

2022/0007

Mr S Moss

Reserved matters application for details of appearance, landscaping and scale in connection with outline application 2018/1433 (Demolition of all buildings within the site and proposed residential development of 22 dwellings (outline - all matters reserved except access and layout)

Roughbitchworth Lodge, Roughbitchworth Lane, Oxspring, Barnsley, S36 8YZ

Planning History

2018/1433 - Demolition of all buildings within the site and proposed residential development of 22 dwellings (Outline - all matters reserved except access and layout.) – Approved subject to conditions and S106 Agreement (education, greenspace, affordable housing provision and sustainable travel)

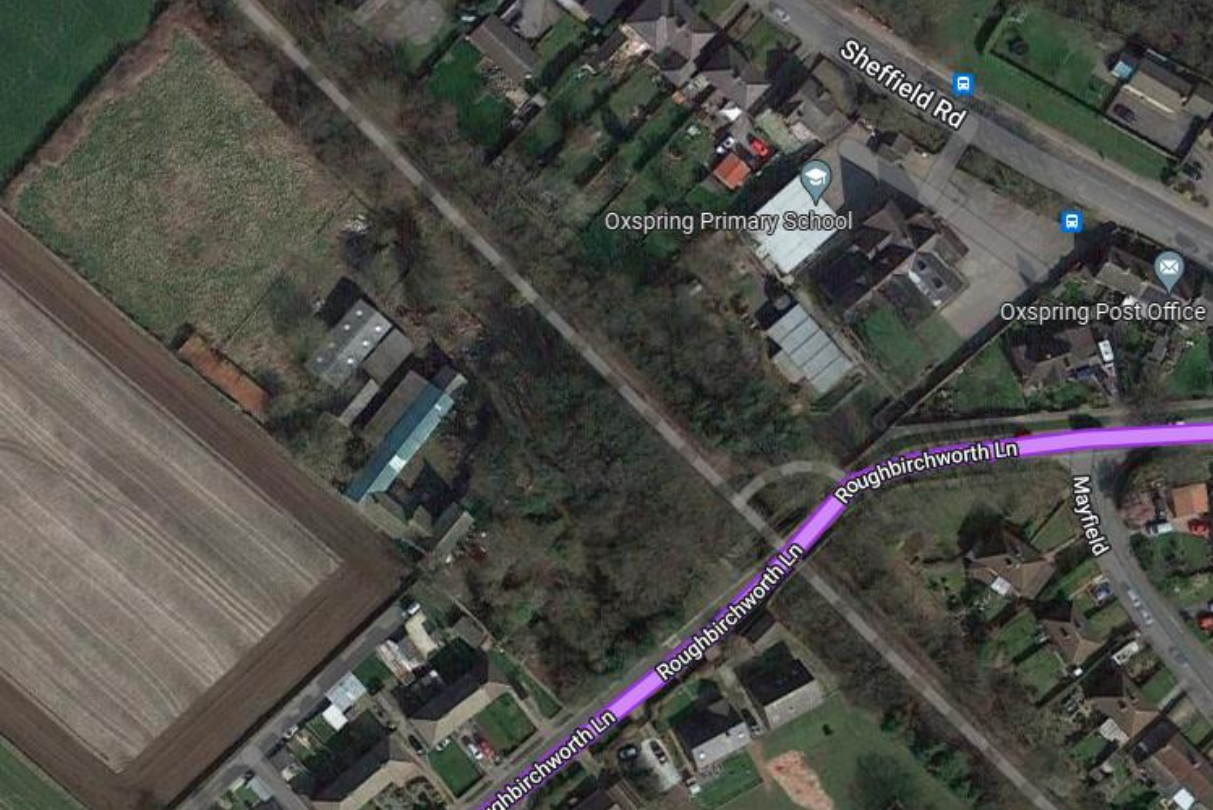
Description

The site is located within the village of Oxspring positioned between existing housing and the countryside. The site currently comprises the main farm dwelling known as Roughbitchworth Lodge, dilapidated cottages and a number of outbuildings and farm sheds. The buildings occupy the central part of the site and are associated to a former agricultural use that has been vacant for some time.

