

Application reference number	2023/0453
-------------------------------------	-----------

Application Type	Full
-------------------------	------

Proposal Description:	Creation of 9 independent supported living flats and associated communal space and car parking
Location:	Knowles Quarry, Barnsley Road, Cudworth, Barnsley, S72 8UU

Applicant	Ms Lisa Hewitt
------------------	----------------

Number of Third Party Reps	0	Parish:	Cudworth
		Ward:	

SUMMARY

The proposal seeks full planning permission for the creation of 9 independent supported living flats and associated communal space and car parking at Knowles Quarry, Barnsley Road, Cudworth, Barnsley, S72 8UU

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 highway network, or the wider character of the area subject to suitably worded conditions.

Recommendation: **GRANT Planning Permission subject to conditions and Section 106 Agreement**



Site Description

The site is a former quarry of approximately 1,530sqm, situated on the outskirts of Cudworth. The site is located at the south western 'gateway' into Cudworth; on the left side of the main Barnsley Road, when entering Cudworth from Barnsley. Opposite the site is a recreation ground with play area and sports pitch. To the northeast, the site adjoins terraced houses, to the southwest is a field and farm. To the northwest, the top of the quarry face adjoins an open field located between the quarry and Cudworth Parkway.

The site has its own vehicular access and it is enclosed by exposed rock walls over 6m high on the north and west boundaries. Geological maps indicate that the site lies directly onto the bedrock geology mapped as sandstone of the Pennine Middle Coal Measures Formation dominated by mudstones and sandstones. The site is covered by vegetation, however the main part of the site was cleared of trees in early 2024 whilst the application was being considered, however there were no significant specimens on the site and the trees were not protected by TPO's.

The immediate area broadly to the northeast and west of the site is residential in character consisting of a mix of terraced and semi-detached houses. The main commercial centre of Cudworth is further to the northeast and in a linear form along Barnsley Road.

Proposed Development

The application proposes the creation of 9 independent supported living flats and associated communal space and car parking. The site is accessed via a proposed new access to western boundary of the site with a parking court beyond, set to the rear. The site provides communal gardens for the residents. The building has been specifically designed for this site, with two storey elements and gable elements to add interest. Balconies are featured to the frontage.

The supported living element provides a reception at ground floor, with lift access to the first floor and a plant room, at first floor there is a staff area with breakout room and bedroom with wc and balcony, storage room and cleaners cupboard. Externally there are 11 parking spaces with communal bin and cycle stores.

Each apartment is 1 bedroom and a minimum of 46sqm in area. The apartments feature a bedroom, living/dining room, kitchen and bathroom. There are also shared communal lounges at ground and first floor. In terms of external amenity space, 3 of the apartments at first floor level have balconies, with the exception of unit 9 and at ground floor, 5 of the units have separate external garden/patio areas of approx 48sqm, however there is also a shared amenity space to the rear.

In terms of the use, the agent has provided the following justification:-

'The model is a residential service for adults with autism and learning difficulties, where each individual will live in an apartment with kitchen facilities and 1:1 support to help them with everyday activities and developing independent living skills as far as possible on an individual need basis.

These individuals will benefit from a safer and friendlier environment within the area, close to family networks in opposition to hospital environments usually far from home, and not therapeutic to the individual's support needs'

The applicant has provided the following documents in support of the application:-

- Noise assessment
- Access document provided in agreement with SAGT to allow access to the quarry face
- Arboricultural Impact Assessment Report
- Phase II Geo-Environmental Assessment
- Preliminary Ecological Appraisal Report
- BNG Feasibility Assessment Report
- RIGS Report
- Drainage Strategy Report
- Energy/Sustainability Report

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

- Access document provided in agreement with SAGT to allow access to the quarry face
- Additional Ecology Surveys
- Amended access details in response to highways comments
- Applicant name change



