

Applicant: Barratt Homes & David Wilson Homes and Rebecca Jane Scott

Description: Residential Development, Open Space, Landscaping & Associated Infrastructure.

Land to the south of Halifax Road, Penistone, Barnsley

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### **Site Description**

The site is located to the north east of Penistone, bounded by Well House Lane to the east and Halifax Road to the north. The site is steeply sloped, rising broadly south to north. A rail line cuts into the hillside along the north eastern edge of the site where it enters a tunnel under Halifax Road.

The site is agricultural land, most recently used as grazing. The site comprises 4 fields with a mix of hedgerows and dry stone walls used to demark the boundaries.

To the east and south of the site there is residential development on Well House Lane, characterised by detached houses constructed mainly of brick with some render and a scattering of more traditional stone properties. Along the immediate boundary there are a number of bungalows backing onto the site with short rear gardens.

To the south west is Scout Dyke and a fishing lake, set within the valley and surrounded by wooded greenspace. Beyond this is Penistone Grammar, a modern school building constructed of render which sits prominently on the hillside, accessed from Huddersfield Road.

To the north west of the site is Westhorpe Works, a manufacturing site occupied by Clayton and Co. Among other products, the company manufactures early warning signals for the railway industry.

### **Proposed Development**

The proposed is for a residential scheme of 400 dwellings, largely 2 storey houses with a small number of 3 storey properties in the centre of the site and 12 bungalows located around the site edges.

A spine road runs through the site connecting Halifax Road with Well House Lane and providing an opportunity for buses to divert through the site, avoiding the bridge over the rail line on Well House Lane. The housing is laid out around this spine road with new streets to the north and south.

Greenspaces are located along the edge of Halifax Road, in the centre of the site (to the south of the spine road) and to the south of the site adjacent Scout Dyke. In addition, there is an area of undeveloped land to the north west of the site, adjacent Westhorpe Works which is excluded from development as it is within the HSE buffer zone around Clayton and Co.

The residential development ranges in density across the site with the densest development to the south and east of the site and adjacent Westhorpe Works and the least dense to the north and west edges of the site.

The mix of housing is:

12 x 1 beds

80 x 2 beds  
139 x 3 beds  
169 x 4 beds

Within this mix there is 120 affordable properties, including 4 bed bungalows and 5 x 4 bed houses.

## **Policy Context**

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The new Local Plan was adopted at the full Council meeting held 3rd January 2019. In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision making process.

The site is located within Penistone which is identified as a principle town in the settlement hierarchy. Penistone is a rural market town which is an important shopping and service centres for the rural hinterland in the west of the borough. It is in an area of attractive countryside, close to the Peak Park and surrounded by Green Belt. Unemployment is lower than other parts of the borough with large numbers of commuters to Sheffield, Huddersfield and Barnsley.

Site Allocation: HS75 Land south of Halifax Road, Penistone Indicative number of dwellings 414

Development is expected to:

- Be designed to provide an appropriate buffer around Westhorpe Works in accordance with HSE standards;
- Provide appropriate off site road safety enhancements;
- Ensure the wider characteristic landscape setting and the setting of the Penistone Conservation Area are protected and enhanced by the use of appropriate site layout and sympathetic design that reflects their setting, scaling, massing, details and materials;
- Provide appropriate acoustic treatment to mitigate against road and railway noise; and
- Evaluate the site's importance as overwintering feeding habitat for golden plovers and provide mitigation or compensation habitat as appropriate.

In addition, appropriate archaeological assessment is required.

SD1 'Presumption in Favour of Sustainable Development'.

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

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

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 5% of new homes to be built in Penistone.

HS75 Site Specific Policy - Land south of Halifax Road, Penistone Indicative number of dwellings 414

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

H7 'Affordable Housing' seeks 30% affordable housing in this area on sites over 15 units.

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

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

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

HE1 'The Historic Environment'

HE2 'Heritage Statements and general application procedures'

HE3 'Development affecting Historic Buildings'

HE6 'Archaeology'

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

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

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

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

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CC5 'Water Resource Management'

RE1 'Low Carbon and Renewable Energy'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

AQ1 'Development in Air Quality Management Areas'

UT1 'Hazardous Substances'

UT2 'Utilities Safeguarding'

I1 'Infrastructure and Planning Obligations'

I2 'Educational and Community Facilities'

### SPD's

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

### Neighbourhood Plan (NP)

The Penistone NP sets the guidelines for their development of the town to 2033 in accordance with the Vision and 10 Objectives. Policies relevant to this application include:

BE1 – Design of the Built Environment, sets principles for new housing proposals including:

- Housing development should be reflective of local architecture and character with no houses above two storeys on the perimeter of built up areas and the use of external materials that reflect the characteristic of the locality.
- Development should be designed to be sensitive to any existing wildlife habitat and development on the edge of settlements shall incorporate tree planting.
- Development should maintain key views identified in the NP.

BE2 - Protection and enhancement of local heritage assets, including a number of Listed Buildings visible from the site and the Penistone Conservation Area.

BE3 – Public Rights of Way network – accessibility using non-motorised routes will be enhanced wherever practical. New development (and in particular HS70 & HS71) should retain and enhance existing PROW routes and avoid harm to the amenity of existing routes by unreasonable change in their character or outlook. Proposals for development should seek to connect to the existing network.

LE1 – Increase the vitality of Penistone Town Centre, identified the development of Lairds Way to alleviate parking issues as supported to benefit the town centre's businesses and workers.

H1 – Appropriate Housing Development, requires a mix of bungalows, starter homes and smaller (1 & 2 bed) homes and seeks to ensure affordable housing is pepper-potted through development sites.

### Other

South Yorkshire Residential Design Guide

## NPPF

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

### **Consultations**

**Affordable Housing** – There is a requirement for 30% affordable housing in the area. Strategic Housing have agreed a 60% affordable rent to 40% shared ownership split based on the following mix: 8 x 1 beds, 60 x 2 beds, 47 x 3 beds, 5 x 4 beds. However, they remain concerned that the affordable housing is in clusters and not dispersed more evenly across the site as required by the SPD.

**Air Quality** – 1 charging point per unit (dwelling with dedicated parking), or 1 charging point per 10 spaces (unallocated parking)

**Barnsley Clinical Commissioning Group (NHS)** – No comments received

**Biodiversity** – Sufficient information on the impact on habitats and species as a result of the development has been provided and recommendations regarding some mitigation for birds can be secured through conditions. However, there is not enough detail to fully assess how the impact on habitats will be mitigated to meet no net loss. It is understood this will be secured through the S106 process with a focus on securing the mitigation in the locality and it has been suggested to the applicant that they approach Yorkshire Water in this regard.

**Coal Authority** – No objections, material consideration only.

**Conservation Officer** – The original setting assessment in the Heritage Statement was lacking detail however the LVA as updated has provided sufficient information to judge the heritage impacts of the scheme. No objections as per the detailed assessment later in the report.

**Contaminated Land** – No comments received

**Drainage** – No objections subject conditions securing a detailed drainage strategy in accordance with the FRA provided with the application.

**Education** – There is a requirement for a contribution to address a shortfall in school places at both Primary and Secondary schools. The development as proposed 79 Primary School Places and 56 Secondary school places with a total contribution of £2,160,000. This should be secured through a S106 Agreement.

**Enterprising Barnsley** – Initial concerns raised regarding the impact on Claytons Group and proposed development within the exclusion zone around this employment site. This issue is covered in more detail later in the report.

