration that can be applied directly by the decision-maker when determining whether development should proceed.
- 5.7 Prior to setting out its guidance we first offer a brief overview of four Planning Policy Statements it has replaced and which had had a bearing on the proposed development. These are no longer material considerations but offer a perspective on the evolution of national policy.
- **PPS1 (Delivering Sustainable Development)** promoted communities like Brierley with good access to jobs and services.
 - **PPS7 Sustainable Rural Development** promoted the re-use of previously developed land, like the old quarry, in or next to existing villages, to create more sustainable patterns of development.
 - **PPS3 Housing** required a responsive supply of land that made efficient and effective use of previously-developed land like the quarry.
 - **PPG15** promoted the positive management of change in Conservation Areas.

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NATIONAL PLANNING POLICY FRAMEWORK - Planning for People

The following paragraphs support the proposed development.

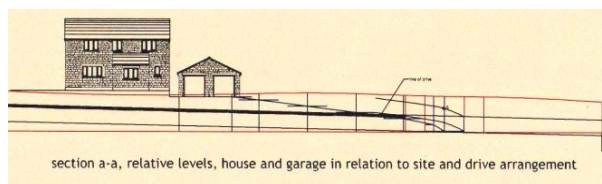
- 5.8 **Paragraph 107** The key housing objective is to increase significantly the delivery of new homes by increasing the supply of housing and delivering a wide choice of high quality homes that people want and need.
- 5.9 **Paragraph 111** Local planning authorities should plan for a mix of housing based demographic trends, market trends and the needs of different groups in the community to deliver a wide choice of quality homes and widen opportunities for home ownership,
- Paragraph 112** Housing in rural areas should not be located in places distant from local services to promote sustainable development.

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RESIDENTIAL DEVELOPMENT ON COMMON ROAD

5.10 PLANNING APPROVAL 2010/0338

Planning approval 2010/0338 for a large detached dwelling with detached double garage is shown below.

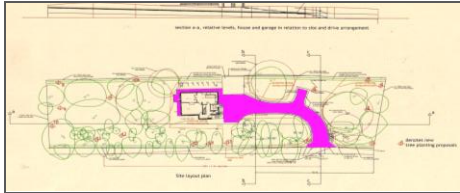


- 5.11 Its location in the same area of Urban Green Space and blanket TPO is shown purple hatched. It has a new access onto Common Road (below centre). Many trees were felled (below right)



- 5.12 The house was allowed because it *“enhances the site’s ability to function as an area of amenity value and as an area of nature conservation value”* (Alexandra Cotton). We show the new access onto Common Road shown in pink.

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5.13 The same area of Urban Green Space has been developed as private garden to the west of the approved house. We show the area purple hatched. It contains a wooden playhouse on stilts and other garden paraphernalia and is visually intrusive.



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RESIDENTIAL DEVELOPMENT WITHIN THE BRIERLEY CONSERVATION AREA

- 5.14 Including the two aforementioned areas of residential development on Common Road, the quarry is surrounded by 68 approved houses in the area shown purple blocked. The quarry is shown edged red.



CHURCHGATE - LAND TO REAR OF 23 CHURCH STREET

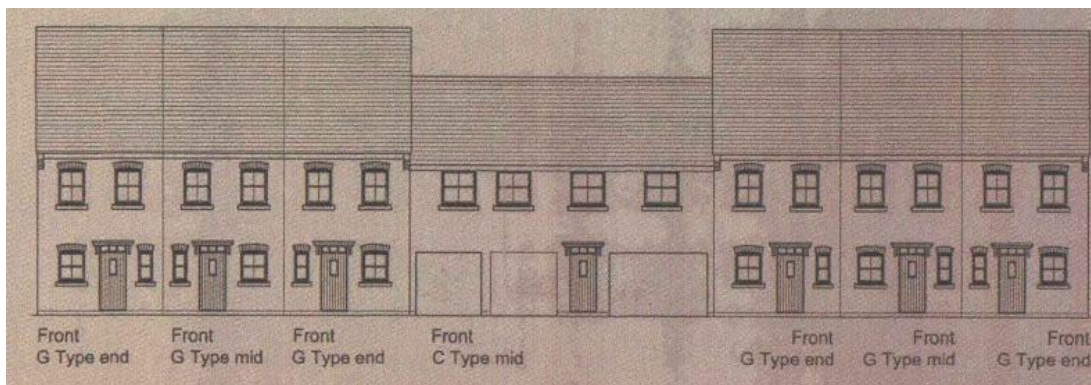
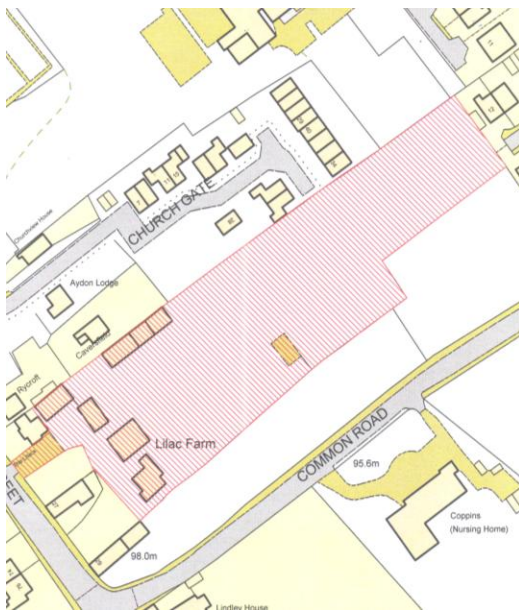
- 5.15 The twenty-seven houses built at 23 Church Street were approved under Planning Permission 2006/1991 and 2006/1998 [CAC].



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LILAC FARM, CHURCH STREET

5.16 Forty houses at Lilac Farm were approved under Planning Permission 2008/0764 and 2008/0971 [CAC]. These will overshadow Common Road along its length and will be highly visible when viewed from the south.



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BRIERLEY HALL, CHURCH STREET

5.15 Planning Applications 2010/0413, 0432 and 0433 propose to erect 29 new build dwellings in the grounds of Brierley Hall.



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SECTION 7 GENERAL CONCLUSIONS

- 7.1 The applicant is seeking planning consent to develop six houses at the old quarry on Common Road, Brierley. It is previously developed land and designated urban greenspace. It is populated by self-seeded apple and pear trees that are subject to a blanket TPO.
- 7.2 The site is a magnet for anti-social behaviour. It is fly-tipped with commercial and domestic refuse and is the focus for acts of arson and other forms of vandalism. The local authority has opined that residential development is appropriate at the quarry.
- 7.3 The six houses would meet the demand from the housing market for contemporary housing set in a unique setting in a desirable rural settlement in the Barnsley hinterland; they would increase the attractiveness of Barnsley borough as a place to live; and they would improve the housing stock to assist economic regeneration.
- 7.4 Their design reflects the traditional building styles and their layout respects the existing building line at this section of Common Road and accords with PAN 2, which says that development in villages such as Brierley should “take account of the street context rather than the character of the village as a whole”
- 7.5 The local planning authority has approved much residential development inside the Conservation Area and has granted residential planning permission for a house on prominent high ground in the same defined urban green space which has necessitated the felling of many TPO trees and the cutting of a new access through the stone wall on Common Road.