Location and Existing Site Plan



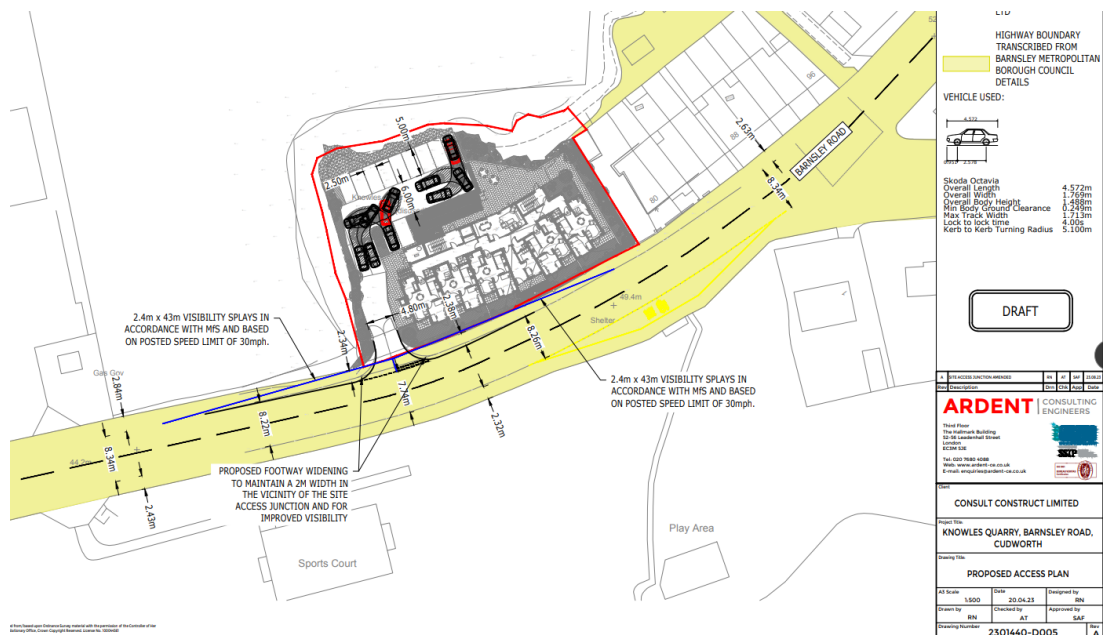
Proposed Elevations and Sections



Proposed Ground Floor Layout Plan



Proposed first floor and roof plans



Proposed Highways works

Relevant Site History

Application Reference	Application description	Status
2020/0551	Erection of 6 no. dwellings including associated access and parking	Approved subject to a Legal Agreement
2024/0154	Discharge of conditions 3 (levels), 6 (land contamination), and 14 (tree protection) of application 2020/0551 (Erection of 6 no. dwellings including associated access and parking)	Approved



Site Allocation: Urban Fabric and a site recognised as having biodiversity and/or geological value. In addition, the site is located within the Nature Improvement Area: Dearne Valley Green Heart.

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'

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 6% of new homes to be built in Cudworth.

H4 'Residential Development on Small Non-allocated Sites' will be allowed where the proposal complies with other relevant policies in the Plan.

H6 'Housing Mix and Efficient Use of Land'

T3 'New Development and Sustainable Travel'.

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

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.

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'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

SPD's

- Design of Housing Development
- Parking
- Open Space Provision on New Housing Developments
- Trees and Hedgerows
- Biodiversity and Geodiversity

Other

South Yorkshire Residential Design Guide

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

Relevant Consultations:

Biodiversity - No objections subject to conditions

Yorkshire Wildlife Trust - YWT have been consulted by the applicant and they would require a payment of £2975 which covers 5 days works for them to carry out some vegetation clearance to Carlton Nature Reserve to try and attract Willow Tits to the reserve. This would need to be secured by way of a S106 Agreement.

Highways DC – No objections to amended plans subject to conditions

Drainage – No objections subject to conditions

Yorkshire Water – No comments to make

Pollution control – No objections subject to conditions

Contaminated Land – No comments received

Forestry Officer – No objections subject to conditions

Sheffield Area Geology Trust – No objections subject to Access Document being conditioned

The Coal Authority – No objections subject to informative

South Yorkshire Mining Advisory Service – No objections to the proposals and only the Coal Authorities standing advice should be included in the decision notice if granted

Ward Councillors – Ward Members have commented on the application with concerns regarding the use of the site and highway safety

Representations

Neighbour notification letters were sent to surrounding properties and a site notice was placed nearby. No comments have been received as a result.

