May 2010

Wombwell Foundry, Hough Lane, Wombwell

Planning Support Statement To Support The Substitution of Residential House Types to an Extant Planning Permission

On behalf of

Ben Bailey Homes

Prepared by

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Appendix 1 - Extant Planning Approvals

1.0 Introduction and Description of Proposed Development

1.1 This planning statement has been prepared on behalf of Ben Bailey Homes to support the substitution of a number of plot types to an extant residential development site at Wombwell Foundry, Wombwell.

1.2 The extant planning permissions which gave approval for the site to be developed out for the purposes of residential are noted as follows;

- **Application No. 2005/1783 : Residential Development and Park and Ride Facility (Outline). Approved 10th July 2006.**
- **Application No. 2005/1980 : Residential Development of 198 dwellings and Park and Ride Facility. Approved 21st September 2006.**
- **Application No. 2005/1998 : Residential Development of 3 No. 2 ½ Storey Dwellings. Approved 24th May 2006.**

1.3 The extant planning approval incorporated a number of residential property types that are not considered to be unattractive to the open market and, as such, in order to deliver the scheme it is the case that a number of the properties have had to be amended to ones that are more 'appropriate' given the current economic climate.

1.4 As such, a number of apartments and traditional dwellings have had to be removed and replaced with properties that are not only more affordable but ultimately ones that are considered to respond to specific market demand within the local area.

1.5 The extant planning approval gave permission for a total of 201 residential properties in total. Whilst the re-planning of the site has subsequently altered the house types proposed, it is also the case that the number of properties to be completed on the site has not however changed.

1.6 At present, some 71 units have been completed and occupied to February 2010.

1.7 As such it is proposed that the site will deliver the 201 residential properties as previously approved. It is important to note, for clarity, that two planning applications have been lodged. The first application relates to 5 of the proposed house types, and, it is this application that will form the basis of the proposed show homes. The additional application then seeks permission for the substitution of 77 plots thus providing the total number of substitutions being 82.

1.8 This amendment in respect of the plot substations is however considered to be acceptable. The extant point of access is considered to be wholly safe and, as such, the additional units which only represent a marginal increase over and above the approved development.

1.9 The key point however is that in amending the scheme it is envisaged and hoped that the development will subsequently become economically deliverable and that the site can be unlocked.

1.10 This is an exceptionally important point as, not only is the site partially developed at this moment in time but also that in delivering the wider site and importantly 201 dwellings the site will assist the Local Authority in delivering much needed new local housing to meet its future housing growth targets.

1.11 The planning submission comprises: -

- **Design and Access Statement (incorporated within this Planning Statement);**
- **Planning Support Statement;**
- **Topographical Survey;**
- **Full plans and elevations;**
- **Summary of Geo-Environmental Issues;**
- **Drainage Summary; and**
- **Sustainability Statement.**

1.12 A number of technical reports were lodged and approved with the extant planning approvals that have subsequently been implemented. For clarity, and the avoidance of lodging unnecessary technical data, these elements have been held back. It is the case however that should the Local Planning Authority consider that reference to these documents should be made that these can be lodged for completeness in due course.

1.13 An assessment of the development proposals against those policies is then undertaken in order to determine whether the proposed development is considered to be in accordance with the relevant planning policy.

1.14 In forming the development proposals for the site, the characteristics of the surrounding area and the relationship of the site to adjacent buildings have been carefully considered.

1.15 In this context, it should be emphasised that in developing the proposals for the site, careful consideration has been given to the following key criteria: -

i. **The site's brownfield status and the appropriateness of residential development in the context of the site sustainability and the adjoining land uses.**

ii. **The need to provide a high quality design in order to make a positive contribution to the local environment and street scene.**

iii. **The requirement to provide a scheme which creates a high degree of residential amenity for its occupiers without prejudicing the amenities of existing occupiers of both the adjoining residential properties.**

iv. **The delivery of an important residential development site within the locality of Barnsley in order to aid the Local Planning Authority to achieve and deliver much needed new housing.**

1.16 In seeking to achieve such a high quality scheme, the requirements of the Statutory Development Plan for the area have been borne in mind, as has the national and regional planning context. This scheme is assessed against these material considerations in the following sections and will also be considered against both national and local planning policies.

2.0 National Planning Policy

Planning Policy Statement 1 Delivering Sustainable Development

2.1 Planning Policy Statement 1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. It advises at paragraph 5 that:

"Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- Making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
- Contribution to sustainable economic development;
- Protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- Ensuring high quality development through good and inclusive design, and the efficient use of resources; and
- Ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community."

2.2 PPS 1 further emphasises in paragraph 27 the general approach to delivering sustainable development which includes: -

"Promote urban and rural regeneration to improve the wellbeing of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. Policies should promote mixed use developments for locations that allow the creation of linkages between different uses and can thereby create more vibrant places."

"Provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport, rather than having to rely on access by car, while recognising that this may be more difficult in rural areas."

"Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planning should seek actively to bring vacant and unused previously developed land and buildings back into beneficial

use to achieve the targets the government has set for development on previously developed land."

2.3 Good design is also emphasised in the PPS advising that this should: -

- **Address the connections between people and places by considering the needs of people to access jobs and key services;**
- **Be integrated into the existing urban form and the natural and built environments;**
- **Be an integral part of the process for ensuring successful, safe and inclusive villages, towns and cities;**
- ***Create an environment where everyone can access and benefit from the full range of opportunities available to members of society; and***
- **Consider the direct and indirect impact on the natural environment."**

2.4 PPS 1 is clear that all new development should be underpinned by the principle of sustainable development. To that end new residential development sites should be positioned so as to make the best use of local amenities including public transport.

2.4 The development seeks to redevelop an existing brownfield site that is located within an existing residential area. The application site is a short distance to local amenities such as public transport, daily conveniences and employment opportunities.

2.5 It is therefore considered that this is an exceptionally sustainable site and therefore wholly suitable for redevelopment. Planning permission was granted by the Local Authority originally for the development of the site as it was acknowledged that the scheme brought a significant amount of major enhancements to the amenity of the wider area.

2.6 The site has, as noted, the benefit of planning permission for residential development already and, accordingly, the revised proposals are merely seeking to substitute a number of the approved house types in order that these will be more attractive to the open market and thus enable the site to be finally delivered.

Planning Policy Statement 3: Housing (April 2007)

2.7 Planning Policy Statement 3, 'Housing', was introduced by Government in November 2006 although was not adopted until 1st April 2007.

2.8 PPS 3 states that the planning system should deliver;

- **"High quality housing that is designed and built to a high standard;**

- **Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure."**

2.9 PPS 3 is clear that the specific outcome of the planning system should be to deliver high quality housing that is built within accessible areas. New developments should aim to provide new housing that will then be accessible to the market in order to address the specific housing requirements of the community.

2.10 PPS 3 continues to promote the key development theory of sustainability. The premise is that all new housing development should be located in such a way that it is accessible to local amenities and employment opportunities.

2.11 A requirement is then placed on the Local Planning Authority to ensure that there is a consistent five year supply of housing land in order to meet the short term needs of the local area.

2.12 The five year supply is not solely the delivery of planning permission for new development but also to ensure that the level of housing completions within the district is at a level which will ultimately ensure that the market is met with the necessary supply to meet anticipated demand.

2.13 The guidance within PPS 3 specifies that it is the Government's target to achieve 60% of all new development on previously developed land, i.e. brownfield land.

2.14 The key theme for development is however that it should be sustainably located, a point which is further noted in paragraph 41 of PPS 3 which then recognises that not all land, in particular brownfield land will be suitable for development if it poorly located in relation to existing amenities.

2.15 Ultimately, it is important that the site is developed in order to aid the Local Planning Authority in meeting their requirement to ensure an appropriate supply of housing within the District. The key point to note is that the extant planning approval is not considered to be appropriate and, as such, it is the case that at this moment in time the site cannot be delivered.

2.16 The approved layout and house types have therefore had to be amended in order to achieve a scheme that is considered to be more attractive to the open market and thus deliverable.

2.17 On that basis the proposed re-planning of the site is in line with the guidance contained within PPS 3.

Planning Policy Guidance Note 13: Transport (March 2001)

2.18 Planning Policy Guidance Note 13 sets out the over arching principles of sustainable travel and methods of movement that should be considered when assessing development proposals.

2.19 The key theme of sustainability, as noted in PPS 1 is carried through PPG 13 to ensure that developments are located in such a way so as to enable accessible movement.

2.20 To that end Paragraph 13:-

"To promote more sustainable patterns of development and make better use of previously developed land, the focus for additional housing should be existing towns and cities. PPG3 requires Local Planning Authorities to build in ways which exploit and deliver accessibility by public transport to jobs, education and health facilities, shopping, leisure and local services."

2.21 PPG 13 also requires Local Planning Authorities to: -

"Place the needs of people before the ease of traffic movement in designing the layout of residential development; and

Seek to reduce car dependence by facilitating more walking and cycling, by improving linkages by public transport between housing, jobs, local services and local amenity and by planning for mixed uses."

2.22 The development site is located within an area of accessibility to local amenities, employment opportunities, modes of public transport and also recreational open space. The development site incorporated the park and ride proposals (as approved) and it is the case that opposite the site is in fact the local rail station, which takes passengers across the district and beyond. Indeed the eastern boundary of the site is very much formed by the adjacent railway.

