

# Item 6

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**Ref: 2019/0623**

Applicant: Gleeson Developments Ltd

Description: Residential development of 97 no. dwellinghouses with garages, parking spaces and public open space and associated roads and sewers.

Lowfield Road, Bolton Upon Dearne

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This application is a resubmission of a previously refused scheme and Members will be aware that there has been a long planning history with this site and others developed by Gleesons in the borough. This culminated in several planning appeals and enforcement action related specifically to the use of loose aggregate material for driveways. This matter has now been resolved and driveways on existing developments have either been, or are in the process of being, hard surfaced.

## **Site Description**

The site is located on the field adjacent to an existing housing estate constructed by Gleeson Homes at Lowfield Road in Bolton-Upon-Deerne which is known as Lowfield Park. The application is effectively for a 3rd phase of the development with the first phase of 60 dwellings approved under 2011/0963 and the second phase of 58 dwellings approved under 2013/0960).

The proposed development is on a greenfield site. This currently comprises an open field which is used for horse grazing purposes and is 2.65ha in size. The development would extend the existing urban settlement to the south east where the site would adjoin further open countryside located to the east and south. To the north and west are located existing houses. The site is separated from the existing Gleeson development by a banking containing vegetation. Houses located on Lowfield Road and Lowfield Grove overlook the site. Located to the south west is Bolton Upon Dearne Waste Water Treatment works.

Access to the development entrance on Lowfield Road is via a humpback bridge passing over the main Sheffield to Leeds railway.

## **Proposed Development**

The application proposes a 3rd phase development of 97 houses. This would increase the size of the estate to 215 houses overall across the 3 phases.

The houses would be two storeys in height and would be either detached or semidetached which would be of a similar form and layout to the existing estate. Overall, it would consist of 28 no. two bedroom, 60 no. three bedroom and 9 no. four-bedroom properties.

Access would be via the roads built to serve phases 1 and 2 (Prior Croft). This road adjoins Lowfield Road in a location to the northwest of the site via a 'T' shaped junction. Thereafter road and pedestrian traffic has to cross over the railway using a humpback bridge prior to the site connecting with the main road network via the junction between Lowfield Road and Station Road/Angel Street (the B6098).

A suds pond is proposed off site, in the field to the east.

## History

### *Phase 2*

2015/0720 - Variation of condition 4 of application 2013/0960 (Residential development of 58 dwellings) in relation to surfacing of parking/manoeuvring facilities (Phase 2). Refused by the Council 09/10/2015 (Appeal Withdrawn)

2016/1041 - Variation of wording of condition 4 of application 2013/0960 (Residential development of 58 dwellings) in relation to surfacing of parking/manoeuvring facilities. Refused 22/11/2016 (Appeal Dismissed)

### *Phase 3*

2015/0725 - Erection of 97 dwellings with garages and/or parking spaces together with the provision of open space and associated roads and sewers. Refused 22/11/2016 on grounds of lack of affordable housing, inappropriate driveway specifications, odour issues, and lack of justification of release of safeguarded land. The subsequent appeal was dismissed and whilst the Inspector did not agree that odour was an issue, they did feel that the combination of a lack of affordable housing and issues over the driveway specifications were sufficient to dismiss the appeal.

2017/0638 - Residential development of 97 no. dwellinghouses with garages, parking spaces and public open space and associated roads and sewers – Refused 27/06/2018 on grounds of inappropriate driveway specifications. The subsequent appeal was dismissed.

## Policy Context

To the extent that development plan policies are material to an application for planning permission the decision on the 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.

Site Allocation: Housing Proposal and Safeguarded Land

Site HS42:-

Land south of Lowfield Road, Bolton on Dearne, Indicative Number of dwellings 86.

Development is expected to:

- Provide traffic signals at the railway bridge on Lowfield Road;
- Provide an odour report and incorporate any appropriate mitigation measures including a landscaped buffer;
- Be designed, managed and mitigated to ensure that there are no adverse impacts on the neighbouring Adwick Washlands nature reserve (to the east of the site) which is of significant ecological interest; and

- Be accompanied by details for the improvement, protection and maintenance of the adjacent Scheduled Ancient Monument known as Heavy Anti-aircraft gun site 330m south east of Lowfield Farm (Entry 1019872) and its setting. Planning conditions will be used to ensure that details for the improvement, protection and maintenance of the monument have been submitted to and approved by the Council before development commences.