**Environment Agency** – No comments

**Forestry Officer** – There is limited impact on trees. No objections subject to conditions.

**Highways** – No objections subject to conditions. The detailed assessment if covered later in the report.

**HSE** – No comments as the proposed development (amended layout) sits outside the consultation distance for the nearby HSE licensed explosives site.

Network Rail – No objections subject to various conditions.

Penistone Town Council – Concerns regarding the scale of development and lack of one bed houses and bungalows on the site. The access from Halifax Road and onto Wellhouse Lane are also a concern. Traffic lights should be considered for the bad bend on Well House Lane and would prefer no access from the development onto this road. However, confirmed that they welcome the proposed S106 funds relating to education, open space and sustainable travel, particularly as there is a need for investment including in a car park / interchange at the train station

Pollution Control – A noise report has been provided and the layout amended, addressing noise concerns along Halifax Road. As such the proposed is acceptable subject to securing the mitigation recommended by condition.

PROW - There are no recorded public rights of way on or abutting the site. A pedestrian / cycle link is shown connecting to Well House Lane from the southern end of the site. The intended status and specification of this route should be agreed early in the process. As this is an urban link route, it would ideally be 3m wide tarmac with street lighting and included within the Highways adoption agreement for the site. If this is not the case, further information should be provided on the proposed future status and maintenance.

Superfast South Yorkshire – Requesting a condition to secure superfast broadband.

SYAS – No comments received.

SYMAS – According to the records the only apparent issue from a mining legacy aspect is a disused mine shaft in the north-eastern extremity of this land. The rest of the site is not shown to be in a high risk Coal Authority referral area as no workable shallow coal is anticipated. We note the applicant has undertaken a comprehensive geo-environmental study of the site and proposals, ref: 18032/976 as prepared by Groundtech Consulting Ltd dated 28th October 2019. This report adequately considers the mining and geological position for the proposals and we would concur with the recommendations therein.

SY Police Architectural Liaison - Should the Development application be successful 'secured By Design Homes Guide 2019' principles should be adopted going forward.

SYPTTE – The development will include a bus route running through it and stops with shelters are required within the site and on Well House Lane. In addition, funding for a school bus service is recommended.

Trans Pennine Trail – The application provides strong evidence of the developer's commitment to promote and provide sustainable transport links however it is not clear if the site itself will provide these facilities. Pedestrian and cycle links / routes should be a minimum of 3m and there is potential to invest in PROW and the TPT as part of this commitment.

Urban Design Officer – The site layout has been presented to the Design Panel twice with various comments made and amendments taken on board. In addition, the Design Officer has provided detailed comments on the design, layout, materials and landscaping. This is covered in more detail in the assessment below.

Ward Councillors –Councillors Bernard and Kitching have commented as summarised below:

Cllr Bernard – Concerns regarding the volume of traffic the proposed will generate, in particular through the access onto Wellhouse Lane and the resultant traffic flowing through Penistone and,

as it tries to access the motorway network at junctions 36,37 and 38. Of particular concern in that regard is traffic using Renald Lane/Gadding Moor/North Lane and Haigh Lane/South Lane into Cawthorne. We already have issues with traffic using the wholly unsuitable Darton Road through Cawthorne to Kexborough en route to Junction 38 at Haigh. Silkstone is another problem with increased traffic at the Cross being a hazard to people crossing to the shop/garage which is on the opposite side of the A628 to the settlement. We have an acknowledgement that the junction at Bridge End is already over capacity.

I will be interested to see how the applicant intends to address the issues I have raised. In any case with an application of this size and complexity I believe that a site visit by the PRB would be necessary in order that Members can see the site for themselves rather than rely on two-dimensional images.

Councillor Kitching – Pleased to see the revised layout takes account of the HSE zone but continues to have concerns about the impact of the proposed development on the future operation of Claytons Group. It is important to note the safeguarding zone is a minimum requirement and there is no guarantee regulations won't change requiring the exclusion zone to increase which would impact negatively on the business.

Similarly, the reduction in dwellings is welcome but there remain concerns that there are plans to extend the development in the future, into the HSE exclusion zone should this be lifted, or the license lost or forfeited.

Can the S106 money be used to create a footpath to the Grammar School, through the land to the south of the site.

The mix of houses should be improved in accordance with NP Policy H1 to include more bungalows and single bedroom dwellings. The volume and density of dwelling should be reduced and more greenspace and planting provided.

There is insufficient detail on design and materials to fully judge if the development complies with NP policy, the most appropriate material is stone not brick and there is a need to reflect the rural nature of the site and surrounds.

The access of Halifax Road should have a speed reduction to 40mph and consideration should be had for a mini roundabout here. Wellhouse Lane is difficult at certain times of the day because of traffic volume and speed and the additional traffic will impact on existing residents. Consideration should be had on how to mitigate this. There are also concerns about how Bridge End Junction will cope with the additional traffic and many people cut through Old Anna Lane which creates issues.

The development will bring a considerable increase in the population and impact on services, parking and traffic. The location of the site means it is unlikely residents will access the town on foot. The S106 monies should be used to create a transport interchange near Penistone train station, offering increased town centre and station car parking. I would be supportive of this idea, which would fit well with our Principal Towns plans. I would also like more information on how education funding will be used to ease pressure on schools.

Yorkshire Water – No objection subject to conditions.

## **Representations**

The application has been subject to two rounds of consultation, firstly in April 2020 and again in March 2021 following the submission of an amended layout and supporting statements. The consultation process was advertised in both instances by a press notice, site notice and over 200 neighbour letters. Across the two consultations one letter of support and a total of 128 objections

(of which 44 were issued to the most recent consultation) have been received raising a variety of issues as summarised below:

The timing of the application and the consultation, being during a pandemic and national lockdown on both occasions. – whilst it is accepted that the events of the last year have been difficult the Government has been clear that Planning Authorities must continue to progress with dealing with any planning applications submitted to them without delay.

Over development of the site, several respondents have picked up that the application site does not include the full allocation and that the number of dwellings proposed was initially over the assumed yield for the site of 414 units. In addition, queries have been raised regarding the HSE exclusion zone and the impact of this on housing numbers. – It should be noted that the yield for the site was based on an assessment of the potential capacity of the land as allocated and allowed for the HSE Exclusion zone which is a requirement of the Local Plan Policy. It is also noted that although the application site does not include the full allocation, the land excluded lies almost entirely within the HSE exclusion zone. On this basis, the number of dwellings proposed in the application scheme as amended is in line with Policy HS75.

The development is not in keeping with the character of the area and the immediate surrounds and does not respond positively to the features of the site. – The proposed scheme has been presented to Design Panel twice and a Landscape Visual Assessment has been required to accompany and inform the design and a number of amendments have been made to the layout and design. The assessment of this issue and Council's conclusions are covered in more detail later within the document.

Objections to the loss of a green belt site particularly when development should be on brownfield land first. – The site was allocated for housing as part of the Local Plan, adopted 2019 as part of a large number of sites required to meet the identified need in the borough. Therefore, the site is no longer green belt. In addition, although brownfield sites should be redeveloped, the Local Plan process acknowledged that there are not sufficient brownfield sites available and suitable to meet the housing need.

