

<b>Application reference number</b>	2024/0867
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<b>Application Type</b>	Full
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<b>Proposal Description:</b>	Residential development of 114no. dwellings and associated works
<b>Location:</b>	Former Woolley Colliery Site, Woolley Colliery Road, Darton, Barnsley, S75 5JA

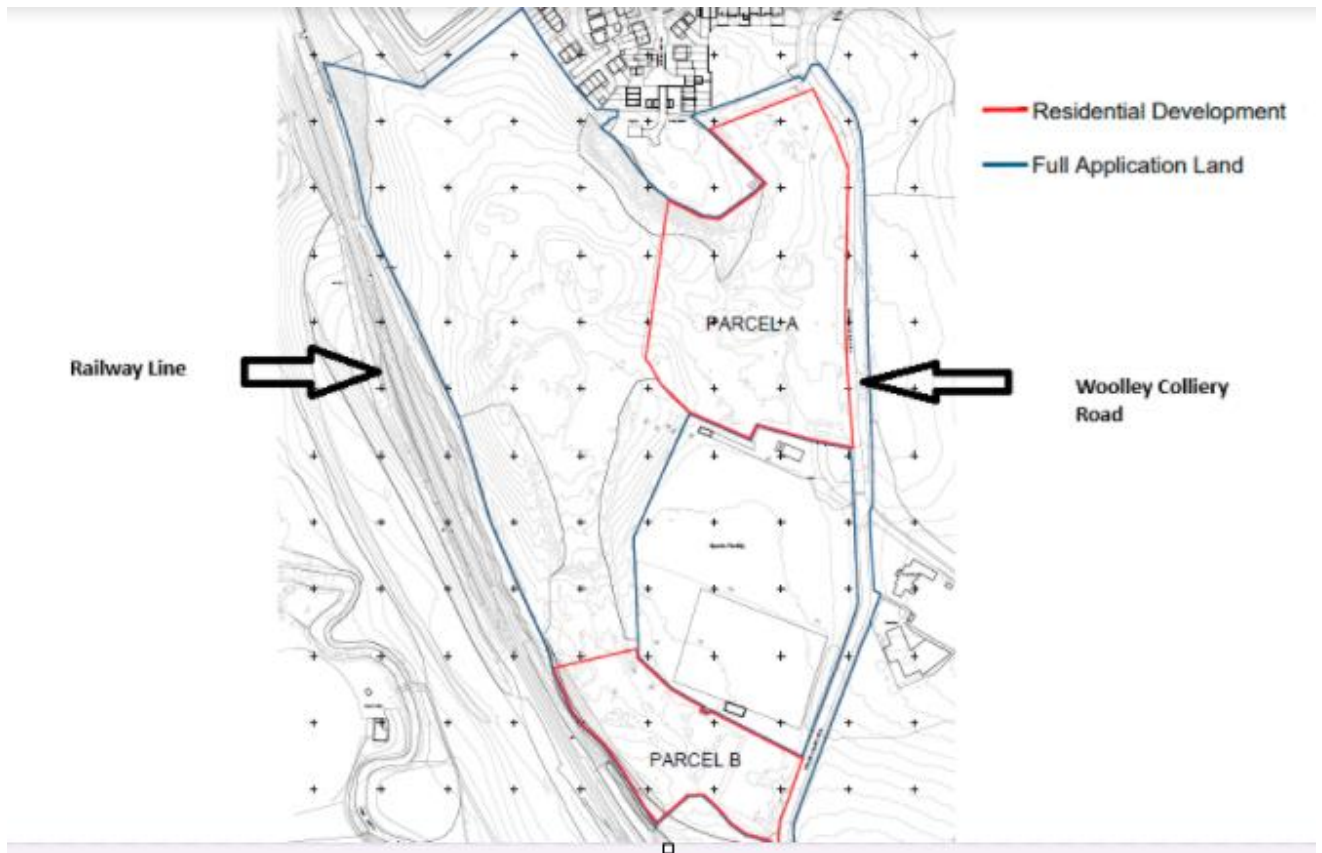
<b>Applicant</b>	Gleeson Regeneration Limited
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<b>Number of Third Party Reps</b>	22 Representations Received to initial consultation	<b>Parish:</b>	
	10 Representations Received to re-consultation of amended plans		
		<b>Ward:</b>	Darton East

**SUMMARY**

The proposal seeks full planning permission for a residential development of 114no. dwellings including associated works. The report demonstrates that any harm generated by the proposal is outweighed by other material planning considerations. The development would not cause an unacceptable level of harm to neighbouring properties, the character of the area, the highway network, trees or biodiversity subject to suitably worded conditions.

Recommendation: **GRANT Planning Permission subject to conditions and signing of S106 agreement**



Location Plan

## Introduction

This application is being presented to the Planning Board in accordance with the Scheme of Delegation as it is a large scale major application and is subject to a S106 legal agreement.

This is a full planning application which proposed the erection of 114 dwellings including associated works. The scheme has been amended during the course of the application including design/internal layout changes and internal and external highway amendments as a result of the consultation responses received.

A total of 32 representations were received from local residents during the two rounds of consultations.

The recommendation to grant planning permission is subject to the signing of a S106 Agreement to secure full policy compliant financial contributions/obligations in relation to the following:-

- a) 23 Affordable Homes of which are 16 Affordable Rent and 7 Affordable First Homes

- b) S106 for offsite Biodiversity Net Gain, monitoring fees of £17,000 and provision of dog fouling bins, educational signage and footpath upgrades.
- c) £672,000 Education Contribution for primary and secondary school places
- d) £85,500 Sustainable Travel Contribution (which includes SYMCA improvements)
- e) £184,625.66 Public Open Space contribution for formal recreation and child and youth facilities

### Site Description

The application sites are allocated for residential development, under Local Plan housing allocation reference HS1 - Former Woolley Colliery, with the indicative number of dwellings being 90 as set within the site specific policy. The development site comprises of approximately 3.9ha of land, split over two parcels of land, located to the west of Woolley Colliery Lane, north west of Darton. The land formed part of Woolley Colliery Mine, with a sewage works, slurry bed and slag heaps shown as located in the area on historic mapping. There remains evidence of this historic use on site with concrete bases visible in places, albeit the site is also largely covered in vegetation. Existing vehicular accesses are also evident.

The north side of the site is 2.8ha, irregular in shape with woodland and residential properties to the north and west, Woolley Colliery Miners Welfare Cricket and Football Ground to the south and Woolley Colliery Open Space to the west. The south side of the site is 1.1ha and lies just to the south of the Welfare Ground with woodland within the Woolley Colliery open space to the north west and in the open space to the south. Woolley Colliery Road is to the east of both parcels, beyond which are open fields, which has been used for grazing and is also allocated for housing in the Local Plan.