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 14% of new homes to be built in the Dearne.

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

H7 'Affordable Housing' seeks 10% affordable housing in this area

H8 'Housing Regeneration Areas'

T3 'New Development and Sustainable Travel'. The site is located in the Dearne

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

HE6 'Archaeology'

GB1 Green Belt

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
- 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**

**Air Quality:** No objection to the development on operational phase air quality grounds, however would recommend the installation of electric vehicle charge points in accordance with the Barnsley MBC air quality and planning good practice guidance.

**Affordable Housing Officer:** There is a requirement for 10% in this area at an 80/20 split.

**Biodiversity Officer:** The Supplementary Ecological Information report (SLR, v1, Dec 2020) is a welcome addition to the existing ecology information and it responds positively to many of the concerns raised in my response of 16/10/20 to previous information. Whilst there are still shortcomings, the updated proposals are sufficiently improved that I am prepared to recommend approval of the proposals if the applicants guarantee maintenance of the biodiversity features for at least 10 years post-construction.

**Broadband:** No objection subject to a condition securing superfast broadband.

**Conservation and Design:** Initial issues with the information received in relation to the Scheduled Ancient Monument (SAM) to the east of the site have been resolved.

**Contaminated Land:** No comments to make regarding the application with regards contaminated land issues.

**Danvm Drainage Commissioners:** The applicant should ensure that any existing or proposed surface water discharge system has adequate capacity for any increase in surface water run-off to the area. The planning application may relate to work in, on, under or near a watercourse within the Internal Drainage Board (IDB) Drainage District and requires consent from the IDB in addition to any landowner agreements for works, access, easements and planning permissions.

Drainage: No objections subject to conditions

EA: Our current Flood Map for Planning shows that part of the site lies within Flood Zone 1, with a low probability of flooding from rivers and/or sea. The information provided for the development is applicable to the scale and nature of the development. We note from the information provided the intention is to discharge surface water into the River Dearne, which is classified as main river. Any works within 8 metres of the river will require a permit in place before any works will be able to commence.

Education: There is a need to provide contributions to fund both 20 primary and 15 secondary education places.

Highways: Have objected to the scheme and maintain the view that the proposal is unacceptable from a highways perspective. More details of this are given in the assessment section of the report.

Natural England: Standard advice only, no objection. For the Council to ensure ecology is suitably addressed.

Network Rail: With reference to the protection of the railway, Network Rail has no objection in principle to the development but has requested potential contributions towards improvements at the station.

Pollution Control: I have reviewed the odour assessment document and the previous Planning Inspector decision reports that relate to this application. They have concluded that odour at the site would not be sufficient to refuse the application and that it should be allowed. Therefore have no objections to this application subject to standard conditions relating to noise & dust management, working/delivery times and the requirement to have an adequate water supply.

Public Rights of Way: There are no recorded public rights of way on or abutting the site.

RSPB: No response received.

South Yorkshire Police: No objections, detailed design comments only which have been passed to the developer for consideration at the Reserved Matters Stage.

South Yorkshire Mining Advisory Service: The site is not located in a coal mining referral area. The applicant has submitted a site investigation report which confirms the land is not affected by mining legacy issues. No objections, standing advice only.

Superfast South Yorkshire: Standard condition requiring high speed broadband.

Tree Officer: The site is generally unconstrained in terms of trees and hedges with only a short section to the south being implicated in the scheme. Therefore no objections to the proposed development from an arboricultural perspective as the remaining trees around the boundaries can be retained and protected as part of the proposed development. Tree protection measures as part of an arboricultural method statement will be required to specify where the barriers will be utilised along with any other protection measures or specialist construction techniques required. The proposed landscaping is also acceptable as it will lead to a significant increase in the tree population of the site which is ultimately an improvement. As such there is no objection.