Access to the site is via the existing drive that enters directly off Roughbitchworth Lane, immediately to the south west of the road bridge adjacent to the Trans Pennine Trail. The Trans Pennine Trail runs along the north eastern boundary of the site and there are a number of mature trees within the site. The site itself is generally flat; however the Trans Pennine Trail that is located adjacent to the site is set at a significantly lower level in a deep cutting.

The site lies adjacent to traditional two storey terraced housing to the south west and bungalows on the opposite side of Roughbitchworth Lane. Land beyond the north western boundary is Green Belt and to the south west is an area of Safeguarded Land as allocated within the Barnsley Local Plan.





Existing Buildings on site

Examples of dwellings in the surrounding areas –



Proposed Development

This is a reserved matters application for details of appearance, landscaping and scale in connection with outline application 2018/1433 (Demolition of all buildings within the site and proposed residential development of 22 dwellings (outline - all matters reserved except access and layout)

The proposed properties include 7 different house types of the following:-

House Type A – (Plots 1 and 2) 3 Bed semi detached (2.5 storey)

House Type B – (Plots 3 and 4) 3 Bed semi detached (2.5 storey)

House Type C – (Plots 5, 6 and 7) 2 Bed townhouse (2 storey)

House Type D – (Plots 10, 15, 16 and 20) 4 Bed detached with integral garage (2.5 storey)

House Type E – (Plots 8, 9, 10, 11,14 and 22) 4 Bed detached with integral garage (2 storey)

House Type F – (Plots 17, 18, 19 and 21) 4 Bed detached with attached garage (2.5 storey)

House Type G – (Plots 12 and 13) 5 Bed detached with attached garage with rooms above (2 storey)

The application follows the existing approved site layout plan with some small amendments to the footprint of the plots and the parking areas and has the same access arrangements.

The proposal includes a mixture of detached, semi-detached and terraced houses of 7 different house types, some of which have dormer style windows and integral/attached garages. The properties are arranged around a single cul-de-sac road accessed from Roughbirchworth Lane to the east with properties located at either side of the road. As with the outline layout a habitat zone is proposed to the north western corner of the site. The site layout was originally dictated by the location of mature trees which are to be retained mainly to the north eastern portion of the site. Small changes have been made to the footprint of the dwellings and the parking areas however the plots are in the same locations as approved within the outline application.

The existing access is to be closed and the site accessed via the amended access point from Roughbirchworth Lane set adjacent to Vale View as approved and agreed within the outline application.

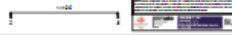
To support the application, the following documents have been submitted:-

- Preliminary Ecological Appraisal dated 16th September 2022 by Whitcher Wildlife Ltd.
- Biodiversity Enhancement Plan dated 20th September by Whitcher Wildlife Ltd.
- A landscaping plan and management plan have been submitted with the application, however the details relate to a superseded layout and will need to be updated as part of the discharge of conditions application for the outline approval.

TYPE A: PLOT 1,2



Land off Roughbirchworth Lane: Proposed House Type A



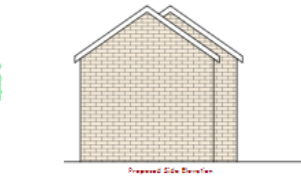
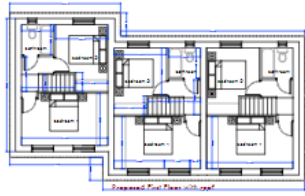
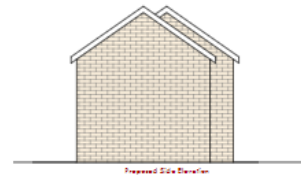
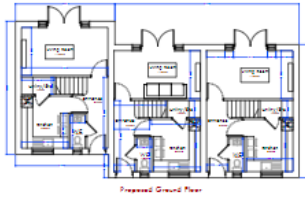
TYPE B: PLOT 3,4