To the north east is Woolley Grange, a large housing estate located on the former mine and in the Borough of Wakefield. To the south is Darton, with Mapplewell to the east. The development site is identified on the Environment Agency's Flood Map within Flood Zone 1, which places it within the lowest risk category for flooding.

Part of the north and the south side of the site are located within a Development High Risk Area, where shallow coal mine workings are probable. There are two small areas of deciduous woodlands which border the north and the south side of the site to the west. The site lies within close proximity of a range of local community services and facilities, such as Darton Train Station, within Darton which are easily accessible on foot.

### Relevant Site History

<i>Application Reference</i>	<i>Application description</i>	<i>Status</i>
2022/0619	Outline planning application for the erection of up to 115 houses with all matters reserved except for access	Withdrawn – The application was presented to Planning Committee on 14 February 2023, with the Planning Board agreeing the officer recommendation to approve and providing a resolution to grant planning permission. However the S106 was not completed and the application has since been withdrawn.

2005/2050	Variation of Condition 1 of Planning Permission B/03/1662/DT	Approved
B/04/1783/DT	Development of site for mixed uses (Outline)	Refused
B/03/1662/DT	Reclamation Scheme - former Woolley Colliery No. 2 tip reprofiling	Approved

### Proposed Development

This is a full planning application which proposes the erection of 114 no. dwellings including associated works. The scheme has been amended during the course of the application, as a result of the consultation responses received, including design/internal layout changes and internal and external highway amendments.

The site is split into two, with site A being set to the north of the cricket club. Site A is the larger of the two sites and consists of 72 dwellings, with a SUDS basin set to the north. The site would be accessed via a central estate road, with 4 cul-de-sacs off the main estate road with 6 private shared driveways. Pedestrian access is also shown to the south of the site, to allow access to the publicly accessible land to the west, set within the blue line boundary.

Site B is set to the south of the cricket club and consists of 42 units. The site is accessed again by a single central estate road with a cul-de-sac at the end, and three private shared driveways. A SUDS basin and substation are shown to the north west. Pedestrian access is also shown to the publicly accessible land to the west, set within the blue line boundary.

Across the two sites, the proposal includes 13 different house types of 2 bed, 3 bed and 4 bed properties, with detached and semi-detached, two storey dwellings. Each dwelling has a private garden area with parking spaces (1 space per 1/2 bed and 2 spaces per 3+ beds) created within the plots. The proposal includes 29 visitor parking spaces.

The proposal includes a detailed landscaping scheme with a number of street trees and hedgerows to be planted.

In terms of highway works, the proposals include the provision of a scheme to provide a 3 metre footway along the site frontages and to the north side of Woolley Colliery Road connecting the existing provision. A footway extension is also proposed with a 3m wide shared footway extension along the southern boundary of the HS25 allocated site which would provide a continuous footway link from Darton.

During the course of the application, the following amendments have been made:-

- Space standards compliance added to the layout schedule for each house-type internal arrangement and accessible/adaptable dwellings shown on the layout.
- Amendments to plots to allow for further amenity space/planting.
- Location and tenure of affordable housing indicated on layout.
- Provision of a scheme to provide a 3 metre footway provided to the north side of Woolley Colliery Road connecting the existing provision and a footway extension

proposed with a 3m wide shared footway extension along the southern boundary of the HS25 allocated site.

- A pedestrian link through the public open space in land to the west of development.
- Boundary fence shown between developable area and land to the west.
- Amendment of rear gardens so that all achieve the 10m minimum requirement.
- Amendments to the visitor parking which is achieved by a combination of designated bays and areas for incidental on-street parking. Visitor parking at a ratio of 1:4 of the 114 proposed dwellings is met by the provision of 19no. bays and 10no. indicative on-street locations, totalling 29 opportunities for visitor parking.
- Cycle storage sheds shown on layout for all dwellings without garages.
- Hedgerow specified to entire Woolley Colliery Road frontage.
- Amendment to tree specimens to be planted adjacent to woodland from non native to native specimens.
- Increased tree planting lining streets in both northern and southern parcels (A & B).
- Hedgerow planting throughout the scheme.

## **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

Site HS1 Former Woolley Colliery Indicative number of dwellings 90

Development of the site will not take place until the road layouts are in place for sites HS25 and HS11.

The development will be expected to retain and manage the species-rich grassland and the woodland which forms the north and eastern half of the northern parcel of land.

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:

Affordable Housing

First Homes Technical Note

Biodiversity and Geodiversity

Design of Housing Development

Financial Contributions for Educational Provision

Open Space Provision on New Housing Developments

Parking

Planning Obligations

Section 278 Agreements

Sustainable Construction and Climate Change Adaption

Sustainable Travel

Trees and Hedgerows

Walls and Fences

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 66 - Where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures

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 117 - 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 131 - trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined.

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.

Para 167 - Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).

Para 170 - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where 50

development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Para 187 - Planning policies and decisions should contribute to and enhance the natural and local environment.

Para 195 - The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Para 197 - Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Para 198 - Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

### **Relevant Consultations**

**Biodiversity**- No objections subject to conditions

**Highways DC** – No objection subject to conditions

**SYMCA** – No objection subject to financial contribution towards upgrading of Bus Stops

**Active Travel** - Active Travel England (ATE) has no comment to make

**Affordable Housing** – 20% affordable housing would be required

**Education** – A contribution would be required towards Primary and Secondary School Places

**Drainage** – No objection subject to conditions

**Urban Design** – No objection to amended plans subject to conditions

**Yorkshire Water** – No objection subject to conditions

**Pollution control** – No objection subject to conditions

**Contaminated Land Officer** – No objection subject to condition

**Forestry Officer** – No objections subject to conditions

**Public Rights of Way** – No objection subject to informative

**South Yorkshire Mining Advisory Service** – No objection subject to conditions

**South Yorkshire Police** – Provided comments regarding Secured by Design

**Wakefield MDC** – No comments received

**Waste Management** – No comments received

**Coal Authority** – No objections subject to conditions

**Public Health** – No objections received

**Environment Agency** – No objections raised but comments made in relation to

**Network Rail** – No objections subject to conditions and informatives

**Ward Councillors** –

Cllr Denton has provided the following comments:-

'I wish to register my objection to this application. Notwithstanding the many comments I have received from residents regarding lack of proactive transparency of the consultation process and the impact on the environment and local infrastructure my objections are based on the following considerations.

Within the application there is no reference (that I could ascertain) to the cumulative impact of multiple other developments (approved and pending) in the vicinity. There is no assessment of the impact on local infrastructure and facilities and no plans to mitigate for in inward migration of a significant resident increase. I cannot support this application without have the relevant information on both the impact and mitigation (developer in partnership with BMBC) to ensure that both current and potential future residents are going to be able to access the services that are needed. The one area that is referenced is the 'transport plan'. This document feels very insubstantial and offer little in way of solutions to the increasing problem of access to the M1 through Darton or Haigh. It is wholly reliant on encouraging people to walk, use bikes and use public transport (a method that we know from past experience have very limited success) without offering anything in substance in terms of new networks and services to provide for this. These 'solutions' are also totally inappropriate for a working population that needs motorway access to get to work. An unreliable and infrequent train service does not address this.