2.23 The application site is located within an existing urban area which is well located to necessary amenities such as public transport. On that basis it is considered that this is a wholly sustainable site suitable for residential development.

2.24 It is also the case that the extant planning approval gave permission for a specific quantum of development and, as the re-planning of the site has yielded a marginal increase in the number of units proposed, that the site's access will still operate in an appropriate and safe manner.

2.25 As such the proposed redevelopment will therefore not detrimentally impact upon highway safety in the local area. On that basis the proposal is considered to be wholly appropriate when determined against national planning policy guidance.

Conclusions

2.26 It is considered that the proposed substitutions of the previously approved plots is wholly compatible with the terms of national planning policy. The application site is an existing brownfield site located within an urban area and, on that basis it is determined that this is a fully sustainable location for new residential development.

2.27 Furthermore, the proposed re-planning of the site has been specifically to enable the scheme to be responsive to the local housing need and as such it is envisaged that in re-drafting the proposals the site will be deliverable.

3.0 Development Plan Assessment

3.1 The Statutory Development Plan for the area comprises the Barnsley Metropolitan Borough Council Unitary Development Plan.

3.2 There are a number of 'saved' policies within the Unitary Development Plan that are relevant to the proposed development. The Local Planning Authority is at present working towards producing the Local Development Framework which ultimately will replace the extant Unitary Development Plan.

3.3 However, at this moment in time the Local Development Framework (LDF) remains a work in progress and, as such, the extant Unitary Development Plan's (UDP) saved policies will guide development in the District.

3.4 These policies can be summarised as;

- **Housing Policies;**
- **Built Environment Policies;**
- **Environment Standards;**
- **Transport Policies;**
- ***Utilities*; and**
- ***Relevant Supplementary Planning Guidance.***

3.4 The proposed development has been assessed against these groups of policies in the following sections.

Housing Policies

3.5 Policy **H2** states that the Local Planning Authority will ensure that there is a sufficient supply of land is available in order to meet the future housing demand within the District.

3.6 Policy **H5** then notes that the Authority will encourage a diversity in residential property types in order to ensure that all needs of the market are fully met by new housing development.

3.7 Policy **H6** then states that all residential development above a specific threshold must incorporate sufficient public open space in order to meet the future needs of the end residents.

Built Environment Policies

3.8 Policy **BE5** identifies that the Local Authority will seek to enhance the environmental quality of existing housing, commercial and industrial areas.

3.9 Policy **BE6** then notes that the Local Planning Authority will seek to ensure that good design is achieved in all new developments in order to form a development that is considered compatible with its surroundings.

Environment Standards

3.10 Policies **ES7** states that where the Local Planning Authority are aware that a site is potentially contaminated, it is the case that the Council will seek to ensure that the necessary remediation work is undertaken in order to bring such a site forward for development safely. The site has been completely contaminated in accordance with conditions previously set down by the Local Authority and as such the site is considered to be 'clean'.

Transport Policies

3.11 Policy **T2** states that development will only be allowed where it can be demonstrated that the site can be accessed safely and without the detriment or harm to the adjacent highway network.

3.12 Policy **T17** states that all new development proposals should be designed in accordance with the Local Planning Authority's requisite parking standards. The basis for this is to ensure that all new proposals are formed in such a way so as to provide a sufficient level of private, off street parking which in turn will ensure that the adopted highway remains free from parked vehicles.

3.13 Policy **T27** then notes that all new development proposals will be required to take into account the needs of pedestrians and, as such, layouts should be appropriately designed.

Utilities Policies

3.14 Policy **UTL2** identifies that all new development should be capable of being accommodated or served by the existing utilities network. In particular, any development which cannot be accommodated in such a way will therefore be refused permission unless appropriate mitigation and improvements can be secured through the planning process.

Supplementary Planning Guidance 2 : The Design and Layout of New Housing Development

3.15 Supplementary Planning Guidance 2 (SPG 2) supports the relevant planning policies saved and retained within the extant Unitary Development Plan.

3.16 The submitted revisions are considered to be wholly appropriate and in line with the guidance as set out in SPG 2. The extant approved scheme was clearly designed in order to ensure that the proposals led to an acceptable level of amenity for both the future and the adjacent occupiers.

3.17 The Local Planning Authority noted that the scheme was considered to be wholly appropriate and, as such the proposals should be supported by the Local Authority.

3.18 The revisions seek further to enhance both the proposed layout and finished residential properties in order to provide a scheme that reflects and

incorporates the local vernacular whilst at the same time creating a clear sense of identity.

Assessment

3.19 The proposed redevelopment of this existing residential site is considered to be wholly in line with the relevant planning policies contained within the UDP.