and off Roughbirchworth Lane: Proposed House Type B



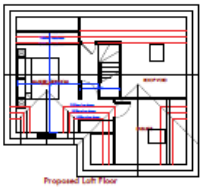
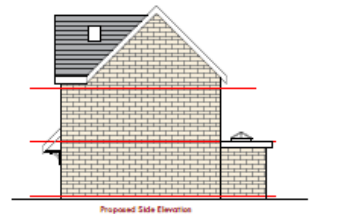
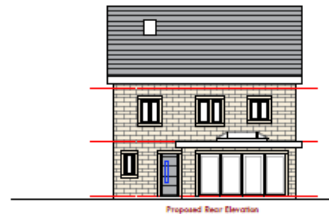
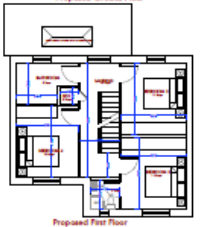
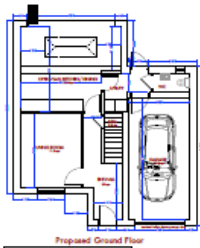
TYPE C: PLOT 5, 6, 7



Revision	
No.	Description
1	Issue for Planning
2	Issue for Building Control
3	Issue for Construction

Land off Roughbirchworth Lane: Proposed House Type C

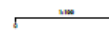
TYPE D: PLOT 10,15,16,20



Revision	
No.	Description
1	Issue for Planning
2	Issue for Building Control
3	Issue for Construction

and off Roughbirchworth Lane: Proposed House Type D

All boundary and party wall details to be defined by other not subject to existing boundary survey