Finally, I wish to express my concern that the application contains the bare minimum of affordable housing as is required. It also appears that the 3 bedroom homes that fall into the 'affordable homes' category will be available only for purchase and not for rent. There is a huge shortage of multi bedroom (3+) homes that are available for rent on the market and would ask that the 3 bedroom homes in this application be made accessible to renters.'

Cllr Hunt has provided the following comments:-

'I am fairly positive regarding the development of this brownfield site but would have liked to have seen road/junction improvements in Darton to help accommodate the extra traffic and have concerns over the capacity of Darton Primary School to house the extra children who will live here. S106 contributions should be considered towards improving play equipment in the public park in Woolley Colliery Village and also towards the development of the football and cricket clubs who use the adjoining site on Woolley Colliery Road.'

Cllr Hunt has provided the following updated comments to the re-consultation:-

'I agree with the development of brownfield sites such as this to help provide the housing needed for Barnsley's growing population. Unfortunately, the residents of Darton East Ward are not seeing the infrastructure required to accommodate the number of people and vehicles. Specifically there is no sign of meaningful highway improvements, extra school places or more GP's. This development of 114 houses should therefore be considered in the context of approximately 1,000 houses contained within the Local Plan for Darton East.

I would suggest that a planning condition is put in place for suitable traffic calming measures on Woolley Colliery Road and funded by the developer to improve road safety on this stretch of road where reports are received of vehicle speeding. These measures could include speed humps, speed tables, permanent speed indicator devices or reduced speed limits. The roads within the development should have a 20mph limit and the TRO for this funded by the developer.

S106 monies could provide improvements towards the neighbouring football and cricket club including the clubhouse. This development could also provide S106 funds to upgrade the children's park at Woolley Colliery Village.'

### **Representations**

This application has been advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Environmental Impact Assessment Regulations 2017 as follows:

185 Neighbour notification letters were sent to surrounding properties and site notices were placed nearby.

22 representations were received to the original submitted proposal and 10 representations received to the amended plans consultation. The representations raised the following issues:

- Impact upon ecology – this is a diverse habitat for insects, birds, trees and wildlife. Impact on endangered butterfly species and rare flowers on the site
- Highway safety concerns – potential for accidents
- Traffic surveys are inadequate
- The footpath which extends from Woolley Colliery Road to the Darton station area is unsuitable
- Can the bus stop adjacent to the sports ground be re-instated
- Additional Traffic – Darton is already gridlocked at peak times
- Increased Traffic through Woolley Grange Estate
- Loss of Green Space
- Cumulative impact of the development and others in the area
- Impact on drainage systems and flooding, with additional development and hardstanding
- Pollution, noise and smells from additional traffic
- Bloomhouse Lane is unsuitable for access for traffic and pedestrians
- Impact on infrastructure – roads, schools, doctors and dentist provision
- Parking problems exist when the cricket club has events

- Church Street Junction with Huddersfield Road is already busy and inadequate
- Location of site B is unsuitable and would cause highway safety concerns
- Potential land slips on the railway
- A Masterplan should be produced for Darton, Staincross and Mapplewell
- Design of dwellings
- No bungalows on site
- Price of new builds will be out of reach for local residents
- Could the developers find someone to take on the lease for the shop unit adjacent to Woolley Grange
- Allotments could be provided

Laura – we tend to split them into representations which raised material objections, and those which are not material ie

The following matters were also raised, however these are not material planning considerations and as such are afforded no weight:

- Price of new builds will be out of reach for local residents
- Potential land slips on the railway( this lies outside the site)ay
- Parking problems exist when the cricket club has events
- Could the developers find someone to take on the lease for the shop unit adjacent to Woolley Grange

The proposal cannot address land stability off-site, nor address pre-existing parking issues, house process and shop leases are not material considerations..

The material planning considerations are addressed in the assessment section below

## Assessment

The main issues for consideration are as follows:

- The acceptability of residential development
- Off Site Highway and Pedestrian Safety and the Phasing of Local Plan Housing Allocations HS1, HS11 and HS25
- The impact on the ecology of the site
- Housing Mix
- The impact on the highway network and highways standards
- The impact on neighbouring residential properties and proposed residents
- The impact on the character of the area
- The impact on the existing trees
- Flooding and Drainage issues
- Coal Mining and Contaminated Land
- 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

### The acceptability of residential development

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 Specific Policy HS1 Former Woolley Colliery. The proposed residential development is therefore acceptable in terms of spatial and sustainable development terms, making it compliant with policies LG2 and H2.

The Local Plan site specific policy HS1 states that development of the site will not take place until the road layouts are in place for HS25 and HS11. In addition, the policy requires development to retain and manage the species-rich grassland and the woodland which forms the north and eastern half of the northern parcel of land.

The Presumption in Favour of Sustainable Development remains at the heart of the National Planning Policy Framework (NPPF) and the Local Plan, as set out in Policy SD1. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. This is assessed below. **Weighting?**

### Off Site Highway and Pedestrian Safety and the Phasing of Local Plan Housing Allocations HS1, HS11 and HS25

A previous outline planning application for the site, proposed the erection of up to 115 dwellings (application ref 2022/0619). This application was presented to Planning Committee on 14 February 2023, with a resolution to grant planning permission, however the S106 was not completed, and the application has since been withdrawn.

The application was recommended for approval and justification was put forward in terms of the requirement for phasing of development of the housing sites. Notwithstanding the Local Plan requirement regarding phasing of sites HS11, HS25 and this application site (HS1), it was determined with the previous approval (albeit the application was withdrawn prior to the signing of the S106 Agreement) that there was no justifiable requirement for the HS11 and HS25 sites to be developed prior to HS1, given the pedestrian improvements put forward.

In terms of current highway/pedestrian facilities, there is no continuous designated pedestrian route between the HS1 site and the numerous services and facilities in Darton. The pedestrian route to the south of the site via the off-road path from Woolley Colliery Road to the car park of Darton Railway Station subsequently leads to Station Road at which point there are no designated crossing points to allow pedestrians to safely cross the road to the nearest continuation of footway. The alternative route for pedestrians would be to stay on Woolley Colliery Road but there is a 100m gap in footway provision, so this route does not afford safe passage for pedestrians. The Local Plan therefore requires a new spine road and associated

pedestrian routes through site HS11 and site HS25 to link Woolley Colliery Road with Darton Lane.