The impact of the development on residents of Well House Lane, immediately backing onto the site particularly with regards to standoff distances between proposed and existing dwellings and the scale of dwellings proposed. – this is again covered in more detail later in the report and the impact on residents has been carefully considered alongside wider design issues with several amendments requested to the layout to address concerns and sections provided to allow a better understanding of the difference in levels.

Concerns about the access including: the proposed access off Halifax Road being dangerous, the link road though the site becoming a rat run creating a danger to new residents who have to cross it to access greenspace and an overall increase in traffic along Well House Lane which is not suitable, being narrow with sections where there are no pavements and high levels of on street parking. Several residents would prefer no access onto Wellhouse Lane. – Highway Officers have assessed the access arrangements for the site in detail and required amendments to the design along with additional supporting information. This included a safety audit of the junction with Halifax Road. The link to Wellhouse lane has the advantage of creating an alternative bus route, avoiding the bridge over the rail line to the north east of the site, improving highway safety. It also maximises the permeability and sustainability of the site. The inclusion of a designated cycle and waling route through the site encourages the use of active travel and creates the shortest route achievable to the centre of Penistone. Finally, with regards to construction traffic the routing of this can be reviewed and agreed through conditioning a construction method statement.

The impact of the proposed and associated traffic on the highway network. There is already heavy queuing along Barnsley Road and up Wellhouse Lane which backs up from the Bridge End junction which is over capacity. – the highway impact has been assessed by Highway Officers and



funding secured for a feasibility assessment of the Bridge End junction which will identify options to resolve the issues here with a view to securing funding to make improvements early in the development process of the site.

The bus service along Well House Lane is limited because of the width of the road and suitability of the access onto Well House Lane for buses (tracking) – This has been raised by highway officers as an issue, however, buses already route along Well House Lane, including across the rail bridge which is narrow and a tight S bend with the proposed offering an alternative to this route. Further details are in the report.

There isn't enough greenspace on site with areas included being un-useable and the play provision provided insufficient. – It is correct that the POS plan includes areas of verge and narrow buffer strips which is contrary to the Open Space SPD, however, overall the provision on site is good and includes informal spaces attractive to various ages and residents such as the Community Orchard and walking routes through the various greenspaces and linking the site to the wider countryside. The site is unsuitable for sports provision as a result of levels and a contribution will be sought to cover this.

This proposed mix of houses doesn't include bungalows and should comply with the Neighbourhood Plan in terms of the mix proposed. – The development as amended includes 12 bungalows as well as some 1 bed flats and a mix of 2, 3 and 4 bed houses. Within this there is 30% affordable housing split 60% affordable rent and 40% shared ownership. This has been assessed by the Council's Housing Officers and considered acceptable.

Impact on surrounding residents from noise and traffic associated with the development. – It is accepted that there will be an impact on residents as a result of increased traffic accessing the development which cannot be avoided. A condition can be added to require a construction management plan which will identify means to minimise disruption.

Impact on biodiversity, in particular loss of nesting sites for birds which in the case of Curlews cannot be mitigated on site – Nesting Bird Surveys and Wintering Bird Surveys have been provided and although there will be an impact this has been confirmed to be limited with alternative habitats available. In addition, mitigation is proposed and will be secured through conditions and S106 agreement. More detail on this issue is provided within the report.

The impact of surface water on the neighbouring Scout Dyke – surface water will be collected within the site with a large storage tank provided to ensure run off at times of flood remains restricted to the current greenfield rate. This will be agreed in detail with YW and Drainage Officers. Polluting of water ways is controlled by environmental regulation.

Flood Risk and Drainage, the impact of the proposed on existing issues in the area with surface water on the fields and on Barnsley Road. Also concerns about the culvert under Well House Lane and potential increased flooding of Scout Dyke which would impact on residents to the south of the Dyke. Has climate change been properly addressed?. – The application has been supported by a flood risk assessment which includes an allowance for climate change. It is proposed to provide a large storage tank on site to store surface water at times of high rainfall, restricting the release of surface water to a greenfield rate. The Council's Drainage Officers and YW have reviewed this information and agreed it subject to further detail to be secured through conditions. Any discharge of water into the culverted watercourse would need to be agreed as part of this process by Drainage Officers as the Lead Local Flood Authority.

Sustainability of the site and access to the centre and schools, the site is too far from these services to be accessible by foot and parking in the town and around the schools is not sufficient resulting in dangerous parking on the roads. – the development includes a walking cycle route through the site from which it is possible to connect to other footpaths and access the town centre. In addition, the spine road running though the site has been designed to accommodate a bus

route, allowing services to divert away from the rail bridge on Wellhouse Lane; this and the increase population within the site has the potential to lead to an increase in demand for bus services.

The services in the town are not capable of accommodating the additional demand, including schools. – the local NHS has been consulted as part of the Local Plan Process and the current application process so that they are aware of the impending increased demand, however, funding for these services is secured through alternative sources rather than the planning process. The S106 includes over £2million to be invested in securing additional school places and the Local Education Authority is aware of the development so that they can use this funding to plan accordingly.

Potential Impact on Clayton's located as Westhorpe Works and their business long term as a result of the development. – this has been addressed by the amended layout which now allows for the full 125m exclusion zone around the site.

Traffic Surveys were undertaken during lockdown so are unreliable and the junctions of Well House Lane are already over capacity. Traffic counts and speed surveys were undertaken in October and November 2018. The applicants have then applied Temprow growth factors to the traffic surveys to identify the traffic flows at 2033 (inc the proposed development) and concluded that the junctions of Well House Lane will both operate within capacity.

There needs to be sufficient parking on the site for the residents and visitors, garages in modern houses are too small and there isn't enough drive space. – The site layout has been assessed by highway officers and a number of amendments secured to ensure parking provision is sufficient. In addition, the internal road layout has been designed to be wide enough to allow for on street parking for visitors.

A third targeted consultation was also carried out in May regarding specific changes along the southern and eastern boundary with existing properties that back onto Well House Lane. The respondents welcomed the addition of extra bungalows along this boundary and provided comments on the specific boundary treatments. However, they would prefer all bungalows along here and for additional separation between properties. Some respondents raised concerns about land levels which rise behind their houses meaning the bungalows will be on higher ground whilst there is also a concern about security along the boundary with the pocket park. finally, these residents continued to be concerned about the overall impact of the development both during construction and when operational related to disturbance, traffic impact and impact on services.

In addition, objections have been received from:

Miriam Cates MP – raising concerns regarding the safety of the access onto Halifax Road and Well House Lane, the mix and design of houses and need for bungalows, starter homes and smaller (1/2 bed properties) in accordance with the NP, the impact of the development on the future of the adjacent business Clayton Group as a result of the development proposed within the 125m buffer, the need for better public transport links and increased bus services to the town, traffic impacts on Well House Lane and the impact of the proposed on drainage and potential to increase flood risk.

The owners of Clayton Group adjacent the site who have objected to the proposed development and although they welcome the amended layout they have confirmed that they remain concerned about the potential future operation of the business, should the licensing requirements change and / or there be further development applied for in the stand off area. - The Council's position on this remains that the standoff distance as defined by the HSE is protected from development and will continue to be in accordance with Local Plan Policy HS75.

Yorkshire Wildlife Trust have submitted a detailed objection raising concerns regarding the level of detail provided with the application on habitat loss and the impact on birds and bats. In particular, the lack of a detailed assessment of the habitats on site and impact of the development using the Defra Metric alongside concerns regarding the wintering bird survey are highlighted. In addition, they requested further nesting bird surveys and bat surveys. – these comments have been passed in full to the Biodiversity Officer and further assessments provided by the applicant which go some way to address this objection. There is more detail in the report below.