Ward Councillors: Former Councillors Johnson and Noble strongly objected to this application until all phase 2 obligations have been met. As the application was first submitted in the early days of the pandemic Councillor Noble also raised concerns about the pandemic and dealing with

applications when residents were in lockdown or shielding as well as regarding flooding issues on the fields.

Councillor Danforth has raised enquiries related to the additional traffic on Lowfield Road and whether it cannot sustain another 194 cars. Has also commented that it was originally designed for the farm and a small number of terraced houses with only one pavement on the railway bridge and being not wide enough for two prams to pass or a mobility scooter. The works required for the 2013 application have not been implemented and the Transport Assessment for this application is out of date (2015). Lowfield Road is an in / out access and there is no alternative route. In addition, the developments eastern boundary is only 50m from Adwick Wash an RSBP reserve and the extra noise will have an impact.

Yorkshire Water: Based on the information submitted, no observation comments are required from Yorkshire Water.

## **Representations**

The application was publicised by notices in the press, on site and by individual neighbour notification. 215 objections have been received from local residents, the majority of which have been submitted by residents who are a member of the Friends of Lowfield Road Action Group. In summary the main objections are summarised as follows:-

Numerous concerns are raised about the ability of Lowfield Road to safely accommodate the increase in traffic as a result of the development. Namely these are:-

- The humpback bridge: Its narrow width, poor forward visibility. It is also pointed out that the bridge has been identified to be a public safety risk by Network Rail.
- It is asserted that subsidence has occurred on Lowfield Road as a result of the existing amount of traffic using the road and that this would be made worse by the development.
- Concerns that the narrow width of Lowfield Road is such that drivers exiting the existing Gleeson development are unable to turn left without driving onto the other side of the road into oncoming traffic.
- It is also stated that the kerb to the south of the junction between the new development and Lowfield Road is still unfinished causing a safety concern due to it jutting out into the highway.
- Concerns that Lowfield Meadows, or the access serving Lowfield Lakes fishing lodge may be required to provide additional future accesses to serve the development and that both are unsuitable as they would increase the level of conflicts with cars leaving Lowfield Meadows and Lowfield Farm Close/Woodside View.
- Conflict with on street parking due to Lowfield Road containing a number of terraced houses. In addition it is stated that the number of vehicles parking on street on Lowfield Road has increased since the homes on the applicant's site started to become occupied, including vans. Concerns are also raised regarding conflict with visitor traffic to the nature reserve and recreation land to the east of Lowfield Road which includes many bird watchers and dog walkers.
- Concerns that the development shall lead to additional queuing at the junction between Station Road and Angel Street (B6098) causing a further inconvenience for existing residents.
- Concerns are again raised about the narrow width of footpaths on Lowfield Road and the difficulties for users with wheel and push chairs and that this will become more difficult to use with more people living in the area.

Residential amenity - It is stated that the development would lead to a reduction in the quality of life for existing residents due to loss of light, outlook and enjoyment of gardens.

Safeguarded land - Development of the site would be contrary to the relevant UDP policies which designate the site to be Safeguarded Land. Concerns are raised therefore that the release of the site for housing would be contrary to this designation and that other sites should come forward first.

Urban sprawl - Concerns that the development would result in the loss of countryside. In addition it is stated that the high amount of properties in the area for sale and for let in the area indicate a lack of demand for further housing in the area.

The supporting documents - Concerns that the number of traffic movements recorded in the transport assessment is improbable. Concerns are also raised that the supporting documents cut and paste text from the reports accompanying the previous application which is not relevant to the proposal. An example is that the site is referred to as being brownfield rather than greenfield.

Concerns that the applicant has attempted to scaremonger the local community into supporting the development by suggesting that the train station may be closed unless the development is allowed.

The applicants assertions that the site benefits from good access to public transport is disagreed with based upon the following points:-

- Trains to Leeds and Sheffield are only available on an hourly basis.
- There being no bus service to Doncaster
- There is no public transport service to Manvers
- The frequency of other bus services in the area is only once every half an hour

Flood risk – It is asserted that the site is located in a flood plain and that a number of properties on Lowfield Road have been evacuated in the past in flooding events.