To address this concern regarding pedestrian safety, off site enhancements have been explored and the proposals now include the provision of a scheme to provide a 3 metre footway provided to the north side of Woolley Colliery Road connecting the existing provision. A footway extension is also proposed with a 3m wide shared footway extension along the southern boundary of the HS25 allocated site, which would provide a continuous footway link from Darton, to be secured by condition. Allowing this site, HS1, to come forward first has previously been deemed acceptable, as it was deemed that it would not harm the delivery of site HS11 or HS25. The improvements to the pedestrian links along Woolley Colliery Road that can be secured through granting this application would constitute material considerations that justify a departure from the phasing in the Local Plan and therefore the proposal is deemed acceptable having regard to policy T4. **Weighting?**

#### The impact on the ecology of the site

Turning to the requirement to retain and manage the species-rich grassland and the woodland which forms the north and eastern half of the northern parcel of land, and in accordance with paragraph 9.6 of the Local Plan, the indicative yield for the site was set at 90 to allow for this requirement. The proposed 114 houses therefore exceeds the indicative yield in the Local Plan. As with the previous application on the site (for up to 115 units), the proposal would not strictly adhere to the wording of Local Plan Policy HS1 in respect of features expected to be fully retained on site. However, it is considered the strategy to protect and enhance biodiversity within the area of blue line boundary, is a material consideration that justifies a departure from the precise wording of policy HS1. In support of this, detailed Ecological information has been provided in support of the application. A statutory metric, PEA, BNG assessment, condition assessments, bat, invertebrate and reptile survey reports and a Biodiversity Management Plan have been provided to support the application. Extensive mitigation works are proposed which include the following:- Improvements to neutral grassland and management, the management of off site SUDs for invertebrates, Open Mosaic Sward habitat creation and management, mixed shrub management, broad leaved woodland planting, establishment and management, and faunal provision including, Log Piles, invertebrate banks, scrapes, bat and bird boxes, bee boxes and hedgehog highways.

Concerns have been raised in terms of the impact of the proposal upon the small blue butterfly population on the site. In terms of small blue butterfly mitigation, initial translocations were carried out from the red line land to butterfly banks within the blue line boundary in 2023/2024. Further works will be required which will involve the translocation of any remaining Kidney vetch plants. The main butterfly mitigation area, the Open Mosaic Habitat, will be prepared and seeded during the first October to February period following the granting of Planning permission. This has been completed at least 12 months ahead of vegetation clearance works commencing within the two development parcels. Translocation of Kidney Vetch, and any other suitable material, will then take place during the main breeding season prior to vegetation works commencing (i.e. May to August). This will be undertaken by the Ecological Clerk of Works ((ECoW).

In terms of monitoring, the ECoW will work closely with the local butterfly recorder, who will monitor the Mitigation Area, stepping stone and main SUDS habitat to the north. Results of this monitoring will be reported to the local records centre and relayed to the Council's Ecologist. Monitoring will also be used to check the status of other butterfly species, including small heath, dingy skipper and commoner species. It is anticipated that in time, the Blue line land will support a similar, if not greater assemblage of butterfly species, and will eventually meet the criteria for designation as an LWS. Should monitoring indicate that translocation has not been successful, the translocation exercise will be repeated in subsequent years using stock from the main breeding habitat to the north. Again, this will be undertaken by the ECoW, with the assistance of local butterfly experts.

The Ecology Officer has been consulted and has no objections to the proposal. During the processing of the application, there was a requirement for the update of surveys for reptile, bats and invertebrates alongside further consideration of the habitats on site, including the Open Mosaic Habitat (OMH), which have all now been completed. The statutory metric indicates that the baseline value of habitats within the red line boundary is 27.90 habitat units. The offsite baseline is calculated at 52.97.

In terms of the individual reports, the following comments have been made by the Ecology Officer:-

#### *Impact on Reptiles*

- The results indicate that 6 common lizards were recorded throughout the duration of the surveys, with a maximum of two individuals on a single visit, indicating a low population.
- Suitable mitigation for reptiles should include a Precautionary Working Method Statement (PWMS) and the creation of hibernacula in suitable locations within the blue line boundary which should be conditioned.

#### *Impact upon Bats*

- The survey results indicate that the majority of activity noted on site was that of common pipistrelle and that the site is of county importance for bats. As such suitable mitigation for bats including a planting and sensitive lighting scheme will be required.
- Two trees with PRF-I and one with PRF-M were identified as requiring further assessment. However, following a review of the reports and plans no further assessment has been undertaken as these trees are not to be impacted by the proposal.

#### *Impact upon Badgers*

There are no recorded setts on site or within the blue line boundary.

#### *Impact upon invertebrates*

- A full assessment of all invertebrates recorded on site has been undertaken using pantheon software. The report concludes that the site is of value to a variety of species and worthy of LWS status due to the presence of a variety of notable species including small blue, dingy skipper, small heath, mining bee and yellow faced bee.

### *Preliminary Ecological Appraisal Report findings*

- An updated PEAR has been provided and data search with the local records centre has been completed, 30% of the site was inaccessible due to density of vegetation – some of this is within the red line boundary area.
- Habitats within the red line comprise modified grassland, bare ground, vacant/derelict ground, developed land/sealed surface (low/very low distinctiveness habitats), other neutral grassland, mixed scrub, other broadleaved woodland (medium distinctiveness habitats) and a small area of reedbed, a high distinctiveness habitat. As the site is unmanaged many of the grassland and mosaic habitats are scrubbing over.
- Separate documents have been provided to provide additional justification regarding the condition of the Open Mosaic Habitat.

### *Biodiversity Mitigation Plan*

- An assessment of impacts to important ecological features and the residual impacts following mitigation has been provided.
- In addition to the creation of scrapes, the Ecology Officer would also like to see the inclusion of pools within areas of OMH in the offsite mitigation area.
- The creation of additional invertebrate banks is welcomed.
- Education boards are supported and S106 contributions should also be secured to ensure dog fouling bins can be installed on site and upgrade to footpaths.
- Management of the offsite SUDS should be secured with the landowner.
- During and post construction invertebrate surveys will be required to be submitted to the LPA to ensure the invertebrate mitigation is successful.

### *EcoW inspection note*

- An inspection note detailing works undertaken to prepare the site for small blue butterfly has been provided. Between January 2024 and February 2025 no works were undertaken to manage the invertebrate mounds, as the previous developer withdrew from the site. In February 2025 undesirable species were removed and it was noted that some kidney vetch remained.
- An EcOW will be required to be on site during the construction works to ensure impacts to habitats and species are kept to a minimum. Inspection reports should also be submitted to the LPA for review.

As the development is proposing to create a variety of habitats on and offsite, of which are deemed significant habitat type, the maintenance of these habitats would be set out within a Habitat Management and Monitoring Plan. The Council will also seek a fee for the review of monitoring reports submitted to the council periodically, within the 30-year management period. The monitoring fee will be secured by a Section 106 agreement and based on the complexity of habitats to be created/enhanced, the monitoring fee would be £17,000.

