2021/0043

Applicant: Mr David Wroe

Description: Reserved matters application for the erection of 61 dwellings including consideration of matters of layout, scale, design, access, and landscaping in connection with outline application 2017/1440

321 Hough Lane, Wombwell, Barnsley, S73 0LR

Background

This site is the former Balmoral Tanks site with outline planning permission for residential granted in 2019, following the businesses relocation to a new site in Thurnscoe.

2017/1440 - Demolition of existing buildings and redevelopment of site to provide residential development with associated infrastructure, open space and landscape provision. (Outline - all matters reserved) - Approved

Site Description

The site is a former employment site, located to the west of Wombwell and accessed from Hough Lane. Extending to 3.2 ha, is it an irregular shape, narrower at the access and extending out to the east within the site. The site slopes north to south.

There are residential properties to the north, south and west. To the east is it is open greenbelt with a woodland extending southwards and fields eastwards. Wombwell Main Sports grounds are opposite the site on Hough Lane as is Wombwell Train Station.

There is a large former factory building on the site and associated offices and smaller works buildings. A telecommunications mast is also located on the site to the south west.

There are trees around most of the boundaries and some scrub / grass has overtaken parts of the site which are not concrete / hard standing. The site has been empty for some time.

Proposed Development

The proposed is for a residential scheme of 61 dwellings, largely 2 storey houses with 2 x 1.5 storey bungalows.

Access is via Hough Lane with the existing office / reception building demolished and a small pair of semis located fronting on to the road. The estate road travels south into the site and then east with houses fronting this and arranged broadly in a L-shape.

The mix of housing is:

26 x 2 beds
33 x 3 beds
2 x 4 beds

Within this mix there is 40 affordable properties which equates to 2/3 of the housing proposed.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

The site is not allocated, being Urban Fabric as identified within the adopted Local Plan. The following policies apply:

SD1 'Presumption in Favour of Sustainable Development'.

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

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

E3 'Uses on Employment Land' sets out employment uses as appropriate on land allocated or last used for employment.

E4 'Protecting Existing Employment Land' protects land last used for employment.

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

H2 'Distribution of New Homes' states 10% of new homes to be built in Wombwell.

H5 'Residential Development on Large Non-allocated Sites' sets criteria by which larger windfall sites will be assessed.

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

H7 'Affordable Housing' seeks 10% affordable housing in this area on sites over 15 units.

H8 'Housing Regeneration Areas' Looks to renew poor housing and revitalise neighbourhoods.

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

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

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

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

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

GS2 ‘Green Ways and Public Rights of Way’ seeks to protect rights of way from development. where new development is close to a Green Way or PROW it me be required to provide a link and or improve the existing route or contribute to a new route.

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

CC1 ‘Climate Change’

CC2 ‘Sustainable Design and Construction’

CC3 ‘Flood Risk’

CC4 ‘Sustainable Urban Drainage’

CC5 ‘Water Resource Management’

RE1 ‘Low Carbon and Renewable Energy’

CL1 ‘Contaminated and Unstable Land’

Poll1 ‘Pollution Control and Protection’

AQ1 ‘Development in Air Quality Management Areas’

UT1 ‘Hazardous Substances’

UT2 ‘Utilities Safeguarding’

I1 ‘Infrastructure and Planning Obligations’

I2 ‘Educational and Community Facilities’

SPD’s

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

Other

South Yorkshire Residential Design Guide

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.

Consultations

Affordable Housing – The proposed will deliver 35 affordable rent (2,3 and 4 bed houses) and 5 shared ownership (3 bed houses). This is above and beyond the current Local Plan policy of 10%. However, the updated SHMA highlights that the Hoyland, Wombwelll and Darfield sub-market area has the highest affordable housing need in the borough with a particular need for 2 and 3 bed affordable homes. On this basis the proposed development is considered acceptable.