## **Assessment**

### Principle of Development

The site is allocated in the Local Plan for housing under site specific policy HS75; as such the development of the site for residential is acceptable in principle.

However, development is expected to deliver an indicative number of 414 dwellings and to:

- Be designed to provide an appropriate buffer around Westhorpe Works in accordance with HSE standards;
- Provide appropriate off site road safety enhancements;
- Ensure the wider characteristic landscape setting and the setting of the Penistone Conservation Area are protected and enhanced by the use of appropriate site layout and sympathetic design that reflects their setting, scaling, massing, details and materials;
- Provide appropriate acoustic treatment to mitigate against road and railway noise; and
- Evaluate the site's importance as overwintering feeding habitat for golden plovers and provide mitigation or compensation habitat as appropriate.
- In addition, archaeological remains may be on the site.

The application originally submitted conflicted with the requirements of this policy, in particular, the requirement to retain an appropriate buffer around Westhorpe Works and as such amendments and further supporting detail has been sought through discussions with Officers and consultees.

The layout now incorporates a buffer zone of 125m around Clayton Works in accordance with the HSE standards and the HSE have responded to the latest consultation to confirm that as no development is proposed in this area, they have no comments to make on the proposed scheme.

A Geophysical Survey has been provided with the application and consulted on with South Yorkshire Archaeological Service who have confirmed that although there are some archaeological implications these can be dealt with through a Written Scheme of Investigation secured through condition.

Therefore, the layout complies with these aspects of Policy HS75.

The amended layout presented to Members is assessed against the remaining requirements of the site-specific policy HS75 and applicable policies contained in the Local Plan and Penistone Neighbourhood Plan below.

### Landscape Impact and Visual Amenity

The development site is located at the edges of the existing settlement of Penistone, to the north. Halifax Road provides a strong boundary along the northern edge with open countryside rising beyond it to the north. Well House Lane is also a strong boundary to the east and is residential in character. The landscape to the south and west is more open and rural in character albeit the school and houses along Barnsley Road are visible. The sites location on a hillside means it is visible from several locations within the main urban area of Penistone and from the Conservation Area. It is also visible from footpaths to the north and east and when travelling along Barnsley

Road into the town. This visibility, particularly from the Conservation Area, and the scale of development proposed is acknowledged in the Local Plan Policy HS75 which requires: *the wider characteristic landscape setting and the setting of the Penistone Conservation Area are protected and enhanced by the use of appropriate site layout and sympathetic design that reflects their setting, scaling, massing, details and materials*

The applicant has provided a Landscape Visual Assessment (LVA) as part of the application submission and this has been amended twice during the application process to address concerns raised by Officers with the quality of the assessment and detailed approach. In addition, the application has been presented to Design Panel twice, initially pre-application submission and again prior to the submission on the amended scheme consulted on in March.

In assessing effects on Landscape Character, the LVA assesses effects as ranging from minor negative to moderate adverse with a minor negative impact in the Conservation Area. This is based on a fully developed proposal which is stated to represent the worst case. During construction, it is stated that 'magnitude of landscape effects would be lower as less of the site would be occupied by new homes.' However, this may not be the case as it is arguable that the construction phase is the most disruptive, introducing construction activity and involving large scale earth works and elements out of keeping with the usual character of the landscape such as hoarding and tall equipment. Whilst it is Officers view that the effects on landscape character would increase during construction as these would be temporary the approach to base the assessment on the site as developed is acceptable.

The LVA concludes that: *'the appraisal has concluded that the effects of the proposed development upon the open fields of the site itself would be major/moderate and negative in nature. The effects on the Settled Ingbirchworth Upland Rolling Farmland sub-area, which contains the site, would be moderate and negative when compared with the existing site condition. Other landscape character areas around the site, including the conservation area, would experience moderate/minor or minor effects, and these effects would decline with distance from the site.'*

This is accepted as a largely reasonable conclusion in that it acknowledges that there will be inevitable substantial effects on landscape character. The Site itself (defined as Settled Ingbirchworth Upland Rolling Farmland) will change substantially from open fields to housing development and it is therefore considered that this medium sensitive receptor would experience substantial magnitude of landscape change and therefore major/ moderate negative landscape effects.

With regards to Visual Amenity, the LVA concludes that there is potential for major and major moderate effects on walkers on Halifax Road and Well House Lane, on residents on Well House Lane and on walkers/ cyclists at the southern end of Bridleway 63. These findings are supported by representative viewpoints and photo wirelines. The assessment considers the sensitivity of each receptor type at the representative viewpoint in accordance with guidance. The magnitude of change for each viewpoint is then assessed at three stages. The LVA reports an anticipated 7 year construction programme with mitigation planting commenced at year 1 in order to maximise effects by operation at year 7. Effects are therefore assessed at year 4 in order to represent effects during construction, at year 7 which represents the anticipated first year of operation and again at year 15 to reflect assessment of mitigation proposals i.e. when landscape planting is semi mature. The phasing of landscaping early in the build programme can be secured through a detailed landscaping condition linked to a phasing condition. Soft landscaping can be implemented at the edges of the site very early in the construction programme to mitigate shorter distance views, with internal greenspaces likely to follow later along with tree planting along the new highways which will help to mitigate longer distance views.

The results of the assessment range from minor to major negative. Viewpoints immediately adjacent the site along Halifax Road and Well House Lane are the most adversely affected with

the longer distance views having a more moderate to minor negative impact. The assessment considered the varying sensitivity of the receptors at each viewpoint.

The LVA concludes that:

*'The proposed development would be visible by a number of receptors around the site, particularly to the north, east and south. Receptor groups which could be affected include walkers and cyclists, residents and vehicle users.*

*When compared to existing views, the receptors which are most likely to experience the highest levels of visual effects are walkers on Halifax Road and Well House Lane, residents on Well House Lane, and footpath users and cyclists at the southern end of bridleway 63.*

*For other viewpoints in the town centre and footpaths in and around the town the proposed development would be visible but would be seen in the context of the existing settlement. In most views, the open hills beyond the development would also be visible. The visual effects for residents and walkers in these locations would therefore be moderate or less, when compared with existing views'.*

It is officers view that the fact that the development would form a new built skyline from some of the views experienced from the town to the south should have been specifically acknowledged within the conclusions. This is supported by the wireline views. Furthermore, the assessment of major/ moderate effects on visual amenity implies that mitigation should be considered as part of the iterative design process and there has been concerns that the mitigation proposals haven't fully considered all the options and officers have identified that more mitigation is required, as set out below. Nevertheless, it is acknowledged that a development of this type and scale will inevitably result in adverse effects which are not always mitigated through design.

#### *Design Response / Mitigation*

With regards to mitigation, the LVA lists a number of design responses which are consistent with the recommendations made by the Design Panel and include maintaining views of the town centre and St John the Baptists Church from within the development, albeit the landscape impact is more concerned with views of the development than views from it. In terms of mitigating the landscape and visual impact, the applicant has provided a landscape buffer along Halifax Road to soften the development edge here and graded the density of development across the site with lower density housing to the northern and western edges which are more rural and a higher density in the southern and eastern edges.