Given the above comments, subject to suitably worded conditions and a S106 Agreement, the development would meet the requirements of Local Plan condition BIO1 and SPD 'Biodiversity and Geodiversity'. This weighs moderately in favour of the development.

### Housing Mix

Local Plan Policy H6 states Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. The development is for 114 dwellings. Across the two sites, the proposal includes 13 different house types of 2 bed, 3 bed and 4 bed properties with detached and semi-detached, two storey dwellings which is considered to be an acceptable mix of units.

In terms of accessible and adaptable dwellings, the Design of Housing Development SPD states that 26% of all new dwellings should be built to M4(2) accessible and adaptable standard and 6% of new dwellings should be built to wheelchair accessible M4(3)(2)(b). The submitted layout shows that 36 plots are M4(2) Compliant and 7 plots are M4(3)(2)(a) Compliant, which means the plots are adaptable for wheelchair users. Whilst none of the properties are M4(3)(2)b wheelchair accessible plots, the overall percentage of plots which are M4(2) compliant is approx. 38% with 7 of these plots being adaptable for wheelchair users which is on balance acceptable.

In terms of affordable units, the scheme provides 23 Affordable Homes of which 16 are Affordable Rent and 7 Affordable First Homes of a mix of 2 and 3 bed units which is in compliance with the Affordable Housing SPD. As such, the proposal meets the requirements of paragraph 6.1 of the Design of Housing Development SPD. As such, it is considered to provide a broad mix of house size, type and tenure, in line with policy H6.

**This carries x weight in favour of the proposal?**

#### The impact on the highway network and highways standards

Highways DC have been consulted and have no objection to the amended proposal subject to conditions. The Transport Assessment confirms vehicular and pedestrian access to both parcels will be provided from the existing road to the east, Woolley Colliery Road, through a new priority T-junction for the northern parcel and through an existing priority T-junction for the southern parcel which is deemed to be acceptable.

Concerns have been raised by residents in terms of highway safety and increased traffic within the local area. The Transport Assessment indicates that the proposed development is anticipated to generate 58 two-way trips during the morning peak hour and 59 two-way trips during the evening peak hour. This is approximately one additional vehicle per minute added to the road network. Operational assessments of both proposed site access junctions with Woolley Colliery Road, the Bloomhouse Lane/Woolley Colliery Road T Junction, the Station Road/B6131 T Junction and the B6131/A637/Churchfield Lane staggered crossroads has been undertaken for a 2029 future year. It was concluded that the proposed development generated trips will not have a material impact on the operation of the local highway network in the vicinity of the site.

The site is set in a sustainable location where there is easy walking distance access to public transport opportunities, such as rail at the nearby Darton train station, and the bus network. SYMCA has requested a contribution towards the upgrading of bus stops, which will be taken from the Sustainable Travel Contribution outlined within the Planning Obligations section of this report.

In terms of improved pedestrian connectivity to the site, as mentioned previously, there will be off site improvement works as a result of the scheme in order to provide improved pedestrian links to the north and to the south to Darton. There would also be pedestrian access provided

to the blue lined land through the development sites. The Highways Officer has no objections to the internal layout and adequate turning and visibility is provided. The proposal also includes sufficient parking spaces and visitor spaces in line with the requirements of the SPD.

Given the above the proposal is considered to be acceptable in terms of Highways impacts in accordance with Local Plan Policy T4. This weighs moderately in favour of the development.

#### The impact on neighbouring residential properties and proposed residents

There are no dwellings immediately adjacent to the site boundaries, with the closest dwellings being set off Woolley Grange to the north, Woolley Colliery Road to the south and one dwelling set to the east on the junction of Bloomhouse Lane. There would be noise and general activity generated from the proposed 114 dwellings from residential activities and vehicular movements; however the site has been assessed as suitable for residential use when it was allocated in the Local Plan having regard to its relationship with adjoining land and uses.

A Noise Assessment has been provided alongside the application which has been assessed by the Pollution Control Officer. It has been recommended that the noise mitigation measures described in the Noise Impact Assessment shall be implemented so that environmental noise does not cause significant adverse impacts on health or the quality of life of future residents. These measures include acoustic fencing in the properties closest to the noise sources. Given the proximity of site B to the railway line to the south western boundary of the site, the Pollution Control Officer has requested that an acoustic barrier shall be provided to the rear garden (south-east) boundaries of Parcel B plots 92 – 103. These measures will be conditioned. In addition to the above, a condition requiring a construction method statement is recommended requiring measure to control noise and dust alongside a condition restricting hours of operation.

In terms of the amenity for the future residents of the site as a whole, the internal layout of the development meets or exceeds the separation distances set out in the SPD. The proposed house types also meet or exceed the required internal spacing as set out in the South Yorkshire Residential Design Guide. The external garden areas also meet or exceed the 50sqm requirement for a 2 bedroom property and the 60sqm requirement for 3 bed plus properties. The residents also have access to small areas of on site public open space and there are also improved footpath connections to the blue line area of land to the west which is considered to be of benefit to informal public open space provision.

The proposed development would provide acceptable levels of residential amenity for the existing residents surrounding the site and the future residents of the site, which carries significant weight in favour of the proposal in accordance with Local Plan Policies GD1 and the SPD Design of Housing Development.

#### The impact on the character of the area

In terms of Design, the National Planning Policy Framework 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'.

A Landscape Visual Impact Assessment has been submitted with the application and states that the local landscape is assessed to have a medium sensitivity to change since, as although it possesses some attractive individual elements, there is an element of visual incongruity in

respect of the urban/rural interface. Upon completion of development on site it has been assessed that the level of impact on landscape character would be 'Minor-moderate'.

The local area consists of a variety of dwelling types, including single and two storey, terraced, semi detached and larger detached dwellings set on the Woolley Grange Estate. The planning application proposes a mix of 13 different, two storey house types, which allow for varied street scenes and a variety of parking solutions, including front/side of dwelling parking and there are no more than 4 spaces in a run without an area of soft landscaping between, in accordance with the SPD. There are a number of dwellings which have side of dwelling parking and the vast majority of dwellings have front gardens/panted areas which soften the development.

The Urban Design Officer has been consulted and as stated previously, the plans have been amended during the course of the application in line with comments made by the Urban Design Officer, including amendments to specific plots and an improved landscaping scheme with street trees and hedgerow planting. Appropriate materials shall be agreed via condition.

Whilst there would be a loss of some self-set trees, a detailed landscaping plan has been submitted, which shows extensive planting, including new hedgerows and tree lined streets, which will need to be managed via a landscape management plan, which should be conditioned. The impact of the proposal on the existing trees is explored further within the Tree section of this report below.

The proposal is considered to be of acceptable design and would not significantly adversely affect the visual amenity of the area, in accordance with the NPPF and Local Plan Policy D1. This weighs moderately in favour of the development.