3.20 The application site is an existing brownfield site located within an urban area, and, on that basis the proposed redevelopment of the site to provide new residential properties is considered to be wholly appropriate and in line with both national and local planning policy.

3.21 The submitted planning application provides an opportunity to enhance the visual amenity of the surrounding area whilst at the same time forming a scheme that is reflective with the local vernacular whilst also forming a clear sense of identity.

3.22 It is important to note that the application site has been partially developed and, as a direct result of the economic downturn and, in particular how this impacted upon the residential development market, the site was stalled as funding was subsequently withheld.

3.23 This viability of the site was further delayed as a further result by the financial institutions withholding mortgages and funding for members of the public and, as such, given the paucity of investors and homeowners who could secure a clear line of available funding the development of the site had to be withheld.

3.24 Following a detailed review of the scheme by Ben Bailey Homes it is now deemed that in substituting a number of the approved house types that these will be more attractive to new potential owners and, as such, there is renewed confidence that the scheme can be delivered.

Section 106 Agreement

3.25 Under the extant S106 Agreement, it is the case that the open space and related works contribution of £191,057 has been paid by Ben Bailey Homes. The laying out of the public open space has not yet been completed however.

3.26 The area to be utilised as the park and ride facility has been laid out and accordingly transferred to Barnsley MBC. The woodland will be transferred to a management company following completion of the development and to that end an agreement is in place with the Greenbelt Group.

3.27 Finally, the occupants are parking the annual service charge in accordance with the specific clause within the S106 Agreement. The remainder of the apartments have, as noted however, been omitted as part of the re-planning of the site.

4.0 Design and Access Statement

4.1 This statement takes account of the advice set out in DCLG Circular 01/2006, "Guidance on Changes to the Development Control System". It has also taken account of the CABE publication, "Design and access statements – how to write, read and use them".

4.2 These documents have a common approach to the form and content of a design and access statement:

"A design and access statement is a short report accompanying and supporting a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way" (S60, Circular 01/2006)

"The level of detail required in a design and access statement will depend on the scale and complexity of the application, and the length of the statement will vary accordingly. Statements must be proportionate to the complexity of the application, but need not be long." (S62, Circular 01/2006)

4.3 Both documents also indicate the issues to be addressed, these being **amount** of development, **layout** of buildings, **routes** and spaces, **scale** of buildings, **landscaping** and **appearance**: the CABE document also make reference to **use**: all six matters are addressed herein.

4.4 It is worthwhile noting that Circular (01/2006) accompanies the requirements for Design and Access statements. Paragraph 62 of the Circular is clear insofar as Design and Access statements will vary according to the type and scale of development to which they will support.

4.5 To that end as the proposed form of development is relatively simple in that it seeks approval to substitute a number of plots within an approved scheme, it is considered that a full raft of assessment is not required in this instance.

The Proposed Development

4.6 The attached planning applications seek permission for two forms of development. These are noted as follows;

- **Substitution of previously approved plots to form 5 dwellings; and**
- **Substitution of previously approved plots to form 77 dwellings.**

4.7 The overall re-plan of the site therefore renders a total of 82 properties. When these are set against the wider site's approval it is the case that the development will deliver the same number of properties as previously approved (201). This is considered to be acceptable in both national and local planning policy.

Relevant Planning Policy Considered

4.7 Regard to Section 3 of this formal Planning Statement should be made in relation to the relevant national and local planning policy that has been considered.

Amount

4.8 The attached planning application seeks permission to substitute approximately 82 plots from the extant planning approval and replace these with 82 units which are considered to be more attractive and thus deliverable to the open market. There is, as noted, no change therefore in the number of properties when assessed against the extant planning approvals.

Layout

4.9 The proposed layout is similar to that previously granted planning permission. There are however some subtle changes in the orientation of the internal road network which has been redesigned so as to ensure that a more appropriate configuration is delivered which in turn has an impact in relation to the number of properties that can be integrated as part of the development as a whole.

Routes

4.9 This is considered to be inappropriate. As noted above, the layout of the revised proposals is not considered to be too dissimilar to that previously approved by the Local Planning Authority. Nonetheless, the changes in the delineation and orientation of the internal estate road is considered to be appropriate in relation to the form of the site as a whole.

Scale

4.10 The proposed dwellings will be of a two, two and half storey and three storey construction.

Landscaping

4.11 The proposed development incorporates significant areas of public open space and private landscaping. The location of the internal greenspace is as previously approved.

4.12 Nonetheless, the extant planning approval incorporated the provision of a payment to Barnsley following laying out of the approved area of publicly access open space. That land has not yet been laid out and as such the requirement is still considered to be valid.

4.13 As noted in Section 3, the extant S106 Agreement did carry the provision of a payment in respect of the open space and related works to the sum of £191,057 which has been paid by Ben Bailey Homes.