Air Quality – I note that the planning layout submitted in support of this application states that "all plots to have electric charging provision", which meets the requirements of the Sustainable Travel SPD with regard to provision of charge points for dedicated and unallocated parking associated for residential development. I would therefore recommend that the electric vehicle charge points are demonstrated to be "mode 3", minimum 7 kW (32 AMP). This can be secured through condition.

Biodiversity – No comments received; however, the application is a reserved matters application and a further site survey has been provided in accordance with condition 19 of the outline which reconfirms the findings at outline and the mitigation proposed on site.

Coal Authority – Coal mining legacy issues were addressed at the outline stage (i.e. we withdrew our objection) and we note that none of the conditions on the outline permission are coal mining related. Consequently, the Coal Authority has no objections to this planning application.

Drainage – No objections, the conditions applied to the outline application remain applicable.

Education – This development requires a S106 education contribution due to the impact on primary school places. This is an area of high development where the potential need for a new primary school has already been identified. 61 dwellings would generate a pupil yield of 13 primary and 9 secondary pupils. There would be no requirement for a secondary contribution as there is sufficient capacity in Netherwood Academy. The SPD requirements for a primary contribution would be 13 primary pupils at £16,000 per pupil totalling £208,000

Enterprising Barnsley – Support the application.

Forestry Officer – No comments have been received. At the outline stage only 2 trees were proposed for removal, however, the tree officer anticipated additional need for removals and requested a condition be applied requiring additional surveys, AIA and tree protection details to be agreed. This reserved matters application includes the additional removal of a C category hedgerow (part) and a B category tree as well as some works within a group of B category trees to the south to enable drainage connections.

Highways – Various comments and concerns have been raised with revised plans submitted. This is covered in more detail later in the report. No objections subject to conditions.

Pollution Control – No objections subject to a condition requiring a CEMP. A condition was applied to the outline application to secure a CMS which included reference to noise and dust.

SYMAS – The applicant has provided a Stage 2 Environmental site investigation report undertaken by ARP ref HOO/01r1 dated 10th July 2020 which confirms the site is covered by a

variable thickness of made ground. The report makes appropriate recommendations for foundation design.

It is noted that the report also concludes in section 9.7- “A coal mining risk assessment (dated 2nd July 2020) has been produced by ARP Geotechnical. It is recommended that the CMRA is read in entirety but it is concluded that the Swinton Pottery coal does not underlie the site, and there is a low to very low risk that workings are present within the Newhill coal seam that could affect some of the site. An intrusive investigation is recommended to be undertaken to confirm the low/very low risk presented by the Newhill coal”. Although referred to in the ARP report, the CMRA does not appear to have been submitted as part of this application. SYMAS concur that the risks posed by the Newhill seam are very low as indicated in our response to the initial outline planning application (2017/1440). However, the applicants latest third party report now recommends that a site investigation be undertaken to “confirm the low/very low risk presented by the Newhill coal”. A prudent developer would undertake a limited borehole investigation to rule out any risk of shallow mineworking’s being present thereby ensuring the development is safe and sustainable. It is therefore recommended that this is secured by condition.

SFSY – Requested a condition to secure gigabit capable full fibre broadband.

Ward Councillors – No comments received.

Yorkshire Water – No objection subject to conditions.

Representations

The application was advertised by neighbour letters, site notice and press advert. A total of 15 representations have been received raising the following concerns:

- The drainage outfall will be in Maslin Gardens and this will impact on mature trees around the site boundary which were previously stated to be retained. This is a major concern.
- There is Japanese Knot Weed in the trees which was missed previously.
- The embankment around the site will need to be cleared up of debris associated with the industrial site and this will impact on trees.
- How will boundary treatments be installed and who will maintain them.
- No objection to the houses but the trees should be kept as they provide privacy and noise reduction.
- Concerns about noise, dust and vibration from the construction.
- There are existing issues with flooding from the site.
- Overlooking from houses on the new site which will be a lot higher.
- Houses on the perimeter should be market properties and not affordable rent.
- Don’t want any more trees around the boundary as the existing ones block sunlight.
- Will the mobile phone mast be taken down?
- Overbearing and overshadowing impact on existing residents from the proposed houses and planting or more trees.