Harm to the Lowfield Lakes fishing business – Concerns are raised that the housing development would spoil the rural setting of the site. In addition, concerns are raised that the living conditions of the residents who live in the dwelling would be harmed as a result of proximity issues. The owners also question whether the development would affect the existing septic tanks and water tanks located in the field leading to pollution control issues.

Concerns about low water pressure/poor electricity supply and sewage disposal facilities due to existing outdated infrastructure not being brought up to date despite all of the development in the area over the last 30 years.

Loss of agricultural land and land used for equestrian purposes.

Harm to the open countryside landscape and views from Adwick on Dearne.

Harm to biodiversity – Specific concerns are raised about the proximity of the site to an RSPB nature reserve.

Potential harm to broadband speeds for existing residents.

Proximity to a WW2 archaeology site.

Concerns that the residents of the houses would have a poor standard of amenity due to being affected by odour from the waste water treatment works.

It is stated that there are other sites around the Dearne Valley which would be better suited to accommodate a large housing development.

It is questioned whether the track located on the far eastern edge would be used as an emergency access.

Concerns that the maintenance costs associated with the greenspace in phase 2 will increase if phase 3 is not approved or is developed by a third party.

These concerns are addressed in the report below.

## **Assessment**

The site is allocated in the adopted Local Plan for housing under site specific policy HS42. Therefore, the proposed housing scheme is acceptable in principle subject to being assessed against the wider Local Plan policies and the following site specific requirements:

- Provide traffic signals at the railway bridge on Lowfield Road;
- Provide an odour report and incorporate any appropriate mitigation measures including a landscaped buffer;
- Be designed, managed and mitigated to ensure that there are no adverse impacts on the neighbouring Adwick Washlands nature reserve (to the east of the site) which is of significant ecological interest; and
- Be accompanied by details for the improvement, protection and maintenance of the adjacent Scheduled Ancient Monument known as Heavy Anti-aircraft gun site 330m south east of Lowfield Farm (Entry 1019872) and its setting. Planning conditions will be used to ensure that details for the improvement, protection and maintenance of the monument have been submitted to and approved by the Council before development commences.

Taking these matters in turn:

A scheme for the proposed traffic lights has been provided by the applicant, along with a Road Safety Audit. However, Highway Officers have objected to this scheme and as a result the proposed does not comply with this aspect of Policy HS42. This, along with highway safety issues, are covered in more detail below.

An odour assessment was provided with the earlier applications and the required buffer zone agreed at appeal. This application includes the area as landscaping with a 6m buffer strip of trees proposed to screen odour and visual impacts associated with the Waste Water Treatment Works.

An ecological assessment has been provided which sets out the approach to ecological mitigation and assesses impacts on the Adwick Washlands nature reserve. This is covered in more detail below with the findings and mitigation proposed accepted by the Biodiversity Officer.

With regards to the Scheduled Ancient Monument (SAM), located to the field to the east of the site, following consultation with Historic England the option to secure improvements or long-term maintenance of the SAM has been discounted as access is an issue. Instead, the applicant has agreed to provide a contribution of £13,000 to cover the cost of a detailed building record including laser scans and level 3 / 4 analytical historic building record. This will provide a detailed record of the SAM for the future and is considered to be the most appropriate solution at this time.

In addition, the scheme as proposed is consistent with the layout submitted under application 2017/0638. This application was refused and subject to an appeal, however, the focus of the appeal was the proposed driveways with all other matters agreed. This has set a precedent for the development of the site.

Notwithstanding the above, this amended scheme includes a proposed SUDs pond located in the adjacent field which is in the Green belt where Local Plan Policy GB1 applies which seeks to protect the green belt in accordance with the National Planning Policy Framework (NPPF). Paragraph 150 of the NPPF lists certain forms of development which are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, this includes engineering operations such as the proposed SUDs pond. Looking first at the impact on openness, the SUDs pond is a single retention basin with sloping sides circa 50m in length and 20 meters in width and with a depth of 1 meter. It is stated to be wildlife friendly, providing potential breeding conditions for amphibians and habitat for grass snakes, with further detail on this aspect included in the supplementary ecological information. In this respect the SUDs feature will be green and appear more as a natural pond, therefore, it will not impact on the openness of the green belt or conflict with the purposes of including land within it.