Appearance

4.14 The proposed residential properties are considered to be of a form and scale that is reflective of the properties to be retained. It is important to note the schedule of materials as stated on the submitted plans are consistent with those properties that have either been constructed or, are in the process of being constructed. The proposed changed dwellings are of the same design as the wider scheme, and, as such, the character of the site will be unaffected.

Access

4.15 DCLG Circular 01/2006 describes the purpose of this component of the Design and Access Statement as being to

"explain how access arrangements will ensure that all users will have equal and convenient access to buildings and spaces and the public transport network"

4.15 As noted the wider development site already benefits from an extant planning permission. The site is considered to be in an accessible location where the end users will have access to the public transport network.

5.0 Conclusions

5.1 The development proposed has been carefully formed, laid out and designed so as to ensure that the end scheme will be fully consistent with the surrounding area in terms of form, layout and appearance.

5.2 The proposal has a number of significant benefits deriving from it and should be supported by the Local Planning Authority for the following reasons: -

- **The site clearly falls within the definition of previously developed land as set out in PPS 3;**
- ***The site benefits from an extant planning permission for 201 units of which it is proposed to remove 82 dwellings and replace these with a total of 82 differently designed properties.***
- **The re-planning of the site and the subsequent substitution of the approved plots will facilitate the development to be unlocked and thus aid the Local Authority in the delivery of new homes which are considered important to meet the area's demand;**
- **Given the brownfield status and the site's location within the urban area, the site should be accorded first priority as a residential development opportunity;**
- **The site enjoys a relatively sustainable location whereby public transport and local services and facilities are readily available.**
- ***The scheme would generate clear and unequivocal environmental gains through the securing of the redevelopment of an unattractive site which is presently sat idle and it's replacement with aesthetically pleasing structures.***
- **The scheme fully satisfies all residential amenity policies of the UDP and incorporates areas of fully usable public and private space; and**

5.3 The proposed development is considered to be wholly appropriate and thus planning permission should be granted for the substitution of the approved plots within the extant planning permission for properties of a slightly varied design.

APPENDIX 1

BARNSLEY
Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2005/1783

To JVH Town Planning Consultants Ltd.
Houndhill Courtyard
Houndhill
Marchington
Staffs
ST14 8LN

DESCRIPTION Residential Development and park and ride facility (Outline)
LOCATION Wombwell Foundry, Hough Lane, Wombwell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 11 October 2005 and described above.

The approval is subject on compliance with the following conditions:

1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun either:-

i) before the expiration of three years from the date of this permission, or

ii) before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters nas been obtained in writing from the Local Planning Authority:-

(a) the siting of the proposed development.

(b) the design of the proposed development.

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose

Signed
Assistant Director, Planning and Transportation

Dated 10 July 2006

Planning and Transportation Service
Central Offices, Kendray Street, Barnsley. S70 2TN
Telephone: 01226 - 772600
Fax: 01226 - 772599

(c) the external appearance of the proposed development.

(d) landscaping for the site.
Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

3 The development hereby approved shall be carried out in strict accordance with the amended plans and specifications received on 15 December 2005 (Drawing No. WF C01), unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

4 A scheme for the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, shall be included with any application for outline reserved matters. The drainage works shall be completed in accordance with the details and timetable agreed.
Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

5 Visibility splays, having the dimensions 2.4m x 90m and 2.4m x 83m shall be safeguarded at the junction of Hough Lane with the access road, such that there is no obstruction to visibility and forming part of the adopted highway.
Reason: In the interest of road safety.

6 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use, to prevent mud/debris from being deposited on the public highway to the detriment of road safety.
Reason: In the interests of road safety.

7 Development shall not commence until arrangements have been entered into to secure such highway works to mitigate the effect of the development being brought into use. Such works shall comprise of: -

a) Provision of right turn lane
b) Provision of central refuge islands
c) Provision of all necessary signing + lining
d) Provision of 2m wide footway along site frontage and over the railway bridge to tie into existing
e) Provision of highway drainage
f) Provision of street lighting
Reason: In the interests of road safety.

8 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved, in writing, by the Local Planning Authority, and such measures shall be retained for the entire construction period.
Reason: In the interest of road safety.

9 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and approved, in writing, by the Local Planning Authority, and such areas shall be retained for the entire construction period
Reason: In the interest of road safety.

10 Development shall not commence until details of the siting of the sales cabins and parking for staff and customers visiting the site, have been submitted and approved, in writing, by the Local Planning Authority, and such facilities shall be retained for the entire construction period.
Reason: In the interest of road safety.

11 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved, in writing, by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developers expense in accordance with a scheme to be agreed, in writing, by the Local Planning Authority.
Reason: In the interests of highway safety.