Assessment

The main issues for consideration are as follows:

- The acceptability of residential development
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards
- The impact on the existing trees
- The impact on the ecology and geology of the site
- Flooding, Drainage and Pollution Control issues
- 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

The site is located within the urban fabric as identified on the Local Plan proposals map, where the presumption in favour of sustainable development applies. Cudworth is a Principal Town as identified in the Local Plan where 6% of new housing growth is planned. Local Plan Policy H4 relates specifically to small non allocated sites, supporting these where the proposal complies with other relevant policies in the Plan. There is also a previous planning approval on the site which accepts a residential development of the site.

In terms of the proposed use, the agent has provided the following information in terms of the proposed residential supporting living use:-

‘The model is a residential service for adults with autism and learning difficulties, where each individual will live in an apartment with kitchen facilities and 1:1 support to help them with everyday activities and developing independent living skills as far as possible on an individual need basis. These individuals will benefit from a safer and friendlier environment within the area, close to family networks in opposition to hospital environments usually far from home, and not therapeutic to the individual’s support needs’

The recently published BMBC Housing Strategy (2024-2028) supports the provision of housing for people with additional needs and increase the quality of housing and support for people with learning disabilities. 'In the short-term, another priority will be ensuring that all people with learning disabilities who have previously been placed outside Barnsley can be supported in affordable housing within the borough.' On this basis, the proposed supported residential units are considered to be acceptable in principle.

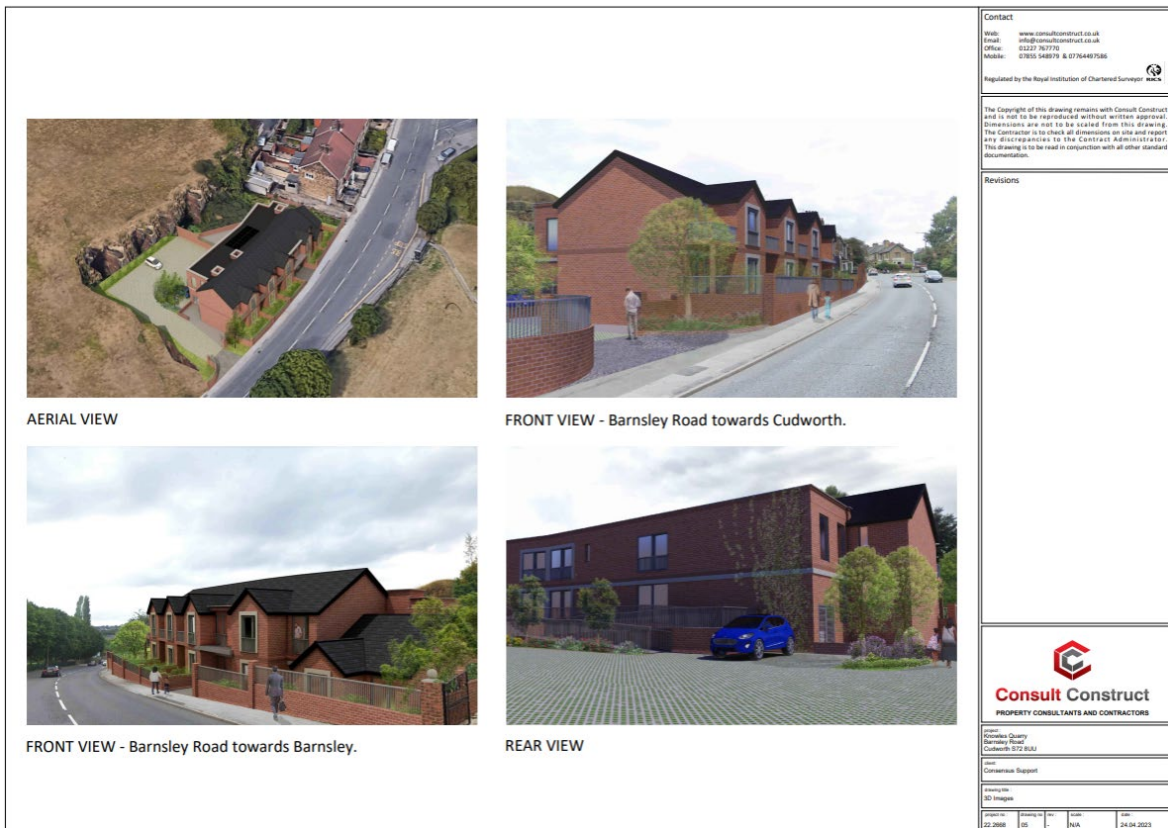
Part of the site is recognised as having biodiversity and/or geological value. This refers to the quarry face to the rear of the site which is a RIGS site: Regionally Important Geological and Geomorphological Site. RIGS sites are important places for geology and geomorphology outside statutorily protected land such as SSSI's. The Plan states that allocation as a RIGS site does not necessarily rule out development, but their special nature needs to be taken into account. In the case of this application, the quarry face is to the rear of the site and will not be affected directly by the development. The proposed parking provision takes into account that it could also be used by visitors wanting to study the quarry face and for the long-term maintenance of the quarry face to be secured. This will ensure the special characteristics of the site are protected. Access arrangements are secured within the access document which has been agreed with SAGT and should be conditioned to be adhered to in perpetuity. In this respect the proposed complies with the designated RIGS site.