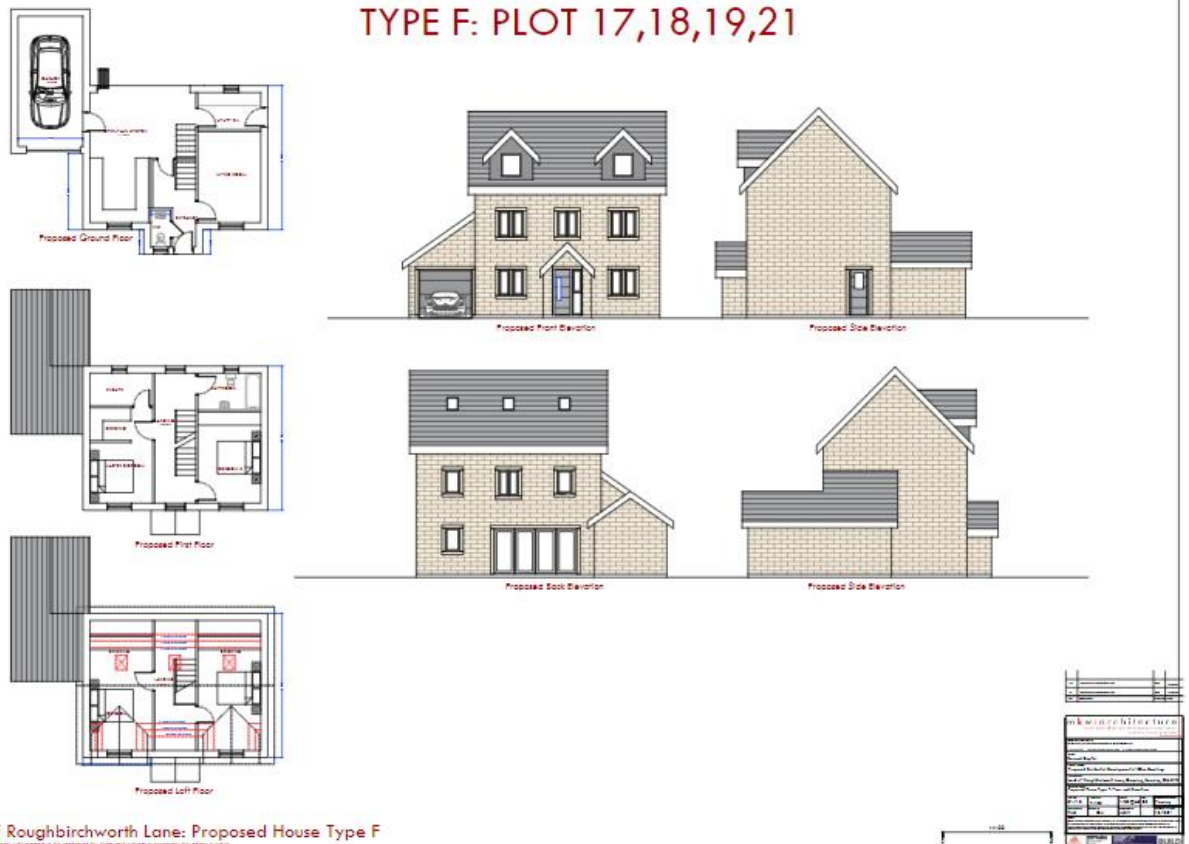


TYPE E: PLOT 8,9,11,14,22



Land off Roughbitchworth Lane: Proposed House Type E

TYPE F: PLOT 17,18,19,21



Land off Roughbitchworth Lane: Proposed House Type F

Policy Context

Local Plan

To the extent that development plan policies are material to an application for planning permission the decision on any application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

The site is an allocated Housing Site HS89 (indicative yield of 22 dwellings) within the Local Plan Policies Map -

The development will be expected to:

- Fully evaluate existing woodland trees for their biodiversity value and retain mature trees;
- Retain or create a buffer of trees/woody vegetation adjacent to the Trans Pennine Trail (to the north-east) to reinforce the wildlife corridor;
- Evaluate existing farm buildings for their bat roost and nesting bird value;
- Evaluate the site's importance as overwintering feeding habitat for golden plovers and provide mitigation or compensation habitat as appropriate; and
- Ensure the impacts/effects on the landscape are appropriately minimised and mitigated.
- There is a further protected species issue which affects the northern portion of this site.

Archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary) that must include the following:

- Information identifying the likely location and extent of the remains, and the nature of the remains;
- An assessment of the significance of the remains; and
- Consideration of how the remains would be affected by the proposed development.

The following policies are also of relevance:-

SD1 'Presumption in Favour of Sustainable Development'

GD1 'General Development'

LG2 'Location of Growth'

H1 'The number of New Homes to be Built'

H2 'Distribution of New Homes'

H6 'Housing Mix and Efficient Use of Land'

H7 'Affordable Housing'

T1 'Accessibility Priorities'

T3 'New Development and Sustainable Travel'
T4 'New Development and Transport Safety'
D1 'High Quality Design and Place Making'
LC1 'Landscape Character'
HE1 'The Historic Environment'
HE2 'Heritage Statements and General Application Procedures'
HE3 'Developments Affecting Historic Buildings'
HE6 'Archaeology'
GI1 'Green Infrastructure'
BIO 'Biodiversity and Geodiversity'
CC1 'Climate Change'
CC2 'Sustainable Design and Construction'
CC3 'Flood Risk'
CC4 'Sustainable Drainage Systems (SuDs)'
RE1 'Low Carbon and Renewable Energy'
CL1 'Contaminated and Unstable Land'
Poll1 'Pollution Control and Protection'
I1 'Infrastructure and Planning Obligations'

SPD's

- Design of Housing Development
- Open Space Provision on New Housing Developments
- Planning obligations
- Affordable Housing
- Trees and Hedgerows
- Financial contributions to Schools
- Parking
- Sustainable Travel

Oxspring Neighbourhood Plan

Policy OH1 Meeting Local Housing Needs

Policy OEN1 Protecting and Enhancing Natural Biodiversity Assets and Green Infrastructure

Policy OEN3 Planning for Climate Change

Policy OEN4 Landscape and Building Design Guidelines for New Development

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. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Consultations

Affordable Housing – The layout plan shows 7 (30%) affordable properties comprising 3 x 2 beds and 4 x 3 beds. The proposed mix and layout is acceptable and in line with the outline approval.