In assessing the mitigation proposed, Officers have sought to secure further improvements. This includes additional tree planting and detailed landscaping across the site as well as a reduced pallet of materials with a focus on grey roof tiles, natural stone and a more muted red brick which will blend with the characteristics of the developments in the locality when viewed from the Conservation Area. Along Well House Lane the impact is mitigated to a degree by the proposed streetscape which includes detached houses, set back from the road with some softer landscaping and tree planting. In addition, a number of existing stone walls will be retained with additional stone walls provided at key viewpoints along the site edges and within the site. Within the site, the density of development to the south has been reduced to break up the impact here and allow for additional tree planting and soft landscaping. A number of bungalows have also been provided and some additional green buffer areas adjacent to existing properties. Finally, levels across the site are varied resulting retaining walls across the site of various heights with some between 2 and 3m. These are largely located within the gardens and parking courts between plots but will nevertheless be significant features and the design and materials to be used will need to be agreed through conditions. The applicant has agreed these walls can be built from masonry with planters incorporated within the higher walls to soften the appearance.

In conclusion, it is acknowledged that the landscape and visual impact of the development is likely to be adverse (to varying degrees). However, the applicant has taken on board a number of recommendations made by the Design Panel and made various changes requested by Officers to further mitigate the development impact. It would have been preferred to secure more detail on these, particularly the detailed landscape approach but it is accepted that this can be conditioned. Subject to this, the proposed is judged to have moderate adverse impact on landscape and visual amenity accordance with Site Specific Policy HS75, Local Plan Policy D1 and the accompanying SPD Guidance and Local Plan Policies HE1 and HE3 with respect to the impact on the Conservation Area.

### Residential Amenity

The development site is located at the edge of the existing settlement of Penistone and is currently a large area of agricultural land. There are a limited number of residential properties which directly border the site. These are located on Well House Lane with 8 directly backing on to the site along the eastern and southern boundary and a further 5 houses located on the opposite side of Well House Lane overlooking the site and proposed access point. Beyond this there are several residential properties along Well House Lane which will be affected as a result of additional traffic from the development and disturbance during construction.

There have been several changes to the layout along the boundary with the most affected properties. These back onto the site and are mostly bungalows with short rear gardens and low boundary walls. The applicant initially proposed all two storey houses on the boundaries and although a buffer strip was being provided, the standoff distances as set out in the Design of Housing Development SPD were not being achieved.

The revised layout now includes 12 bungalows which are located along the boundary with existing properties, in addition there remains a buffer zone which is 2m behind no's 21-25 Well House Lane and widens to between 4-12m behind no's 15-19. The standoff distances are largely met as a result of the change. An exception is the rear of no.21 where the proposed plots are 12m from the boundary of this property (back to back), however, plots 15-18 are all bungalows with windows screened by the proposed boundary treatment. In addition, plots 38 and 22 are less than 12m (side to back) from the rear of numbers 15 and 17 Well House Lane, but they are bungalows and orientated side on and located so that they are opposite the garages of the existing properties. As such the buffer zone and rear gardens will form the main boundary with the existing houses reducing any overbearing or overshadowing impact.

Along the southern boundary, houses have been relocated within the layout and a small pocket park created which ensures appropriate separation distances are achieved.

As well as the standoff distances, boundary treatments along this boundary have been consulted on with the applicant proposing a paladin fence with hedge planted to grow up the fence and in the buffer zone immediately adjacent boundaries. However, residents have expressed a preference for a more traditional close boarded fence along the boundaries of the plots and some hedgerow between this and their properties. This affords privacy whilst also reducing any overbearing impact associated with a high fence here and the boundary treatment plan has been amended to reflect this request from residents.

A slightly different approach is proposed along the southern boundary with a paladin fence and hedgerow along the boundaries with no.11 and 13A. Again, this is considered the best solution in these locations, offering privacy and security without creating an overbearing feature.

The proposed houstypes include some individual rooms which do not comply with the internal space standards, albeit the overall internal floor area of all the house types does meet the standards. Gardens are sufficient to meet the external amenity space requirements as set out in the Design of Housing Development SPD and the South Yorkshire Residential Design Guide.

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

### Highways

The proposed access arrangements and internal layout have been assessed by Highway Officers with various amendments requested alongside additional assessment through the Transport Assessment and Road Safety Audits.

The layout is now acceptable in terms of highway safety. Issues remain regarding the length of some private drives which exceed 20m with no turning head, this is a requirement for fire appliance turning but can often be resolved through the building regulations process. Visitor parking is proposed on street with the roads all being 6m wide to accommodate this. Finally, there is a requirement for bus stops within the site. SYPTE have provided suggested locations adjacent the park, however, there is limited scope along the northern side of the spine road because of proposed driveways along here. This may result in buses hindering access for residents.

The Well House Lane access for the site is constrained because of the width of the existing road and on street parking along it. As a result, buses turning left into and right out of the site will cross the carriageway. This is most prevalent with the right-out maneuver. Various options were considered to avoid this occurrence but there is no obvious solution given on street parking along Well House Lane. The introduction of the new junction will enable buses to avoid using the full extent of Well House Lane including via the rail bridge to the north which is narrow in width and forms a tight S-Bend with poor visibility. The proposed development provides an alternative route avoiding this bridge and on balance, the benefits of this are deemed to outweigh the unavoidable crossing of the centre line at the junction. The traffic modeling in the Transport Assessment provided in support of the application has also confirmed that both junctions of Well House Lane will continue to operate well within capacity with minimal queueing in 2033, allowing for development traffic and general growth.

The Halifax Road access is designed as a t-junction with a right turn filter lane on Halifax Road. The junction has been subject to a safety audit and the Highways Authority have fully assessed it concluding that although it is broadly acceptable there remains an issue with vertical visibility which currently does not fully meet DMRB standards. The applicant has proposed a condition is applied to any approval which requires them to reprofile Halifax Road which will then enable this visibility to be achieved. At this stage it is not clear if any utilities would need to be moved to enable the reprofiling works. However, the applicant is aware of this and is comfortable that they can cover these costs and that the condition can require these works to be undertaken pre-commencement of development.

In terms of traffic impacts on the wider network the Transport Assessment confirms that the development traffic, and general growth to 2033, can be accommodated through the junctions assessed; the exception being the Bridge End Junction. The results of the assessment in the TA determine Bridge End junction operates above capacity threshold in the existing assessment scenario (2018). The application of background traffic growth and development traffic generation exacerbates this situation. BMBC Transportation are currently preparing updates to the strategic traffic modelling around Penistone and this will place the Council in a stronger position under which to not only develop appropriate highways mitigation for the junction for all road users but to also appraise how any potential works could impact/benefit wider traffic movements across this part of the highway network and therefore remove the need to consider the junction in isolation. The applicant has agreed to pay £200,000 to the Council through the S106 to cover the initial costs associated with a detailed feasibility study to fully assess the issues and identify and scope a solution. These funds can be made available on commencement of development allowing the Council to immediately progress with the study and seek to secure funding for improvements as

the development progresses. Given the construction period is estimated to be 7 years there is time for the Council to address the issues with Bridge End before the development is fully occupied.