### Highway Safety

The proposed development has been assessed through two previous applications and appeals. The design of the site access, internal highway layout and parking were deemed acceptable previously and were not objected to through the appeal process (other than the driveway materials which has been resolved and can be conditioned). As such this will not be revisited.

Notwithstanding the above, there has been a material change in circumstances since the previous applications when a scheme for the signalisation of the railway bridge on Lowfield Road was being progressed by Network Rail. As this is no longer the case, the applicant has been required to provide an alternative signalisation scheme to address the known issues on the bridge and mitigate the intensification of its use associated with this development. This material change is reflected in the wording of Site Specific Policy HS42 in the adopted Local Plan.

The applicant initially submitted the original Transport Assessment (TA) dated June 2015 which was unacceptable and a revised, updated TA dated June 2020 has been provided. The revised TA utilises actual surveyed trip rates from the Phase 2 development, as these are greater than the most up to date (at the time of writing the TA) trip rates within the TRICS database. In addition, appropriate growth flows have been applied to reflect changing traffic patterns. This provided the basis for the 2025 future year predicted flow and is considered an acceptable approach. In addition, the revised TA acknowledges Local Plan Policy HS42.

The TA indicates that the Station Road / Angel Street junction operates over capacity under the 2025 AM peak period future year assessment (with development flow) scenario. The TA states that this is considered acceptable for an existing junction and that following completion of the proposed development, the highway network will continue to operate safely and within capacity. However, the results demonstrate that the junction operates over capacity and as such the Council would expect some form of improvements to be investigated to mitigate this negative impact.

With regards to the HS42 policy requirement in that "The development will be expected to: Provide traffic signals at the railway bridge on Lowfield Road", this assessment takes account of the view of the Highway Authority which includes BMBC network management, road safety and traffic signal engineers. The primary issue to appreciate at Lowfield Road is the current bridge structure is insufficient to provide a highway width to accommodate both 2-way traffic movements and pedestrian movements. The policy requirement to introduce traffic signals is to enable a reduction to single flow vehicle movements and provide a new pedestrian footway. Improvements to the public highway are therefore in the interests of highway safety and not a highway capacity requirement.

The latest design submitted by the applicant proposes to introduce a new traffic signal installation that is a resubmission of a solution rejected by Highways on previous phases of the development

site. It essentially seeks to provide a traffic signal and stop line at both east and west approaches of Lowfield Road

From a feasibility perspective, the main issue is the allowance for the side road on the east side approach. The swept path analysis submitted with the application does not demonstrate that all manoeuvres (entering and exiting the public highway) can be safely undertaken, resulting in vehicles overhanging the highway or centre line. Under the current highway operation, a vehicle can exit the access uncontrolled under the give way conditions and join the highway. However, the proposed mitigation and new traffic signal operation does not permit an appropriate vehicle to complete the manoeuvre and wait in the relevant position (i.e. before the stop line). This, coupled with the potential for vehicles approaching from the west to do so on a green signal, with an inference of comfort that the way ahead is free from obstruction, is the primary reason why the proposals are considered to increase the risk of collision and injury to users of the public highway and cannot be supported in their current form.

Furthermore, from a buildability and maintenance perspective, the Council also has a duty of care to its operatives on the public highway network. Within the current proposals, the positions of the traffic signal controller and signal poles are deemed to be located in such a way to prevent them being maintained safely without possible significant civil engineering works.

For the reasons above, as the proposals currently stand, they are unacceptable from a highways perspective as they are contrary to policies T4 and HS42 of the Barnsley Local Plan and, are detrimental to highway safety and efficiency, contrary to NPPF (July 2021) paragraph 111.

Previous comments in relation to the Travel Plan requested that the Targets and Action Plan at Appendix D of the 2015 Travel Plan Addendum be reviewed, updated and appended to the approved full Travel Plan. Whilst the revised TA makes reference to a proposal to extend the scope of the existing Travel Plan to cover all the properties in Phase 3, it would appear that this revision has not been forthcoming. As such this remains an outstanding item but could be resolved through an appropriately worded condition

### Visual Amenity

The existing site is largely clear of vegetation, is relatively flat and is used for the grazing of horses. The trees of value identified on the tree survey are located outside of the site and will not be affected.