Contaminated Land – No comments received

Conservation Officer – No objection subject to previous conditions being complied with

Drainage – No comments received, however raised no objections to the outline application subject to conditions

Ecology Officer – Recommends that discharge of condition 5 but recommend deferral of discharging conditions 12 and 14 until the further information is provided.

Education – The development is required to make a contribution towards secondary school places in the locality. The development would result in 3 secondary places required at £16,000 totalling £48,000. A contribution is not required for primary provision.

Highways – No objections subject to additional condition regarding roller shutter doors to the garages

Oxspring Parish Council – No objections, but would like to comment on the number of parking spaces. We note that the 4 bedroom houses only have 2 parking spaces each and question whether this is enough.

Pollution Control – No objections

South Yorkshire Archaeology Service – No comments received

Tree Officer – No objections subject to previous condition on outline application being complied with

Ward Councillors – No comments received

Yorkshire Water – Yorkshire Water have no observation comments to make on this reserved matters application. Foul and surface water drainage proposals covered by condition nos. 24 and 25 from the granted decision notice dated 19th January 2021, can be dealt with via a future discharge of conditions planning application.

Representations

A site notice was posted adjacent to the site and letters have been sent to nearby residents.

6 Letters of objection/concern have been received which raise the following:-

- Highway safety
- Additional traffic
- Impact on wildlife, including bats, badgers and the rookery
- Overdevelopment of the site
- Plots 11 to 14 are too close to the trees and rookery
- The large mature trees should not be damaged-or harmed
- Traffic lights should be provided over the bridge
- Excessive number of 4 bed properties
- The site would make an ideal location for a new school
- Parking concerns
- Concerns regarding the impact during construction

- Safety of the current site

1 letter of support has been received:-

- The application should be approved to meet housing needs in the area
- The community will benefit from the scheme

A re-consultation was carried out due to amendments to the scheme. 2 additional letters of objection/concern have been received from 2 of the original objectors raising the same concerns outlined above.

Assessment

Principle of development

The site is allocated in the Local Plan for housing under site reference HS89, Land off Roughburchworth Lane and an outline approval (all matters reserved except access and layout) has been granted under application 2018/1452 for the development of the site for 22 dwellings. As such, the principle of the development is acceptable subject to the detailed reserved matters which include the appearance, landscaping and scale of the proposal as assessed below.

Residential Amenity

The SPD Design of New Housing Development states that *'in order to ensure adequate levels of privacy are provided/ maintained, to ensure residential development does not result in unacceptable levels of loss of outlook and in order to provide adequate amenity, development will be expected to comply with external spacing standards'*.

The proposed layout and number of units have already been agreed within the outline approval. The proposal includes some minor changes to the footprint of some of the larger plots, however the relationships between existing and new properties and their habitable room windows remain in compliance with the Councils external spacing standards and should not cause any significant overlooking, overbearing or overshadowing impact in accordance with the Design of Housing Development SPD.

With regards to the residential amenity of the future occupants, the proposed dwellings are of a mix of 2, 3, 4 and 5 bedrooms. The overall floor area of the majority of the house types exceed the technical guidelines set out in the South Yorkshire Residential Design Guide, with the exception of house type C, a 2-bed terrace unit. The overall floor area of house type C is approximately 59sqm and the SYRDG requires 62 sqm for a 2-bed unit. Unfortunately, these house types have been designed to meet the approved siting layout of the outline approval and given the site constraints it is not possible to increase the footprint of these units, therefore an exception to the normal policy can be made on this site. Whilst house type C is approx 3sqm short, the overall size of the rooms are considered to be acceptable on balance and should provide sufficient amenity standards to the future occupiers.

Whilst the overall floor area of the majority of the house types A, B, D, E, F, G exceed the technical guidelines set out in the South Yorkshire Residential Design Guide, the internal room sizes of some of the plots do fall short of the required internal spacing standards. For example, House Type A is a 3-bed unit, however it does have slightly smaller bathrooms, living areas and single bedroom than would be expected, however the overall floor area of the property exceeds the requirement of a 3-bed unit within the SYRDG which is acceptable.