Given the above, there is no in principle objection to the proposed development subject to an assessment of it against the wider policies in the Local Plan, undertaken below.

The impact on the character of the area

The route into Cudworth, along Barnsley Road is characterised by two storey terraced housing with small front gardens or yards. The immediate area broadly to the northeast and west of the site is residential in character consisting of a mix of terraced and semi-detached houses. The main commercial centre of Cudworth is further to the northeast and in a linear form along Barnsley Road. The site is currently hardstanding with some areas of scrub. There was remnants of the former quarry buildings on the site and the cliff face to the rear is overgrown.

The proposed building has been specifically designed for this site, with two storey elements and gable elements to add interest. Balconies are featured to the frontage.



Proposed 3D images

The proposal comprises of an apartment building, set facing Barnsley Road, designed with low pitch roofs, with some flat roof elements, with natural slate tiles. The materials palette includes fair faced red bricks walls and soldier course banding, full height, light grey aluminium windows which will be finished with precast stone heads, jambs and sills. On the first floor, light grey metal railings are proposed to the balcony areas and Juliet balconies. The main entrance has a feature canopy and natural stone walls, and the proposal would feature black fascias, soffits and downpipes.



Brick.



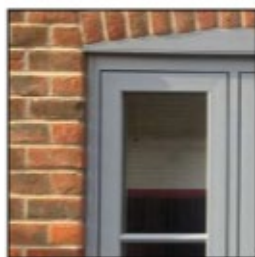
Precast stone.



Sandstone.



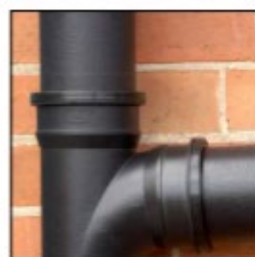
Natural slate.



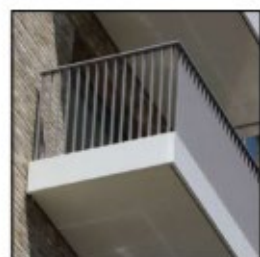
Light grey windows.



Black fascias.



Black gutters and downpipes.



Light grey metal railings.

Proposed materials

The proposed design is linear in nature and is considered to be well thought and would be in keeping with the scale of the adjacent two storey dwellings. Subject to conditions regarding the landscaping to be finally agreed, there are no objections in terms of the impact upon the character of the area and visual amenity in accordance with Local Plan Policy D1.

The impact on residential amenity

Given the proximity of the site to residential dwellings, the proposed building has been designed so that it would not significantly impact the amenity of the adjacent residents. The proposed building will follow the existing building line along Barnsley Road. On this basis, there will be no significant impact in terms of overshadowing. In terms of overlooking/overbearing impact, the closest adjacent property is No. 80 Barnsley Road. This property is set to the east and has two windows at first floor level in the side elevation; one of which is located in an extension to the rear, albeit there is no planning history on file for this property. The proposed apartments will be to the side with a blank elevation 8.3m from the side window on the main dwelling. No objection or comment has been received from this property. It is not clear from the site visit if these windows are secondary or habitable windows, nevertheless there is an impact on residential amenity of this property as a result of the proposal. However, the distance does mitigate this impact to some degree as does the fact that the main elevations (front and rear) are not affected by the development. As such the proposal is considered to be acceptable in terms of overlooking/overshadowing and overbearing impact.