The layout plan has been designed to comply with the space between building standards in the SPD. The house type plans are consistent with the houses approved under the previous two phases. There is a good mix of designs with 11 different house types proposed, with variations in elevation detailing providing some visual interest. The materials schedule proposes a mix of buff and red bricks with dark grey or red roof tiles, again this is consistent with the wider area which is characterised by red or buff brick properties.

The landscaping scheme includes a mix of shrubs, grass area and new trees across the site. In the south eastern corner, a 6m buffer strip of planted trees provides screening from the nearby waste water treatment works and there is an area of open space adjacent this which is in an identified odour contour. This is the only green space on the site, however, there is a play park in phase 2 and an area of open space to the south of this. On this basis, a contribution to off site greenspace is acceptable.

Finally, the ecological enhancements proposed off site to the west, include the landscapes Suds pond and additional tree planting which will also have a positive impact on visual amenity.

## Residential Amenity

An important consideration for the application is the relationship between the development and the Waste Water Treatment Works (WWTW). This matter was discussed in length at the appeal for 2015/0725 and the odour contour areas and required landscape buffer was agreed. This is retained on this layout. In addition, the appellant agreed to include a minimum 10m wide landscape buffer on the southern boundary of the phase 2 site (in the ownership of the appellant) where it meets the boundary with the WWTW. Subject to the imposition of these tree planting areas, the Inspector was satisfied that any perceived adverse odour / psychological effects arising out of the proximity of proposed dwellings 203-208 to the WWTW could be suitably mitigated. This planting and its maintenance can be secured through conditions on this application as the land has been included in the blue line.

The development would be sensitive from the perspective of removing the existing open outlook for residents of a number of existing dwellings located on Lowfield Grove. Loss of view is not a material consideration, however, and the plans have been designed to achieve the separation distances between new and existing properties required by the Design of Housing Development SPD.

The relationship between the dwelling positioned on the Lowfield Lodge site is closer, with that dwelling located very near to the boundary between the two sites. However, the plots 189 and 202 are orientated side on and to the north of rear garden of this property mitigating any overlooking and overshadowing impacts. Plots 181 – 188 back onto the front garden / driveway of the property but as this is not a private area the impact is acceptable. None of the new houses face onto existing windows and privacy in the rear garden is maintained.

Within the development the separation distances between existing buildings and the private rear garden sizes would meet the standards required by the SPD in the majority of cases.

## Drainage/Flood Risk

The Flood Risk Assessment has concluded that the site is not in an area that is classed to be at risk of flooding either from the River Dearne or overland flows and drainage infrastructure., i.e. it is located outside of EA flood zones 2 and 3. The Environment Agency have been consulted on the development and amended layout, which includes the SUDs pond on land outside the site, Their response confirms that part of the site is at low risk of flooding and they have no objection to the proposed development, however, they have recommended further permits will be required with them prior to agreeing any works adjacent the River Dearne.

The management of surface water run off from the development is another important consideration and the development proposes a SUDs pond, located to the south west of the site. This will hold water at times of high rainfall, allowing it to be released to the nearby River Dearne at a greenfield rate. The Internal Drainage Board (IDB) have raised no objections but confirmed their consent is required for this and that discharge rates must be agreed and set at greenfield a rate so as to not increase the risk of flooding in the wider network.

In terms of foul sewerage Yorkshire Water have not raised any concerns with regards to any issues with the capacity of the sewerage system to accommodate flows from the development.

Final details can be secured through appropriate conditions. On this basis the proposed complies with local plan policies CC3 and CC4.

## Ground Conditions

The site investigation has not identified any issues with contamination or unstable land arising from historical land uses. In addition, the site is located outside of a Coal Mining Risk Area. No objections have been received from Regulatory Services accordingly.