#### The impact on the existing trees

A tree survey has been submitted with the application and the Tree Officer has been consulted as part of the proposal. The areas of the site proposed for development are covered in relatively young pioneer woodland made up predominantly of Silver Birch, and are as a result of the site being left vacant. The better quality more established trees are located close to or just outside the boundaries and are to be retained. These would remain unaffected by the proposals subject to tree protection measures.

The scheme put forward has retained elements of the pioneer woodland such as the vast majority of W16 and part of G1 as shown on the Tree Survey. Landscaping details have recently been provided and given the constraints posed by the proposed scheme a good level of new planting is proposed throughout the development. A detailed landscaping plan has been submitted and has been subject to amendments. The planting proposed is generally made up of small to medium growing non-native species, which is understandable for those located in relatively close proximity to dwellings. With regards to the new tree planting along the edge of the site close to the woodland, larger native species have been proposed at the request of the Tree Officer, to enhance the range of planting proposed and compensate for the inevitable loss of part of the young pioneer woodland Silver Birch Trees on site.

The Tree Officer has no objections to the proposals subject to the detailed landscaping scheme being implemented and tree protection measures being put in place to protect the existing trees/hedgerows to be retained. The proposal is therefore in accordance with the site specific policy and Local Plan Policy BIO1 and the Tree and Hedgerows SPD, this weighs moderately in favour of the development.

### Flooding and Drainage issues

The site is located solely within Flood Zone 1 (lowest risk) according to the Environment Agency (EA) flood zone maps for planning. A Flood Risk Assessment and Drainage Strategy have been submitted with the application.

Yorkshire Water and the Council's Drainage Officer have confirmed that they have no objections to the proposal subject to conditions. The proposals are acceptable in terms of drainage and flood risk accordance with Local Plan Policy POLL1.

**This carries x weight in favour of the proposal**

### Coal Mining and Contaminated Land

The Geoenvironmental Appraisal Report for the application as prepared by Sirius Geotechnical Ltd references both phase 1 and 2 works across the two sites considered and identifies the mining legacy aspects for consideration; namely in this instance the: colliery spoil/made ground associated with parts of the sites being located on the former Woolley Colliery spoil tip, shallow coal seams (Barnsley seam and Top & Low Haigh Moor seams), possible historic opencast coal operations in the north and a shallow mine adit (former Pyewood Colliery) in the south. As such the report advises for various associated works (clean up/development reengineered platforms; drilling and grouting the shallow mine adit; etc) to ensure stability and safe development, including further boreholes to ensure that no shallow mining issues (voids) are present (no such issues have been proved in the works/boreholes undertaken to date).

SYMAS and the Coal Authority have been consulted and have no objections to the proposals subject to a condition requiring a scheme of intrusive site investigations to be carried out on site to establish the risks posed to the development by past coal mining activity, and any remediation works and/or mitigation measures to address land instability arising from coal mining legacy have been implemented on site in full.

In terms of Contaminated Land, the Pollution Control Officer has been consulted and has no objections, subject to a detailed remediation scheme and mitigation measures being implemented, which shall be conditioned. The proposal is therefore considered to be acceptable when measured against policy POLL1 of the Local Plan. **Weighting?**

### Financial contributions

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.

### Affordable Housing

Housing developments of 15 or more dwellings will be expected to provide affordable housing. 20% affordable housing will be expected in the Darton and Barugh.

The proposal provides 23 Affordable Homes of which are 16 Affordable Rent and 7 Affordable First Homes. The Affordable Housing Team have been consulted and have raised no objections to the proposal, layout, or the split of affordable rent and affordable first homes.

### Public Open Space

The SPD Open Space Provision on New Housing Development states that open space is required on all new housing developments of 20 or more dwellings including flats.

Whilst there is open space provided on site, a minimum of 15% has not been provided on site therefore contributions in accordance with Appendix 2 of the SPD are required. The proposal also includes enhancements to the site to the west as per the site specific policy and the upgrading of footpaths and dog waste bins, therefore a contribution towards informal open space is not requested in this instance. A financial contribution towards Child and Youth Provision and Formal Recreation is, however, required, calculated in accordance with the SPD.

The figures set out below reflect the cost of providing new and or enhanced green space. The figures reflect the need for larger dwellings to make a proportionally greater contribution than smaller dwellings, as on average they are lived in by more people. The figures also include provision for 15 years maintenance.

### Child and Youth

22 x 2 bed x £503.51 = £11,077.22

59 x 3 bed x £604.48 = £35,664.32

33 x 4 bed x £705.47 = £23,280.51

Total = £70,022.05

### Formal Recreation

22 x 2 bed x £824.41 = £18,137.02

59 x 3 bed x £989.01 = £58,351.59

33 x 4 bed x £1155.00 = £38,115.00

Total = £114,603.61

Overall total for POS = £184,625.66

### Education

The SPD Financial Contributions for Educational Provision states that a financial contribution will be needed for planning applications for housing developments where the scheme provides 10 or more homes and there is insufficient capacity in schools.

Barnsley Metropolitan Borough Council is responsible for ensuring there is adequate provision and a robust education infrastructure to support sustainable communities. The Council has a statutory duty to ensure there are sufficient school places in the area and to promote parental choice by increasing the diversity of educational provisions.

To forecast demand, established Pupil Yield Ratios (PYRs) are applied to estimate the number of children likely to arise from new housing developments in Barnsley. As this application was received prior to the adoption of the new Supplementary Planning Document (SPD) in May 2025, it has been appraised using the previous SPD (May 2019), which set out the PYRs per 100 family dwellings (2+ bedrooms) as follows:

Primary	Secondary
21	15

#### *Pupil Yield and Development Impact Assessment*

The supporting documentation for this application confirms a total of 114 dwellings, all classified as family homes with two or more bedrooms. Applying the established PYRs, above, the proposed development is expected to generate approximately:

- 24 Primary school pupils
- 18 Secondary school pupils

These figures represent the anticipated incremental yield across the full build-out period.

The planning application has been reviewed against current pupil projection data for the relevant planning areas. The following observations are noted:

#### *Primary Schools*

The following primary schools are located within a reasonable distance of the proposed development: Darton Primary School, Kexborough Primary School, Wellgate Primary School, and Mapplewell Primary School.

An assessment of current NHS Primary Care data (October 2025), combined with local primary school population forecasts and the impact of housing developments currently in the build-out phase, indicates that existing schools will not have sufficient capacity to accommodate the additional pupils expected from this development.

In accordance with local planning policy and education contributions guidance, it is therefore concluded that a Primary Education contribution will be required to mitigate the impact of the proposed development on primary school provision.