12 Development shall not commence until details of the means of access for construction traffic have been submitted to and approved, in writing, by the Local Planning Authority, and such an access shall be retained for the entire construction period.
Reason: In the interest of road safety.

13 Development shall not commence until details of the phasing of the development has been submitted and approved, in writing, by the Local Planning Authority, to ensure a safe and adequate highway network
Reason: In the interest of road safety.

14 Development shall not commence until full highway engineering construction details have been submitted and approved, in writing, by the Local Planning Authority
Reason: In the interest of road safety.

15 Notwithstanding the provisions of the Town and Country Planning (General Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 6.0 metres either side of the centre line of the sewer ehich cross the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times.

16 The site shall be developed with separate systems of drainage for foul and surface water on and off the site.
Reason: In the interest of satisfactory and sustainable drainage.

17 Unless otherwise approved in writing by the Local Planning Authority there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that no foul or surface water discharges take place until proper provision has been made their disposal.

18 Surface water from vehicle parking and hardstandings areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.
Reason: In the interest of satisfactory drainage.

19 The following information shall be contained within a report produced by a environmental consultant experienced in ground contamination and remediation matters and included with any application for reserved matters.

Planning History
Site use history
Site plan
Changes in Land/Building usage
Geology/Topography/Hydrology of site
Storage tanks on/under site
Surrounding land use
Photographs of potential contamination sources
Walk over survey
Conceptual Model
Risk Assessment
Recommendations regarding further investigation (if necessary)

The information listed here is the minimum that is expected and any report that does not include this information will be returned for further work to be done. Further information can be found within BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".
Reason: To ensure that the site is safely developed.

20 Prior to the commencement of any work, an assessment shall be carried out of the pond to the south of the site, plus the open area within 500 metres of the pond, for their suitability as a habitat for Great Crested Newts. The assessment shall be submitted to the Local Planning Authority for approval along with the other reserved matters If the pond is identified as providing suitable habitat for Great Crested Newts, then, prior to the commencement of any work, the pond and its terrestrial habitat must be surveyed by a suitably qualified and experienced surveyor, at an appropriate time of year, for evidence of use by great crested newts. The survey shall be carried out in accordance with a methodology that has been submitted to and approved in writing by the Local Planning Authority. If Great Crested Newts are found, a scheme for the conservation of the species must be agreed with the Local Planning Authority through the reserved matters application and prior to the commencement of any construction works. The results shall inform the detailed application.
Reason: Great Crested Newts have been recorded from a pond within 500m of the site. The survey is required to establish the likely impact of development and the need for mitigation measures.

21 Prior to the commencement of any development details for the management of all residual areas of land outside the site but within the applicants control shall be submitted.
Reason: To ensure the maintenance of areas outside the site boundary in the interests of the visual amenities of the locality.

22 Details submitted pursuant to this permission shall include a noise and vibration report to assess the noise and vibration, through the day and night, from the main Sheffield - Barnsley railway line and noise from adjacent industrial uses (Gaiglass, Fern Bros., Nu-gas and Welcome Windows) in accordance with BS7445, BS8233 and BS6472:1992 The report shall where necessary set out measures to mitigate the affects on the proposed development hereby approved Thereafter the development shall be carried out in accordance with the approved details.
Reason: In the interests of the amenities of any new residents.

23 Prior to any works commencing on the site the applicant shall submit a noise action plan detailing how noise will be controlled and kept to a minimum during the remediation and construction phases of the development. The noise assessment shall be undertaken in accordance with BS5228: parts i & ii: 1997 and the measures shall be carried out throughout the whole construction period. The noise report shall: 1) identify noise reduction measures for individual items of plant and machinery, including the use of plant and machinery with low noise output and the proposed location of mobile plant e.g. generators, crushers;
2) identify where the provision of acoustic shields, barriers or enclosures are necessary to safeguard the amenity of local residents; state the proposed hours of work (normally 08:00 - 18:00 Mondays to Fridays and 08:00 - 13:00 on Saturdays, with no Sunday or Bank Holiday working) which shall include all activities on site; 3) detail the site access route(s) for vehicles and the estimated number of vehicle movements per day; and
4) state the estimated duration of the demolition and remediation phase of the site.

Noise measurements during site operations shall also be undertaken to demonstrate that: the operations on site will not cause the LAeq, 1hr at the nearest noise-sensitive properties to rise above 55dB LAeq,1hr (the equivalent continuous A-weighted sound pressure level); or where, given very high or low background noise levels, the operations on site will not cause the LAeq, 1hr at the nearest noise-sensitive property to give rise to an increase of 10dB or more over the background noise. The times, dates & location of the monitoring sites shall be agreed with the Local Planning Authority prior to any remediation or construction commencing. A record of any monitoring shall be maintained on site and made available to the Local Planning Authority.
Reason: To safeguard the amenities of existing residents.