In terms of the amenity standards for proposed residents, the proposed apartments have been designed to meet the requirements of the internal space standards as set out in the South Yorkshire Residential Design Guide of around 46sqm in floor area for the 1 bed units, and as such a good standard of internal amenity will be achieved. In addition communal lounges are proposed which provide further shared spaces for the residents to utilise. All habitable rooms of the development are served by a window which would ensure adequate light would enter the property and future occupants would have a good outlook. In terms of external amenity, the proposed site plan demonstrates there will be sufficient amenity space to serve the proposed dwellings. 8 of the apartments either have private outdoor space or access to a balcony area. There is also a shared outdoor space which can be utilised by the residents.

Therefore, the proposal is acceptable in residential amenity terms and complies with Local Plan Policy D1.

The impact on the highway network and highways standards

The site has extant permission for the erection of 6 dwellings including associated access and parking (2020/0551). These current proposals seek to instead create 9 supported living accommodation units for adults with autism and associated learning disabilities. It is proposed for staff to be present on site 24 hours a day working in shifts from 7am to 10pm and 10pm to 7am – staff would not live on site.

A total of 11 car parking spaces are proposed on the site, along with 10 bicycle parking bays in accordance with standards. This level of parking is considered appropriate for this proposed use of the site; the 'borough wide' car parking and the requirements for C3 use -for elderly housing as this is a reasonable comparison with the proposed use - is 1 space per unit and communal parking facilities, and 1 bicycle parking space per dwelling.

Due to the nature of the proposals, the majority of vehicular trips generated by the site would be staff movements and given the proposed shift patterns there would be few vehicle

movements during the typical highway network peak hours and as such the proposals are acceptable with regard to trip generation.

In comparison with the previously approved scheme, it can be seen that these new proposals incorporate a main site access positioned to the south-west corner of the site rather than a more centrally located access as before. Some concerns were raised by the Highways officer and amended plans have been received which include a localised footway widening within the vicinity of the site access in order to achieve the required 2.4m x 43m visibility splays. The widening of the footway is achieved by narrowing the carriageway of Barnsley Road by approx. 0.5m, however given that the carriageway is to retain a minimum width of over 7.7m, these access proposals are acceptable, subject to a condition regarding detailed design. The applicant/agent is aware that there are loop detectors for Automated Traffic Counters (ATC's) within the carriageway at the proposed site access that will need to be relocated, most likely by way of monetary payment to the Council to cover the cost.

In view of the above Highways have no objection to the proposal subject to conditions and the proposal is therefore acceptable when measured against policy T4 of the Local Plan.

The impact on the existing trees

The site was cleared of trees in early 2024 whilst the application was being considered, however there were no significant specimens on the site and the trees were not protected by TPO's. The Tree Officer originally made the following comments 'I have looked at the site and the arboricultural information and can confirm that ultimately the trees located in the bottom of the quarry which would be impacted by the proposed works are generally small poor quality specimens. These trees do have value as a group but ultimately I concur with the applicants arboricultural consultant that the trees ultimately could not be considered a constraint to the development. I am also content that in the main the existing quarry face will act to protect the trees shown to be retained in the AIA as they are located on or above the rockface itself. Some additional protection will be required however to ensure issues such as mechanical damage do not occur. The key issue will be the replacement planting to mitigate for the trees to be removed. No detailed landscaping has been provided and as such a landscaping scheme will need to be conditioned. It should be noted that ideally there should be an increase in trees on the site and one for one replacement planting would be considered an absolute minimum.'

Whilst trees have been removed on the site, there are still some trees which remain adjacent to the quarry face, therefore it is recommended to apply conditions to deal with tree protection measures and an arboricultural method statement. In addition, given a number of trees have been removed, a detailed landscaping scheme should be submitted which show additional planting on the site in order to mitigate the impact of the trees lost.

The impact on Geodiversity and Biodiversity

The application site includes Knowle Quarry a Regionally Important Geological or Geomorphological Site (RIGS). RIGS are also known as Local Geology Sites and are a non-statutory conservation designation which affords some recognition and protection through the Planning system. This RIGS/LGS is identified in the Local Plan. Applicants should also have regards to the LPA's Biodiversity and Geodiversity SPD. The applicant has agreed to allow access to the RIGS site for educational purposes, to be requested in advance through RIGS. As stated previously, the quarry face is to the rear of the site and will not be affected directly by the development. The proposed parking provision takes into account that it could also be used by visitors wanting to study the quarry face and for the long-term maintenance of the quarry face to be secured. This will ensure the special characteristics of the site are protected. Access arrangements are secured within the access document which has been agreed with

SAGT and should be conditioned to be adhered to in perpetuity. In this respect the proposed complies with the designated RIGS site.