#### *Secondary Schools*

The only secondary school within a reasonable distance of this development is Darton Academy. Based on the latest School Census data and secondary school population forecasts, Darton Academy is currently full in Years 9 and 10, with only limited capacity in Year

8. This means the school may struggle to accommodate additional students from the development who require an in-year place in the short term.

Future projections for Year 7 intakes, based on current primary school populations and established transition patterns from primary to secondary education, indicate that this pressure is likely to persist in future years will therefore place additional strain on existing educational infrastructure.

In line with local planning policy and education contributions guidance, it is concluded that a Secondary Education contribution will be required to mitigate the impact of the proposed development on secondary school provision.

A developer contribution will be required to mitigate the impact of the proposed development. These are set out below and have been calculated in line with the Financial Contributions for Educational Provision (2019):

<b>Sector</b>	<b>Calculation</b>	<b>Amount</b>
Primary	24 Pupils x £16,000 per place	£384,000
Secondary	18 Pupils x £16,000 per place	£288,000
<b>Total</b>		<b>£672,000</b>

### Highways

Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel, where levels of accessibility through public transport, cycling and walking are unacceptable. Contributions will be sought on developments of 10 dwellings or more. In accordance with the adopted Sustainable Travel SPD, there is a requirement for the applicant to provide a contribution towards sustainable transport and active travel measures. The formula within the SPD has been used to calculate the contribution and given the site is with the AIZ (Accessibility Improvement Zone) then a 25% reduction is applied.

Number of residential units 114 x person trip rate 10 x £figure to be determined £100 x reduction factor 25%

Total = £85,500 Sustainable Travel Contribution

SYMCA have requested improvements to bus stops along Woolley Colliery Road of which are to be taken from the sustainable travel figure above and not in addition to.

### Summary of S106 contributions and weighting as a result?

## **PLANNING BALANCE & CONCLUSION**

In accordance with Paragraph 11 of the **NPPF (2023) 2024** 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 an allocated housing site suitable for residential development in the Local Plan and this weighs considerably in favour of the application.

The Local Plan expected this site to come forward after a spine road had been provided through site allocations HS11 and HS25 to link Woolley Colliery Road to Darton Lane thereby

improving vehicular and pedestrian routes between the services and amenities in Darton and this site, Woolley Village and Wooley Grange. To justify this site coming forward ahead of the others, the applicant has proposed improved pedestrian links to the north and south of the site. This proposal has been assessed in detail by Highways Officers and is deemed acceptable having regard to road and pedestrian safety considerations.

In terms of Biodiversity, the application would not strictly adhere to the wording of Local Plan Policy HS1 in respect of features expected to be fully retained on site, it is considered the strategy to protect and enhance biodiversity is a material consideration that justifies a departure from the precise wording of policy HS1. Accordingly, subject to the necessary conditions and Section 106 agreement, the proposal is deemed acceptable having regard to policy BIO1, and the SPDs Biodiversity and Geodiversity and Trees and Hedgerows.

In all other respects, the proposal is deemed to comply with Local Plan and the proposal is deemed acceptable at this outline stage having regard to other material planning consideration. The proposal is therefore, on balance, recommended for approval subject to a Section 106 Agreement for the matters outlined above.

~~RECCOMENDATION~~ RECOMMENDATION ( Garry spelled in wrong on the template!\_)

**MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW AND FOLLOWING THE COMPLETION OF AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 IN RELATION TO THE MATTERS OUTLINED IN THE THIS REPORT AND THE HEAD OF PLANNING BE AUTHORISED TO ISSUE THE PLANNING PERMISSION UPON COMPLETION OF THE LEGAL AGREEMENT:**

#### **CONDITIONS/REASONS**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

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

Air Quality Assessment dated 20<sup>th</sup> September 2024,

Geoenvironmental Appraisal Report dated July 2024,

Noise Impact Assessment dated 23<sup>rd</sup> October 2024,

Planning Statement dated October 2024,

Highways Technical Note dated August 2025,  
Transport Assessment dated October 2024  
Travel Plan dated October 2024  
Topographical Survey  
Tree Constraints Plan and Tree Survey dated 29<sup>th</sup> July 2024  
Whole Life Carbon Assessment dated 29<sup>th</sup> September 2024  
Landscape and Visual Impact Assessment  
Energy Statement dated 18<sup>th</sup> September 2024  
Health Impact Assessment  
Affordable Housing Statement  
Flood Risk Assessment dated 26<sup>th</sup> July 2024 and Flood Map Update  
Landscaping Proposals 4101/1 Rev D, 4101/2 Rev D, 4101/3 Rev D  
Technical Appendix 1: Results of Bat Surveys dated 10<sup>th</sup> February 2025  
Technical Appendix 2: Results of Reptile Survey dated 10<sup>th</sup> February 2025  
Biodiversity Metric Condition Assessments  
Biodiversity Management Plan dated July 2025  
Invertebrate Survey Dated 10<sup>th</sup> October 2025  
ECoW Certificate Site Inspection Report dated 14<sup>th</sup> February 2025  
Preliminary Ecological Appraisal Report dated 28<sup>th</sup> November 2024  
Biodiversity Net Gain Assessment dated 18<sup>th</sup> December 2024  
Location Plan 1329.02  
250 House Type 21-250-U-0001 Rev C03  
253 House Type 21-253-U-0001 Rev C04  
350 House Type 21-350-U-0001 Rev C05  
351 House Type 21-351-U-0001 Rev C04  
357 House Type 21-357-U-0001 Rev C04  
360 House Type 21-360-U-0001 Rev C04  
362 House Type 21-362-U-0001 Rev C06  
363 House Type 21-363-U-0001 Rev C06  
450 House Type 21-450-U-0001 Rev C03

454 House Type 21-454-U-0001 Rev C07

455 House Type 21-455-U-0001 Rev C03

456 House Type 21-456-U-0001 Rev C06

Proposed Site Layout 1329.06 Revision I

Proposed Boundary Treatments 1329.09 Rev C

Proposed Site Layout 1329.05 Revision I

Proposed Site Layout Part B 1329.10 Revision B

Proposed Site Layout – Man Co 1329.11 Rev C

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

3. Upon commencement of development details of the proposed external materials 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.

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

4. 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 and in accordance with Local Plan Policy BIO1 Biodiversity.

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

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

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

development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.

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

7. Before any dwelling is first occupied a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.

8. 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

9. The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application.

Reason: In the interests of clarification and to help deliver a biodiversity net gain on site in accordance with Schedule 7a of the Town and Country Planning Act 1990.

10. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) prepared in accordance with the approved Biodiversity Gain Plan has been submitted to and approved by the Local Planning Authority. The HMMP shall include
  - a) a non-technical summary;
  - b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
  - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
  - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, and approved in writing by, the local planning authority.