24 Any impact piling shall only take place between the hours of 10:00 to 12:00 and 14:00 to 16:00.
To safeguard the amenities of existing residents.

25 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority
Reason: To ensure that the site is properly drained.

26 Prior to any works commencing on the site the applicant shall submit a dust action plan detailing how dust will be controlled and kept to a minimum during the remediation and construction phases of the development. The dustmeasures shall be carried out throughout the whole construction period. Such measures may include, where necessary, the use of water bowsers, sprayers (mobile and fixed), hosepipes or similar equipment, regulating the speed of vehicles on site, the sheeting up of loaded vehicles, the use of wheel washes etc

Dust monitoring with the use of dust boards at potentially sensitive properties may also be appropriate, particularly where complaints are being received.

Plans detailing the site's access and haul roads and any noise-sensitive properties in close proximity may also be advantageous.
Reason: In the interests of the amenities of existing residents.

Informative(s)

1 Reasons for Approval:

The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

UDP Policy ED7 - Employment Policy areas
UDP Policy GS11 - Urban Land to Remain Undeveloped
UDP Policy ES8 - Contaminated Land
UDP Policy H8A - New Residential Development
UDP Policy H6 - Open space

SPG 2 - the design and layout of new residential development
SPG 20 - open space provision on new housing developments
SPG 24 - the re-use of Employment Policy Areas
SPG 28 - developing contaminated land

The development of the Employment Policy area and Expansion land is considered acceptable. Whilst the development of the Urban land to Remain Undeveloped is normally unacceptable, the opportunity to address the shortfall in parking provision at Wombwell Station is a significant material consideration which outweighs the general presumption against development.

The access and landscaping arrangements are also considered satisfactory
This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

2 The Environment Agency recommends carrying out a Phase 1 Habitat Survey, protected species survey and Biodiversity Action Plan species/habitats survey by a suitably qualified and experienced ecologist to inform the management plan for the area within the blue line on the approved plans.
Great Crested Newts are recorded within 500m of the blue line area on the plan. The blue line area potentially forms part of the newts' terrestrial habitat. This has important implications for the management of this area, as Great Crested Newts are a protected species.
Woodland/Pond habitat
We recommend that the blue line area is managed for wildlife; further advice may be obtained from the Biodiversity team tel. 0113 213 4922 (direct line).
All landscaping, seeding and planting within the blue line area should be carried out with native species appropriate to the location, preferably of known local origin.

BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 2005/1980

To Ben Bailey Homes Ltd & GMI Property Co Ltd
c/o Elizabeth House
Cliff Street
Mexborough
Rotherham
S64 9HQ

DESCRIPTION Residential Development of 198 dwellings and Park and Ride Facility (Reserved Matters).

LOCATION Former Wombwell Foundry, Hough Lane, Wombwell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 23 November 2005 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby approved shall be carried out in strict accordance with the amended plans and specifications which follow, unless prior written consent has been given by the Local Planning Authority to any minor variation:-

Site Location (2461/121);
Site Layout (2461/01 Rev C) received 7 August 2006;
Sectional Elevation (2461/99) received 5 April 2006;
Arundel/2005;
Chatesworth/2005;
Devon(E)/2005;
Devon(M)/2005;
Elsmere/2005;
Fairford/2005;
Firbeck/2005;
Ilston/2005;
Jarrow/2005;
Kirkland/2005;
Montrose/2005;
Norton/2005;
Oakland/2005;
Lindrick/2005;

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose

Signed
Assistant Director, Planning and Transportation

Dated 21 September 2006

Planning and Transportation Service
Central Offices, Kendray Street, Barnsley. S70 2TN

Telephone: 01226 - 772600
Fax: 01226 - 772599

Portland/2005;
FOG/WD;
S.garage B;
D.garage B;
S. garage-4.0m B;
S.garage x2 B;
S.garage x3 B;
S.garage x5 B;
DC/WD/05;
TC/WD/05;
QC/WD/05.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

2 No development shall take place until full details of the proposed external materials have been 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 the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

3 Development shall be carried out in accordance with the approved boundary treatment details as follows:-

DM;
1.8sf;
1.2fr;
1.8p&p;
0.9bw;
2.5af
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with U.D.P. Policy BE6, Design Standards.

4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained.
Reason: In the interests of the visual amenities of the locality.

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.
Reason: In the interests of the visual amenities of the locality.

6 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation matters, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. An assessment as to the degree to which the site may be affected by any contamination, including borehole and trial pit results.

2. Measures to test and evaluate the site for the purposes of identifying contamination throughout the duration of the development.

3. Measures to treat or remove any contaminated materials encountered and the methodology to be employed. These procedures should be summarised in a remediation statement.