In addition, the applicant has agreed to provide land at Lairds Way for use as a car park associated with the train station. This will be secured through the S106 in lieu of part of the Sustainable Travel Contribution and is a substantial benefit of the scheme as it will help to address parking issues in and around the town as identified in the Neighbourhood Plan (Policy LE1) and a modal shift from private cars to the more sustainable train in accordance with the Barnsley Rail Vision and Sheffield City Region Integrated Rail Plan (SCRIIP) July 2019 both of which target improvements to rail services between Sheffield, Barnsley and Huddersfield. This, alongside the £200k for the feasibility study into improvements to Bridge End, will support the Council in mitigating the traffic impact of the development and in providing meaningful benefits to Penistone resulting from the proposed development.

### Climate Change and Sustainability Considerations, including Biodiversity

#### *Biodiversity*

With regards to Biodiversity, there is a requirement under Local Plan Policy BIO1 and the accompanying Biodiversity and Geodiversity SPD to demonstrate no net loss of biodiversity on the site. In addition, Site Specific Policy HS75 requires the site's importance as overwintering feeding habitat for golden plovers to be evaluated and mitigation or compensation habitat provided as appropriate.

The applicant has provided a wintering bird survey (2019) which draws on surveys undertaken in 2017, 2018 as well as 2019, none of which recorded any Golden Plover. Although some notable species were identified foraging on the site, including lapwing, black headed gulls and starlings, the wintering bird assembling was concluded to be mostly common and widespread species. The assessment concluded that there was an abundance of arable habitats in the surrounding landscape and the mobility of these birds means their presence is not a constraint to development.

Breeding bird surveys are also being undertaken (2021) with initial survey findings confirming that the assemblage of birds on site is typical of the habitats found in the area and habitats found on the site. None of the birds recorded were considered likely to nest within the boundary of the site or be dependent on the site as habitat. A final survey will be undertaken early in June and findings provided as an update to Member at the meeting. Recommendations are made regarding mitigation including specific nest boxes and terraces as well as planting of hedgerows. These can be secured through conditions.

In addition, the applicant has provided a calculation of the habitats lost on site as a result of the proposed development in accordance with the latest guidance in the Defra Metric 2.0, concluding a loss of 11.64 units (circa 38%) which is largely grassland habitat. There is an uplift in hedgerow habitats on the site as a result of the proposed landscape scheme, calculated to be 9.47 units which is a benefit but doesn't offset the lost grassland. This loss of habitat will need to be addressed through on and off-site mitigation. The applicant has therefore entered into discussions with Yorkshire Water regarding some enhancements on the nearby reservoirs and has offered to enter into a S106 agreement on this basis. The Biodiversity Officer would prefer the detail of the mitigation is scoped and agreed before a decision is issued, however, the S106 would take a staged approach requiring the applicant to maximize mitigation on site first, then seek to secure agreement for offsite mitigation which would need to be fully scoped with the Local Planning Authority as well as landowners and subject to further assessment utilizing the Defra Metric. Mitigation would need to be funded for 30 years by the developer. The S106 would include a fallback position which allows a tariff style payment of £12k per unit to the Council.



Finally, the applicant has also provided a bat activity survey, which identified limited foraging activity on the site only and largely limited to common pipistrelle bats, and eDNA testing of two offsite ponds which were negative meaning the great Crested Newts DNA was not detected.

Given the proposed mitigation, the overall impact on biodiversity is cautiously assessed as neutral, with loss of habitat and biodiversity inevitable as a result of any development but subject to the detailed landscaping scheme and biodiversity mitigation being secured through appropriate conditions and the S106, the requirements of Local Plan Policy BIO1 for no net loss can be met.

### *Trees*

Initial concerns regarding the levels for the site not being dealt with in the AIA have been addressed and the AIA now categorically states that at no point during the development works will level changes or excavations be required in close proximity to any trees or hedges, or be requested subsequently to any approval.

The site is generally unconstrained by trees and the proposed development does not result in any tree removals. A separate Hedgerows Regulation Assessment has been submitted and notes that the hedges are also located to the edges of the site and to be retained. The hedges are not mentioned in the tree survey or arboricultural impact assessment as would usually be the case and will need to be protected. This information can be conditioned as part of the protection for the trees and the hedges on the site.

A landscape masterplan has also been provided which gives an indication of where planting is proposed, however no details are included and as such a landscaping scheme will be required to detail what is proposed in order for its suitability to be determined. It should be noted that large growing native species should be included wherever possible given the relatively rural location and likewise use of native hedging will be required where possible to connect with that which is already present.

Given the limited number of trees and hedgerows on site, all of which are retained, and the proposed enhancements secured through the landscaping requirements and biodiversity mitigation, the impacts on trees will be positive with substantial additional trees and hedges planted. Therefore, the proposed complies with BIO1 and the accompanying Trees and Hedgerows SPD.

### *Sustainable Travel*

As detailed earlier in the report the developer has agreed to transfer land at Lairds Way to the Council in lieu of part of the Sustainable Travel package which, alongside initiatives in the Barnsley Rail Vision and Sheffield City Region Integrated Rail Plan (SCRIP) July 2019 which target improvements to rail services between Sheffield, Barnsley and Huddersfield will support a wider modal shift from private cars to rail travel within Penistone.

The link road through the development has also been designed to support buses routing through the site and consultation with SYPTE has confirmed there is a willingness to diver existing routes through the site with new bus stops to be located along the new spine road and on Well House Lane. The Travel Plan (TP) confirms bus routes and timetable information will also be provided to new residents to aid with journey planning.

The developer has also provided a new pedestrian / cycle route through the site which connects to public rights of way to the north offering opportunities for recreation as well as to Well House Lane to the south and the wider road and PROW network to the south, giving access to the secondary school and town centre. The TP provided with the application confirms secure cycle parking will be

provided at all dwellings and that residents will be provided with information about walking and cycle routes.

Finally, the development will provide electric vehicle charging points for all dwellings with a designated car parking space and 1 for every 10 spaces located in parking courts.

Taking all these measures into account the development complies with Local Plan Policy T4 New Development and Sustainable Transport.

### *Sustainable Construction and Drainage*

The application is supported by a flood risk assessment which sets out the approach to drainage for the site. Foul water flows will be to the exiting sewer network which Yorkshire Water have agreed can be accommodated. With regards to surface water, the underlying ground conditions do not support infiltration therefore in accordance with the sustainable hierarchy in the NPPF and Local Plan Policy CC4, surface water will be stored on site and discharged to Scout Dyke at a restricted flow rate which is equivalent to the natural flow rate for the catchment. Allowances are also be made for climate change in agreeing this flow rate.

Finally, all new housing developments must comply with Part L of the Building Regulations, meeting national standards relating to conserving fuel and power in dwellings. This is in accordance with Local Plan Policy CC2.

### S106 Agreement

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

Affordable Housing – 30% is being delivered which equates to 120 units. These will split 60% affordable rent and 40% shared ownership (unless gov issues details on DMS/first homes during build out)

The mix of dwellings is:

- 8 x 1 beds
- 60 x 2 beds
- 47 x 3 beds
- 5 x 4 beds

Education – There is an identified shortfall in secondary and primary school places within the area and as such a contribution is required to address this. The single bedroom homes and bungalows have been excluded from the calculation in accordance with the SPD. On this basis, the development will generate 79 Primary School Places and 56 Secondary school places with a total contribution of £2,160,000

Sustainable Travel – Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel, where levels of accessibility through public transport, cycling and walking are unacceptable. Using the formulae in Appendix C of the SPD the figure required is £400,000. The applicant has agreed to provide land off Laids Way in lieu of part of this payment. This land can be used to provide a car park and interchange facility adjacent to the Train Station. In addition to providing the land, the applicant has agreed to pay £100,000 which can be used for other sustainable transport improvements or towards the works required to deliver the car park.