- f) A timetable for implementation and completion of creation and enhancement works.
- g) Notice in writing shall be given to the Council within 10 working days of the implementation of the HMMP
- h) Notice in writing shall be given within 10 working days of the completion of the habitat creation and enhancement works as set out in the HMMP and a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
- i) Thereafter the created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP] for a period of 30 years following the completion of the development.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Local Plan Policy BIO1 and Schedule 7A of the Town and Country Planning Act 1990

11. The development shall be completed in line with the Biodiversity Management Plan (ER-8088-03C – EDS). All the recommendations shall be implemented in full according to the timescales laid out, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

12. Notwithstanding the submitted details, upon commencement of development, details of external/internal lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall be produced by a suitably qualified ecologist and clearly demonstrate that lighting will not adversely impact residential amenity or wildlife using key corridors, foraging and commuting features and roosting sites.

The details shall include, but are not limited to, the following:

- Identification of areas/features on site that are particularly sensitive e.g. breeding, resting, foraging and commuting sites;
- A drawing showing dark corridors and buffer areas;
- A report and drawings showing how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent species using their territory or having access to breeding sites/resting places, this should include;
- Technical descriptions, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
- A description of the luminosity of lights and their light colour;
- A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
- Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and

Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.

All external/internal lighting shall be installed in accordance with the specifications and locations set out in the approved details prior to completion of the development. They shall be maintained thereafter in accordance with these details.

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

13. Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:

Risk assessment of potentially damaging construction activities;

Identification of 'biodiversity protection zones';

Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of precautional working method statements);

The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);

Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;

The times during construction when specialists ecologists need to be present on site to oversee works;

Responsible persons and lines of communication;

The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s)

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

14. Prior to commencement of the development, an appropriately experienced and qualified Ecological Clerk of Works (ECoW) shall be appointed by the applicant/developer. The ECoW shall be in post during appropriate stages of the development, as agreed in writing with the Local Planning Authority. The ECoW's scope of work shall include monitoring compliance with the mitigation measures as detailed within the EDS Report, and the conditions of the planning permission. Monitoring reports shall be submitted to and approved in writing by the Local Planning Authority every three months.

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

15. Invertebrate surveys at years 1, 3, 5 and 10 shall be undertaken within the mitigation area. The results of the surveys shall be submitted to and approved in writing by the Local Planning Authority.

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

16. Before any dwelling is first occupied detailed plans shall be submitted of the proposed substation as shown on the submitted layout plan and approved in writing by the Local Planning Authority. The scheme shall then proceed in accordance with the approved details

Reason: In the interests of Visual Amenity in accordance with Local Plan Policy D1.

17. Before any dwelling is first occupied the mitigation measures described in report 'Proposed Residential Development Noise Impact Assessment Woolley Colliery Road, Darton, Barnsley' produced by SLR Consulting Limited dated 23 October 2024, ref: 402.065375.00001, Revision 03, shall be implemented. The scheme shall be maintained and not altered without the prior permission of the Local Planning Authority.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

18. An acoustic barrier shall be provided to the rear garden (south-east) boundaries of Parcel B plots 92 – 103 at a minimum height of 2m prior to any occupation of these plots. A timber fence should be at least 25mm thick and have a minimum mass of 10kg/m<sup>2</sup>. The fence shall be fully sealed to the ground and have no gaps or holes. A masonry wall of any construction is appropriate providing there are no gaps in the barrier.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

19. Prior to any work commencing, the applicant shall submit to the Local Planning Authority for their approval a noise management plan detailing **how noise will be controlled** ~~they will control noise~~ during construction. Once approved ~~the applicant shall adhere to~~ the noise management plan **shall be adhered to** at all times.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

- 20.** Prior to any work commencing, the applicant shall submit to the Local Planning Authority for their approval a dust management plan detailing how dust will be

controlled they will control dust during construction. Once approved the applicant shall adhere to the dust management plan shall be adhered to at all times.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

21. The development shall be carried out in accordance with the details shown on the submitted, Flood Risk Assessment 10701-HBL-XX-XX-RP-D-0001 (revision P03) dated 22/10/2024 prepared by HBL, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy POLL1.

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

Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy POLL1.

23. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.

Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy POLL1.

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 sewer or culverted watercourse.

25. Reason: To prevent damage to the existing sewer, watercourse or culverted watercourse in accordance with Local Plan Policy POLL1.

26. No development shall commence until;

a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on

site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In the interests of land stability NPPF sections 189 a,b,c. 190 and 180 e & f.

27. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interests of land stability NPPF sections 189 a,b,c. 190 and 180 e & f. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment has been submitted to and approved by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason in the interests of contamination in accordance with Local Plan Policy POLL1.

28. No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

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 in accordance with Local Plan Policy BIO1.

29. The plots shown on the approved layout as Part M4(2) compliant are to meet Part M4(2) 'accessible and adaptable dwellings':

Reason: To comply with the SPD 'Design of Housing Development' (2023), para 6.1

30. No development shall be commenced until full engineering, drainage and street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details unless otherwise agreed in writing with the LPA.

Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety.

31. Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at Woolley Colliery Road. in accordance with details of a completion plan to be submitted and approved in writing by the LPA.

Reason: To ensure streets are completed prior to occupation and satisfactory development of the site.

32. Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway works as indicated on drawing number 1329.05 Rev I has been submitted to and approved in writing by the LPA.

Reason: To ensure that the highway works are designed to an appropriate standard in the interest of highway safety in accordance with Local Plan Policy T4

33. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

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

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

34. No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:
- i. A plan to a scale of 1:1250 showing the location of all defects identified
  - ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety in accordance with Local Plan Policy T4

35. The development hereby permitted shall not be commenced until an updated addendum Travel Plan has been submitted, approved and signed off by the LPA.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with Local Plan Policy T4

36. Prior to the commencement of any development involving offsite highway works, a Stage 1 Road Safety Audit shall be submitted to and approved in writing by the Local Planning Authority. The audit shall be carried out in accordance with the requirements of DMRB, GG119 – Road Safety Audit.

Subsequent Road Safety Audits (Stages 2, 3, and 4) shall be undertaken at the appropriate stages of design and construction, in accordance with GG119. The brief of each audit shall be submitted to the Local Planning Authority for approval prior to the audit being undertaken.

All recommendations arising from each stage of the Road Safety Audit shall be addressed through a Response Report and Audit Team Statement to be agreed by the local Highway Authority as Overseeing Organisation, and any agreed mitigation measures shall be implemented in full.

Reason in the interests of Highway safety in accordance with Local Plan Policy T4.

37. Before any dwelling is first occupied plan to demonstrate a suitable trespass proof fence adjacent to Network Rail's boundary must be submitted to and approved in writing by the Local Planning Authority. The plan must show a 1.8m high fence and

accompanied by a statement to show provision for its future renewal and maintenance.

Reason: To protect the operational needs and integrity of the Darton Railway Station in accordance with Local Plan Policy T2.

**The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.**

**Appendix 1 – Site Layout:**