In terms of external amenity space, the guide states that dwellings with 2 bedrooms should have private amenity spaces exceeding 50sqm and 3 or more bedrooms should have a private amenity space exceeding 60sqm. The proposed detached dwellings have over 60sqm of amenity space which is in line with the guidance. Due to the site being linear in nature, the site layout is very limited and the smaller 2 and 3 bed semi and terraced dwellings have smaller garden areas. The 3 bed units have approx. 58sqm of amenity space, with plots 5 and 6 having the smallest gardens of approx. 45sqm. Whilst this falls short of the recommended 50sqm and 60sqm required by the SPD, the dwellings are set close to open countryside and this rural location provides easily accessible opportunities for external recreation, therefore the reduced garden areas are considered to be on balance acceptable in this instance. Permitted development rights should be removed, in order to protect the amenity areas of plots 1-7 from further developments without planning permission.

The site layout allows for the retention of mature trees, with consideration given to adequate separation between the trees and the new dwellings, therefore they should not cause excessive overshadowing in accordance with policy Local Plan GD1.

In terms of the concerns raised with regard to any impact during construction, the Pollution Control Officer has no objection, however as the site is located close to existing residential properties, conditions have been applied to the outline approval to ensure the residents are not adversely affected by noise and dust issues during the development works in accordance with Policy Poll1 Pollution Control and Protection. The proposed development is considered to be acceptable when measured against the SPD Designing New Housing development and Local Plan Policy GD1 General Development and the Oxspring Neighbourhood Plan.

Visual amenity

The layout shows that the proposed dwellings would be orientated in a traditional layout, arranged with a cul-de-sac with the properties fronting the road and having parking to the front/sides with front gardens between the road and the front elevations and all have private gardens to the rear. The proposal includes a mixture of 7 different house types to provide interest and variety, with detached, semi-detached and terraced properties. The design of the dwellings are considered to be acceptable. In terms of scale and design, the proposed dwellings are mainly two storeys, some of which have rooms in the roof spaces with dormer windows. Policy OEN4 of the Oxspring Neighbourhood Plan states that 'low rise, two storey properties are likely to be most successfully accommodated into this rural landscape.' Dormer windows can be seen on adjacent residential developments and are acceptable to be used within the development as the roof heights are not overly excessive.

No details have been provided in terms of the materials proposed, however the area consists of a variety of brick, stone and render. Detailed material specifications and samples have been conditioned on the outline approval and should be submitted for approval upon commencement of the development.

The site borders onto the Green Belt to the north west boundary, however the dwellings are limited to two storeys in height, therefore they should not be any adverse impact upon openness. In addition, the layout does not prejudice the future development of the adjacent safeguarded Land. The design of the properties are considered to be in compliance with policy D1 of the Local Plan and policy OEN4 of the Neighbourhood Plan 'Landscape and Building Design Guidelines for New Development'.

The plans show basic landscaping and the retention of the mature trees on site which will be of benefit to visual amenity. A detailed landscaping plan has been submitted with the application however it relates to a superseded plan. A condition has been applied to the outline approval requiring a detailed landscaping plan to be submitted upon commencement

of the development. A management plan will also need to be submitted via a discharge of conditions application in order to satisfy conditions no 12 and 14 of the outline approval.

Trees/Biodiversity

Concerns have been raised by residents with regard to the impact of the proposal upon wildlife, trees and biodiversity. The applicant has submitted an updated ecology report and a Biodiversity Enhancement Plan which has fully assessed the site and the impact of the proposed development.