In addition, EV charging points would need to be conditioned for each dwelling as would cycle storage.

Greenspace – the site layout as proposed broadly meets the requirement for informal greenspace onsite. The applicant has provided a POS plan showing the breakdown of Public Open Space with the total area being slightly over the 15%, however, as it includes areas of verge and buffer strips this is an overestimation. Nevertheless, there is substantial greenspace on site and the plans include a LEAP in the centre of the site plus 6 smaller areas of play (LAP) located across the site on smaller greenspaces.

As with all new developments, stewardship of the greenspace will be passed to a management company. In this case the developer has been in discussions with The Land Trust, a national land management charity who operate on a not for profit basis. This is the preferred approach by the Council.

Over and above this a contribution is required toward formal greenspace off site as the levels do not easily allow this to be accommodated within the layout. This contribution totals £405,342.80.

### Conclusions

The proposed is for sustainable development, located at the edges of the Principle Town of Penistone on a site allocated for housing in the Local Plan. The layout as amended delivers a mix of housing types and tenures with appropriate greenspace and associated infrastructure, including access through the site suitable for a bus route which links Halifax Road and Well House Lane whilst avoiding the rail bridge. The layout has been presented to Design Panel twice with the amended layout reflecting recommendations made by the Panel.

There remains an acknowledged minor adverse impact on landscape and visual character and an adverse impact on the over-capacity Bridge End junction. . However, the harm associated with these impacts is clearly outweighed by the benefits associated with delivering housing development, including 30% affordable housing, securing land for additional car parking at the train station as well as the funding of a feasibility study and business case aimed at securing a comprehensive improvement to Bridge End junction that could not be secured as a result of this development in isolation. The proposals will also ensure a neutral impact on biodiversity through a combination of on and off site mitigation and incorporates a range of measures to ensure the development is resilient to climate change.

The application is recommended for approval subject to various conditions and the agreed package of S106 contributions.

### **Recommendation**

**Approve** – Subject to a S106 Agreement and conditions:

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

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

- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved:

2001.01 Rev Q - Planning Layout

2001.02 Rev A- Location Plan

20005/GA/01 Rev B - Halifax Road Site Access Arrangement

20005/GA/02 Rev D - Well House Lane Site Access Arrangement

2001.03 Rev H - Materials Layout

2001.06 Rev L - Boundary Treatment Plan

Landscape Masterplan (May 2021)

2001.B.01 Boundaries  
2001.B.02 Boundaries  
2001.B.03 Boundaries  
2001.B.04 Boundaries  
2001.B.05 Boundaries  
2001.DG.01 - Garages  
2001.SG.01 - Garages  
2001.TG.01 - Garages  
2001.TG.02 - Garages  
2001.SG.02 - Garages  
2001.ALD.01 - Alderney  
2001.ALD.02.A - Alderney  
2001.BRE.02.A - Brentford  
2001.DENB.01 - Denby  
2001.DENB.02.A - Denby  
2001.DENF.01 - Denford  
2001.ELL.01 - Ellerton  
2001.ELL.02.A - Ellerton  
2001.H403.01 - Imgleby  
2001.H403.02.A - Imgleby  
2001.H417.01 - Bradgate  
2001.H417.02.A - Bradgate  
2001.H421.01 - Winstone  
2001.H421.02.A - Winstone  
2001.H433.02.A - Cornell  
2001.H433.01 - Cornell  
2001.H442.01 - Kirkdale  
2001.H442.02.A - Kirkdale  
2001.H456.01 - Avondale  
2001.H456.02.A - Avondale  
2001.H469.01 - Holden  
2001.H469.02.A - Holden  
2001.H497.01 - Chetworth  
2001.H497.02.A - Chetworth  
2001.KINL.01 - Kinglsey  
2001.KINL.02.A - Kinglsey  
2001.KINV.02.A - Kingsville  
2001.MAI.01 - Maidstone  
2001.MAI.02.A - Maidstone  
2001.MAR-1.01 - Marsham  
2001.MAR-2.01 - Marsham  
2001.MOR.01 - Moresby  
2001.MOR.02 - Moresby  
2001.MOR.03.A - Moresby  
2001.MOR.04.A - Moresby  
2001.P341.01 - Hadley  
2001.P341.02 - Hadley  
2001.P382.01 - Archford  
2001.P382.02 - Archford  
2001.SEBI.01 - Severn/Birtley  
2001.SH50.02 - SH50  
2001.T67.01 - Type 67  
2001.T67.01.A - Type 67  
2001.T69.01 - Type 69  
2001.WIN.01 - Windermere  
2001.WIN.02.A - Windermere

unless required by any other conditions in this permission.

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

- 3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Where retaining walls are required, full details of the location, height, design and materials will be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policy D, High Quality Design and Place Making.**

- 4 Notwithstanding the details indicated on the submitted drawings no works whatsoever shall commence on site until a detailed scheme for the off-site highway works to support access to the site from Halifax Road, has been submitted to and approved in writing by the LPA. These works and the access shall be implemented in full before development commences.

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

- 5 Plots 187-195, 104 and 397-402 shall be fitted with thermal double glazing, such as a configuration of 4mm pane / 12mm airgap / 4mm pane, to provide a minimum  $R_w + C_{tr}$  of 27 dB and Tickle ventilators, which achieve a minimum performance of  $D_{n,e,w} + C_{tr}$  32 dB.

**Reason: In the interests of residential amenity and to accord with Local Plan Policy Pol1.**

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

Tree protective barrier details  
Tree protection plan  
Arboricultural method statement

**Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Local Plan Policy D1.**

- 7 Prior to commencement of development, full details of soft landscaping works including details of the species, positions and planted heights of proposed trees; together with details of the position and condition of any existing trees and hedgerows to be retained, along with a timetable for implementation which identifies features required to screen the development and provides them early in the construction process, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be implemented on accordance with the agreed scheme and timetable.

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

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

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

- 9 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.**

- 10 Upon commencement of construction works, details of electric vehicle electric vehicle charge points shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.

**Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.**

- 11 Upon commencement of development, details of a scheme for secure and covered parking for bicycles for every dwelling shall be submitted to and agreed in writing by the LPA. The scheme as agreed shall be fully implemented before each dwelling is first occupied (or brought into use).

**Reason: In interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T3.**

- 12 Prior to commencement of development, details of proposals to mitigate the air quality impact of the development (mitigation strategy) shall be submitted to and approved in writing by the Local Planning Authority, taking into account the mitigation proposals submitted by the applicant's air quality consultant within their assessment dated November 2018, reference LDP2246-001, along with the requirements of the Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance. The development shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason: In the interests of minimising the impact of the proposal on air quality in accordance with Local Plan Policy Poll1.**

- 13 Prior to development commencing on the superstructure of any dwelling hereby approved details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason: In order to ensure compliance with Local Plan Policy I1.**

- 14 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

**Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.**

- 15 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage , for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority .

**Reason: To ensure that the site is properly drained and in order to prevent overloading , surface water is not discharged to the public sewer network in accordance with Local Plan Policy CC3.**

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

**Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3.**

- 17 No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation into the watercourse has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with an approved programme and details.

**Reason: To prevent increased risk of flooding in accordance with Local Plan Policy CC3.**

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres of the Culverted Watercourse crossing the site.