In terms of Biodiversity, as stated above within the Tree Section of this report, the site was cleared of trees in early 2024, which was regrettable, however there were no significant specimens on the site and the trees were not protected by TPO's. The Ecology Officer has been consulted and has stated that: 'In relation to the clearance of habitats prior to willow tit surveys being undertaken, the applicant should make contact with the Yorkshire Wildlife Trust to agree specific offsite mitigation for the species. Details of the mitigation agreement should be sent to the LPA for review. The bat survey confirmed that no bats emerged from the cliff face during the activity surveys and low levels of bat activity were noted during the static detector surveys, albeit these were undertaken in the sub-optimal season for bat surveys. As the habitats have been cleared additional surveys would not gather any additional information. However, the development should ensure the provision of a sensitive lighting scheme for bats and the installation of integrated bat boxes within the building, both of which can be conditioned.

A BNG metric and report has been submitted as part of the application. However, as the site is under 0.5 ha in size and no priority habitat is present, a BNG assessment was not required.

The development shall be completed in line with the recommendations in the Preliminary Ecological Appraisal (dated 1st May 2024) and the conditions of the planning permission. In addition, three integrated bat and bird boxes will be installed on the proposed building and log piles will be located within suitable areas within the grounds of the development'

In terms of the Willow Tit habitat creation, Yorkshire Wildlife Trust have been consulted by the applicant and they would require a payment of £2975 which covers 5 days works for them to carry out some vegetation clearance to Carlton Nature Reserve to try and attract Willow Tits to the reserve. This would need to be secured by way of a S106 Agreement.

Subject to the above, the proposal is considered acceptable when measured against policy BIO1 of the Local Plan.

Flooding, Drainage and Pollution Control issues

The site is not in an area at high risk of flooding and the drainage officer has confirmed that drainage can be dealt with via conditions. Yorkshire Water have no comments to the proposal.

Pollution Control have not raised any concerns to the application in terms of contamination, the The Phase II Geo-Environmental Assessment has been submitted and previously approved by the Contaminated Land Officer as part of the earlier planning permission.

The Pollution Control Officer has no objection to the proposal in terms of noise, subject to the noise mitigation measures described in report 'Residential Noise Assessment' produced by NOVA Acoustics dated 12 September 2023, ref: NP-009933, being implemented in full.

Given the above, the proposal is therefore acceptable when measured against policies POLL1 of the Local Plan.

Planning Obligations

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

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

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

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

Biodiversity

As stated above, Yorkshire Wildlife Trust have been consulted and state that they would require a payment of £2975 which covers 5 days works for them to carry out some vegetation clearance to Carlton Nature Reserve to try and attract Willow Tits to the reserve, which will need to be secured by a S106 Agreement.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2023) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site suitable for residential development in the Local Plan and this weighs considerably in favour of the application. The proposed development will deliver 9 supported living units in a Principal Town where there is good access to a range of amenities and public transport, it is therefore sustainable development. In addition, the proposal will secure the future maintenance of an important geological site and access to it for interested parties. The site is not subject to any specific protection that would preclude its development and the long term benefits associated with the formal management and maintenance of the quarry face, secured from the development weighs in favour of the proposal.

In addition the amendments that have been undertaken have shown that a suitable access can be achieved and the Highways Officer has no objections in terms of Highway Safety. Whilst it is regrettable that the site was cleared of Trees during the processing of the application, the applicant will be providing Biodiversity Improvements, landscaping and a payment to YWT in order to provide funding for them to carry out some vegetation clearance to Carlton Nature Reserve to try and attract Willow Tits to the reserve.

The proposal is therefore, on balance, recommended for approval subject to a Section 106 Agreement and the proposed heads of terms are outlined below.

RECOMMENDATION

Approve subject to conditions

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 FOLLOWING MATTERS AND THE HEAD OF PLANNING BE AUTHORISED TO ISSUE THE PLANNING PERMISSION UPON COMPLETION OF THE LEGAL AGREEMENT:

- a) A contribution of £2975 which covers 5 days works in order for YWT to carry out some vegetation clearance to Carlton Nature Reserve to try and attract Willow Tits to the reserve.