The Ecology Officer has been consulted and states that 'The revised Preliminary Ecological Appraisal (PEA) submitted details updated surveys undertaken on site in 2022. Bat surveys undertaken during the active season of 2022 recorded common pipistrelles roosting within multiple buildings on site, as well as signs of use by nesting birds. In addition to this, a walkover survey carried out in summer identified a stand of Himalayan balsam on site, a non-native invasive species included on Schedule 9 of the Wildlife and Countryside Act 1981. I am satisfied with the level of survey effort and the impact assessment as a result of the proposals. The Biodiversity Enhancement Plan (BEP) submitted in association with the PEA sets out mitigation strategies for the species affected and I am satisfied with the proposed approach. Protected species licences will be required for some of the works and it is the responsibility of the developer to ensure these are in place at the appropriate time of works.' The proposal is therefore considered to be in accordance with policy BIO1 of the Local Plan and Policy OEN1 of the Neighbourhood Plan.

A full Tree Report for the entire site was submitted in support of the outline application. The site contains a number of large mature trees, and the site layout has allowed for the retention of more of the prominent trees. The works will retain a buffer of trees and vegetation adjacent to the Trans Pennine Trail to reinforce the wildlife corridor in line with the site specific policy and in compliance with BIO1 of the Local Plan and Policy OEN1 of the Neighbourhood Plan. There have been small changes to the footprint of some of the dwellings and the parking areas, however the Tree Officer has not raised any objections subject to the previous conditions applied to the outline permission being complied with. Tree protection measures would be required as part of the discharge of conditions application for conditions 11 and 13. In terms of re-planting, a landscaping plan has been provided at this stage, however it does relate to a superseded layout and will need to be updated as part of the discharge of conditions application for the outline approval, which required a detailed landscaping plan to be submitted upon commencement of the development. The indicative plan does contain a significant amount of new planting which is welcomed and wherever possible large growing native trees shall be included in the scheme in the form of Alder, Beech and Lime along with other more moderately sized species. A management plan will also need to be submitted via a discharge of conditions application in order to satisfy conditions no 12 and 14 of the outline approval.

Highways

Concerns have been raised with regard to the impact of the proposed residential development upon highway safety and additional traffic, however the highways implications of the development have been assessed at outline stage, with the number of units, access and layout already agreed.

The internal layout includes sufficient off street parking for each unit and 6 visitor parking spaces, meeting the parking standards as set out in the SPD. The Highways Officer has been consulted and has no objection to the proposed parking provision, however has requested an additional condition that requires garages to have a roller shutter type door rather than the up-and-over type if the drive is less than 6m in length.

Consequently, there are no objections to the proposal in a highway context, subject conditions in compliance with policy T4 of the Local Plan.

S106 Contributions

A Section 106 Agreement applies to the outline approval and will need to be complied with. As the development proposes 22 dwellings, there is a requirement for the developer to provide contribution or on site provision towards, additional school places, affordable housing, sustainable travel and public open space. The S106 agreement secures the following:-

- Additional School Places – The SPD ‘Financial contributions towards schools’ 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; or

There is a need for contributions to ensure schools are in an appropriate condition

The development would result in 3 secondary places required at £16,000 totalling £48,000. No primary places are required.

- Public Open Space - The SPD ‘Open Space provision on new housing developments’ states that an open space contribution is required on all new housing developments of 20 or more dwellings including flats. Based on the number of bedrooms for the house types submitted with this reserved matters application and based on the formulas provided within the S.106 Agreement, the following amount would be required for POS:- £43,923.28.

- Affordable Housing – Policy H7 Affordable Housing states that housing developments of 15 or more dwellings will be expected to provide affordable housing. 30% affordable housing will be expected in Penistone and Rural West.’ The layout plan shows 7 (30%) affordable properties comprising 2 and 3 beds. Policy OH1 of the Oxspring Neighbourhood states that the affordable housing must be fully integrated with the market housing. The proposed layout plan identifies the affordable properties as plots 1-7 as agreed with the outline approval (house types A, B and C). The affordable properties are clustered in one location, however given the size of the site and the fact that there are market properties directly opposite (to the south-west of the access road), it is considered that this layout is considered acceptable. The proposed mix and layout is acceptable to the Affordable Housing Officer.

- Sustainable Travel – The SPD ‘Sustainable Travel’ states that ‘contributions will be sought on developments of 10 dwellings or more.’ Based on the formula set within the SPD a total of £22,000 would be required.

Recommendation

Approve subject to conditions