4. Steps to be taken to prevent any environmental pollution by any such contaminated material encountered.

5. Measures to prevent risks to health and safety of the general public and any persons working on the site.

6. Consideration of any Waste Management issues of any remediation measures.

7. The subsequent certification/validation procedures, showing that the site has been satisfactorily remediated and that the subsequent development of the site can be safely occupied.

The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".
Reason: To protect the environment and ensure the site is suitable for the proposed use.

7 No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans and provided with street lighting.
Reason: To ensure that satisfactory means of access to the site is provided, in the interests of highway safety and in accordance with UDP Policy T2A.

8 Prior to the occupation of eachdwelling, hereby approved the parking and manoeuvring area within its curtilage shall be surfaced, sealed and drained.
Reason: To ensure that adequate car parking accommodation is available and in accordance with UDP Policy T2A.

9 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 600mm above the nearside channel level of the adjacent highway
Reason: In the interest of road safety.

10 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.
Reason: In the interest of road safety

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

Planning and Transportation Service
Central Offices, Kendray Street, Barnsley. S70 2TN
Telephone: 01226 - 772600
Fax: 01226 - 772599

BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2005/1998

To Ben Bailey Homes Ltd
Elizabeth House
Cliff Street
Mexborough

DESCRIPTION Residential Development of 3no. 2 1/2 storey dwellings.
LOCATION Adjacent former Wombwell Foundry, Hough Lane, Wombwell, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 25 November 2005 and described above.

The approval is subject on compliance with the following 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 in strict accordance with the amended plans and specifications received on 5 April 2006, unless prior written consent has been given by the Local Planning Authority to any minor variation.

Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

3 The development hereby approved shall be carried out in strict accordance with the amended plans and specifications received on 5 April 2006 unless prior written consent has been given by the Local Planning Authority to any minor variation.

Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed
Assistant Director, Planning and Transportation

Dated 24 May 2006

Planning and Transportation Service
Central Offices, Kendray Street, Barnsley. S70 2TN
Telephone: 01226 - 772600
Fax: 01226 - 772599

4 No development shall take place until full details of the proposed external materials have been 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 the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

5 The approved boundary treatment shall be completed before any dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with U.D.P. Policy BE6, Design Standards.

No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation matters, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. An assessment as to the degree to which the site may be affected by any contamination, including borehole and trial pit results.

2. Measures to test and evaluate the site for the purposes of identifying contamination throughout the duration of the development.

3. Measures to treat or remove any contaminated materials encountered and the methodology to be employed. These procedures should be summarised in a remediation statement.

4. Steps to be taken to prevent any environmental pollution by any such contaminated material encountered.

5. Measures to prevent risks to health and safety of the general public and any persons working on the site.

6. Consideration of any Waste Management issues of any remediation measures.

7. The subsequent certification/validation procedures, showing that the site has been satisfactorily remediated and that the subsequent development of the site can be safely occupied.

The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".

Reason: To protect the environment and ensure the site is suitable for the proposed use.

7 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use, to prevent mud/debris from being deposited on the public highway to the detriment of road safety.

Reason: In the interests of road safety.

8 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 600mm above the nearside channel level of the adjacent highway

Reason: In the interest of road safety.

9 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 600mm above the nearside channel level of the adjacent highway

Reason: In the interest of road safety.

10 The parking/manoeuvring facilities, indicated on the submitted plan, shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times

Reason: In the interest of road safety.

11 Sight lines, having the dimensions 2.4m x 90m, shall be safeguarded at the drive entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway

Reason: In the interest of road safety.

12 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved, in writing, by the Local Planning Authority, and such measures shall be retained for the entire construction period

Reason: In the interest of road safety.

13 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted an approved, in writing, by the Local Planning Authority, and such areas shall be retained for the entire construction period

Reason: In the interest of road safety.

14 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved, in writing, by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developers expense in accordance with a scheme to be agreed, in writing, by the Local Planning Authority.

Reason: In the interest of road safety.

15 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.

Reason: In the interest of road safety.

16 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained.

Reason: In the interests of the visual amenities of the locality.

17 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the locality.

Informative(s)

1 Your attention is drawn to the fact that it will be necessary for you to contact Mr Steve Gibbons on Barnsley (01226) 772017 in respect of the vehicular footway crossing required.
2 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

UDP Policy ED7 - Employment Policy areas
UDP Policy ES8 - Contaminated Land
UDP Policy H8A - New Residential Development

SPG 2 - the design and layout of new residential development
SPG 24 - the re-use of Employment Policy Areas
SPG 28 - developing contaminated land

The development of the Employment Policy area is considered acceptable. The layout and access are also considered satisfactory

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

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Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

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