- Loss of value of properties as a result of the development.
- The area cannot take more houses and cars.
- The plans don't all match e.g., the impermeable areas plan is different from the layout so it is assumed drainage calculations will be incorrect.
- The environmental report refers to a coal seam at shallow depths, has this been adequately assessed and will the proposed capping layer impact on this?
- The bat survey is out of date being from 2017.
- The Design and Access statement is out of date and doesn't refer to the correct layout.
- The density of housing is too high and there is not enough parking with small garages.
- There are too many social houses.
- One resident raised specific concerns about boundaries which were amended by the applicant.

Assessment

Principle of Development

The site is a former employment site allocated as urban fabric in the Local Plan whereby policies E3 and E4 alongside SD1 and GD1 apply. The principle of its change of use to residential was established through the outline permission granted under application 2017/1440.

The proposal of 61 units meets the density standards as set out in Policy H6. The application was submitted jointly by Hoober Homes and Together Housing Group, and seeks to deliver a mix of market and affordable dwellings:

21 x open market sale (2 and 3 bed houses) = 34%
35 x affordable rent (2, 3 and 4 bed houses) = 57%
5 x shared ownership (3 bed houses) = 5%

The proposed affordable housing element is above and beyond the current Local Plan affordable housing policy (H7) requirement of 10% for Wombwell. The council has recently published an updated SHMA and Affordable Housing SPD. The SHMA highlights that the Hoyland, Wombwell and Darfield sub-market area has the highest affordable housing need in the borough, with a particular need for 2 and 3 bed affordable homes. On this basis the Strategic Housing Officer has confirmed the proposed affordable offer is considered acceptable as it will go some way in addressing the needs of the borough, particularly in the Hoyland, Wombwell and Darfield sub-market area. The layout shows the affordable housing and market housing grouped together which is contrary to the guidance in the Affordable Housing SPD and whilst this has been raised with the applicant, they have advised that it is because the two separate products will be built by different housebuilders. This would not normally be acceptable but given the limited number of market units on the site, there is a reduced benefit in mixing the two, in this case it can be allowed. Therefore, whilst the proposed is not fully in compliance with H7 it will address specific needs in the area, balancing the housing market in accordance with Policy H8.

Residential Amenity

The proposed development is located on a former employment site with residential properties to the south and west as well as some located along the site frontage with Hough Lane. Although the site is no longer in use, the change of use to residential will bring some improvements to residential amenity.

In terms of impacts on residential amenity as a result of the proposed development, the main impacts are to existing houses directly bordering the site. Plots 4 to 12 in particular are located to back onto exiting houses on Bellscroft with plots 4-6 having shorter rear gardens, albeit the applicant has confirmed that the majority of the plots meet the minimum 21m standoff distance with only plot 6 lightly less, being 20m. There is a change in levels along this boundary with the factory site set higher than the houses on Bellscroft and in these cases an increased standoff could be requested. However, sections have been provided with lines of site shown. These demonstrate that overlooking at ground floor level will be screened by a new boundary fence and overlooking at first floor level will be mitigated by a higher fence (2.5m) and the change in levels itself. Overshadowing may also occur, however, there is an existing building on the site which is as high as the fence so the impact is arguably consistent with current situation. It should also be noted that there are trees along this boundary which will be retained and provide some further mitigation. A condition has also been added to remove permitted development rights for those plots closest to the boundary.

To the south of the site, the properties mostly back onto woodland with plots 13-18 backing onto existing houses on Tunstall Close. There is sufficient stand off distance here with the trees also retained to ensure privacy. Shading from these trees is covered below.

The proposed new dwellings comply with the internal space standards and gardens are enough to meet the external amenity space requirements as set out in the Design of Housing Development SPD and the South Yorkshire Residential Design Guide.