## Ecology

Whilst this development has been the subject of various appeals and previous applications included limited ecological mitigation, the Local Plan Policy position has changed and the applicant has therefore been required to provide further assessment and mitigation in support of this scheme. As a result, an Ecological Impact Assessment and Supplementary Ecological Information has been provided.

With regards to the impact on Aldwick Washlands, the report acknowledges the RSPB previously objected to the development because of the proximity to this site and lack of appropriate impact assessment. The ECIA mitigates this by assessing the impact, identifying that the washlands are 50m away, robustly designed to accommodate visitors, have existing public rights of way through them and connecting to the Lowfield Road area and is screened by scrub vegetation between the development site. Furthermore, the development is stated to not be functionally linked to the reserve given its use as grazing land for horses. On this basis, no appreciable impact on the Aldwick Washlands RSPB Reserve is predicted.

The Supplementary Ecological Information builds on the ECIA, proposing various mitigation measures:

- The planting of 64 oak trees within a 1.4 hectare area of land located to the west of the Site (land within the blue line, to the south of Phase 2);
- The balancing pond will include appropriate wildflower mix for pond edges and the pond sides as well as a scrub buffer;
- A tree lined buffer to the western edge, albeit this can only be provided to the north of the access, which connects to existing trees and scrub on phase 2;
- A scrub buffer planting to the south western corner of the site;
- Native hedgerows in gardens along the southern boundary of the site;
- The provision of integrated bat boxes, to be built within the fabric of suitable properties, as they are constructed;
- The provision of integrated bird boxes (suitable for starling, house sparrow and swift), to be built within the fabric of suitable properties, as they are constructed.

Whilst these mitigation measures and the impact of the development on existing habitats on the site have not been subject to detailed assessment using the Defra Metris, the Biodiversity Officer has reviewed them and accepted that they represent an enhanced offer for this site which is welcomed. On this basis, although compliance with BIO1 and the requirement to meet no net loss has not been demonstrated, there is no objection to the development on Biodiversity Grounds.

## S106 Requirements

Education –

- 20 Primary School places at £16,000 per place = £320,000
- 15 Secondary School places at £16,000 per place = £240,000

TOTAL = £560,000

Open space provision – New green space provision is required to be provided as part of the development in accordance with SPD: Open Space Provision on New Housing Developments. In

this instance and accepting that there is a play area as part of the phase 2 development, it is deemed appropriate to allow no open space on site and instead seek an off-site contribution to upgrade existing facilities in the locality. Based on the submitted unit split, a financial contribution of £152,425.80 would be sought.

Affordable housing – The site is an area where affordable housing provision required under policy H7 is 10%. Strategic Housing have confirmed that the split would be 80/20 rent and intermediate.

Sustainable Travel – This is sought in accordance with Local Plan Policy T3 and the accompanying Sustainable Travel SPD. As the area is in the Accessibility Improvement Zone the overall contribution would be £72,750.

SAM - A contribution of £13,000 to cover the cost of a detailed building record including laser scans and level 3 / 4 analytical historic building record.

### Conclusion

The submitted proposals to signalise Lowfield Road at the railway bridge have been assessed by Highway Officers and found to be contrary to the safe operation of the Highway as required by Local Plan Policy T4. On this basis the proposed development does not comply with local plan policies T4 and Hs 42.

In addition, insufficient information has been provided to demonstrate that the impact of the proposed on the wider highway network, and in particular the Station Road / Angle Street junction, can be adequately mitigated to ensure safe, secure and convenient access and movement as required by Local Plan Policy T4.

As a result refusal is recommended.

### Recommendation

Refuse for the following reasons:

1. The proposed would result in an unacceptable impact on highway safety due to the intensification of use of the railway bridge over Lowfield Road, a known substandard access route. Furthermore, the traffic signal scheme, proposed as mitigation, has been assessed as unacceptable in highway safety terms. Therefore, the development is contrary to Local Plan Policies T4 and HS42 as well as NPPF (July 2021) Paragraph 111.
2. The applicant has not submitted sufficient details to demonstrate that the impact of the development and associated traffic on the wider highway network, and in particular the Station Road / Angle Street junction, can be adequately mitigated to ensure safe, secure and convenient access and movement as required by Local Plan Policy T4.