**Reason: To prevent damage to the existing Culverted Watercourse in accordance with Local Plan Policy CC3.**

- 19 Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority in terms of measures to protect the rail network. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

**Reason: To protect the rail network in accordance with Local Plan Policy GD1.**

- 20 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey(s) - Bat Activity Survey (Brooks Ecological, 10/06/2020) and Interim Breeding Bird Survey (Brooks Ecological, 12/05/2021) - including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

**Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.**

21 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

**Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Local Plan Policy HE6.**

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

**Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety in accordance with Local Plan Policy T4.**

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

**Reason: To ensure streets are completed prior to occupation and satisfactory development of the site in accordance with Local Plan Policy T4**



- 24 Prior to the first occupation of the development hereby permitted vehicular access and pedestrian/cyclist access shall be provided and thereafter retained in at the position shown on the approved plan and constructed in accordance with the BMBC highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.  
**Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water from or onto the highway and in the interests of highway safety in accordance with Local Plan Policy T4.**
- 25 Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway works to support access to the site from Well House Lane, has been submitted to and approved in writing by the LPA with timescales for implementation to be agreed.  
**Reason: To ensure that the highway works are designed and constructed to an appropriate standard in the interest of highway safety in accordance with Local Plan Policy T4**
- 26 The gradient of the vehicular access shall not exceed 1 in 12 for the first 5m into the site as measured from edge of the adjacent carriageway.  
**Reason: In interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4**
27. The gradient of individual vehicular accesses/driveways shall not exceed 1 in 12 as measured from the edge of adjacent carriageway. Reason: In the interests of the safety of persons using the access and users of the highway.  
**Reason: In interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4.**
- 28 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- i. The parking of vehicles of site operatives and visitors
  - ii. Means of access and routing for construction traffic
  - iii. Loading and unloading of plant and materials
  - iv. Storage of plant and materials used in constructing the development
  - v. Measures to prevent mud/debris being deposited on the public highway.

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

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

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority.

Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

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

- 30 No building or use hereby permitted shall be occupied until pedestrian visibility splays of 2 x 2m to the back edge of the footway / verge shall be provided at the proposed access (or drive). Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.6m to the rear of the footway/ verge which would obstruct the visibility splay. The visibility splay shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

**Reason: To ensure drivers have clear and unrestricted views of approaching pedestrians when pulling out onto the public highway, in the interest of highway safety in accordance with Local Plan Policy T4.**

- 31 Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 900mm above the level of the adjacent highway carriageway.

**Reason: In interests of highway safety in accordance with Local Plan Policy t4.**

- 32 Prior to the first occupation of the development hereby permitted, the proposed accesses, driveways, on-site car and cycle parking, and turning shall be laid out in accordance with the approved plan. Driveways and vehicle parking areas accessed from the approved streets must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

**Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard in accordance with Local Plan Policy T4.**

- 33 No building or use hereby permitted shall be occupied until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption as maintainable at public expense within the site have been submitted to and approved in writing by the LPA. On occupation of the first dwelling (or building) within the site, the streets shall be maintained in accordance with the approved management and maintenance details.

**Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users in accordance with Local Plan policy T4.**

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

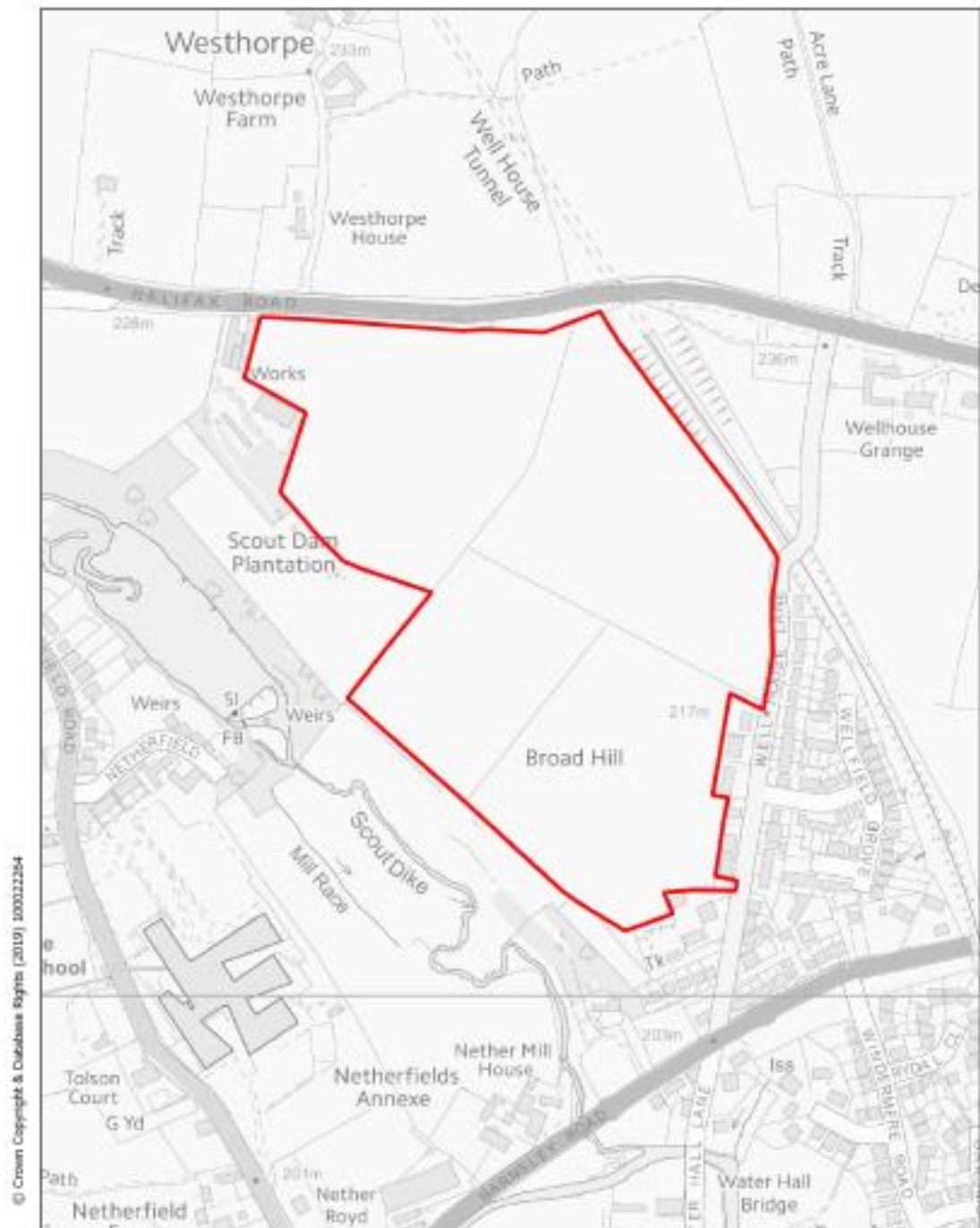
**Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with Local Plan Policy T3.**

35. Upon commencement of development full details of the play equipment to be provided on site in accordance with the Types and Green Space Table (Dec 2020) shall be provided and agreed in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

**Reason: In accordance with Local Plan Policy GS1 and the accompanying Open Space Provision on New Housing Developments SPD**

PA Reference:-

2020/0274



**BARNSELY MBC - Regeneration & Property**



Scale: 1:4127