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

Visual Amenity

The site is not highly visible, being set well back from the road and largely surrounded by trees and residential properties. Further, as it is a vacant employment site it is currently dominated by large industrial buildings and hard standings which offer little in terms of visual interest. The proposed residential development will bring the site back into use and the introduction of houses, gardens and managed greenspace will improve visual amenity on the site.

The proposed includes 6 different house types which brings some variation and interest and whilst the design is relatively simple it is consistent with the character of the area.

There are a large number of trees around the site edges and some within the site itself. In the main these are retained, however, as set out below some limited removals are required. Overall, the impact on trees and the visual amenity that these provide is limited. Existing residents have requested either the removal or retention of trees, siting either the benefits they bring in terms of privacy or the shading impact on properties. There will undoubtedly be an impact on existing and new residents from the trees in terms of overshadowing and this may lead to future pressure for works to the trees and or to fell them. However, this needs to be balanced with the benefit of the trees being brought into proper management as part of the overall landscape management for the site and the benefits of meeting housing need.

Therefore, the proposed is acceptable in terms of visual amenity as assessed in accordance with Local Plan Policy D1 and the accompanying SPD Guidance and Local Plan Policies HE1 and HE3 with respect to the impact on the Listed Building.

Trees and Biodiversity

At outline stage an extended Phase 1 Habitat Survey was submitted and agreed which confirmed the site was of low ecological value but that considering the size and nature of habitats the proposed development would pose a moderate impact on local biodiversity which should be offset by biodiversity enhancement associated with landscaping and the inclusion of bat and bird boxes within the development design. With regards to landscaping the report recommended the retention of existing trees and removal of knotweed.

The reserved matters application has been accompanied by the additional surveys which identify no bats or badgers on the site. The location and type of bird and bat boxes is also provided in accordance with the requirements of condition 19.

The majority of trees are retained on site, with 2 young sycamore trees a section of hedgerow and a mature sycamore being removed to facilitate the development. These are all C category trees except the larger sycamore which is assessed as being B category. In addition, it is necessary to connect to exiting sewers in Maslin Gardens which will impact on a group of A/B category trees to the south. The Arboricultural Impact Assessment states the trees removed in this group will be younger, self-set trees and can be agreed with the Tree Officer prior to works. The rest of the trees are located around the site edges and will be retained. This meets the requirements of condition 19 and the recommendations in the extended Phase 1 Habitat Survey.

Therefore, whilst the proposed is not fully in accordance with Local Plan Policy BIO1 as there is no assessment of no net loss, it does comply with the requirements of the outline planning permission.

Highways

Initial concerns with the detailed street design and maneuvering within the site have been addressed and the proposed is acceptable subject to conditions. No objections are raised by the Highways Officer in relation to the access and the proposed is in compliance with Local Plan Policy T4.

S106 Agreement

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

Affordable Housing – The proposed will provide 40 affordable houses, 35 for rent and 5 for shared ownership.

Education – A contribution towards providing 13 primary school places is required equating to £208,000

Sustainable Travel – Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel, where levels of accessibility through public transport, cycling and walking are unacceptable. Using the formulae in Appendix C of the SPD the figure required is £45,750. In addition, EV charging points would need to be conditioned for each dwelling as would cycle storage.

Greenspace – the site layout as proposed provides some informal greenspace onsite but is less than the 15% required and this includes large areas of trees around the site which do not offer

recreational value. Therefore, in accordance with Local Plan Policy GS1 and the accompanying SPD there is a requirement both for an offsite contribution of £125.667 towards improvements to greenspace including, formal, informal and play space.

Conclusions

The proposed development of this windfall site will deliver housing, including affordable housing, which will meet an identified need in this area. The principle of the change from employment to residential was agreed at outline and this application has been to address all matter reserved, including access. The design and layout have been assessed and found acceptable by planning and highway officers. The proposed is in accordance with Local Plan Policy GS1, SD1, T6 and Design Policy D1. Therefore, approval is recommended.

Recommendation

Approve – Subject to a S106 Agreement and conditions