Ref 2020/1284

Applicant: Mr J Hughes

Description: Outline application for 20 dwellings (All Matters Reserved) (Amended Redline and Description of Development).

Site Address: Land to the south of South View, Darfield, Barnsley

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Site Description

The application site comprises a greenfield and former allotments site located in Darfield, to the west of Snape Hill Road. It is relatively clear of development with a few scattered buildings including a small office building, stable, garage and two sheds. The remaining site is green, largely grassed with some trees / hedges around the field edges.

The land slopes steeply upward from south west to north east and there is a ridge running through the site, to the north of the larger of the two fields.

Access is from Snape Hill Road, via Hill Street which extends long the southern edge of the site. the surrounding area is residential with houses to the north and south and an area of greenspace, including a multi-use games area to the west.

Proposed Development

This is an outline application with all matters reserved for residential development of up to 20 homes.

Planning History

2007/1699 - Erection of four detached and ten semi-detached houses with integral garages – Approved

2010/1502 - Erection of four detached and ten semi-detached houses with integral garages (2007/1699 Extension of time limit) - Approved

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.

Local Plan

The site is allocated as greenspace. The western field being part of the Hill Street Greenspace and the area to the east forming part of the Snape Hill Road Allotments.

Local Plan Policy GS1 protects greenspace from development unless:

- An assessment shows that there is too much of that particular type of green space in the area which it serves, and its loss would not affect the existing and potential green space needs of the borough; or
- The proposal is for small scale facilities needed to support or improve the proper function of the green space; or
- An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss

In addition, the following Local Plan polices are relevant to this application:

SD1 Presumption in favour of sustainable development
GD1 General Development
LG2 The Location of Growth
H1 The Number of New Homes to be Built
H2 The Distribution of New Homes
H5 Residential Development on Large Non-Allocated Sites
H6 Housing Mix and Efficient Use of Land
H7 Affordable Housing
H8 Housing Regeneration Areas
T3 New Development and Sustainable Travel
T4 New Development and Transport Safety
D1 High Quality Design and Place Making
LC1 Landscape Character
BIO1 Biodiversity and Geodiversity
CC1 Climate Change
CC2 Sustainable Design and Construction
CC3 Flood Risk
CC4 Sustainable Drainage Systems
CC5 Water Resource Management
RE1 Low Carbon and Renewable Energy
CL1 Contaminated and Unstable Land
Poll1 Pollution Control and Protection
I1 Infrastructure and Planning Obligations

SPDs

Financial Contributions to Schools
Design of Housing Development
Open Space Provision on New Housing Developments
Affordable Housing
Planning Obligations
Sustainable Travel
Parking
Section 278 Agreements
Section38 Agreements
Biodiversity and Geodiversity
Trees and Hedgerows

NPPF

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

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

Consultations

Air Quality – No objection but requested a condition for EVCP.

Affordable Housing – The Planning Statement states that a contribution to meet the affordable housing requirement off site will be made. This is contrary to Local Plan Policy H7 which requires 10% of the houses on site to be affordable. This can be secured through a S106 agreement or condition.

Biodiversity – The applicant has provided a Preliminary Ecological Assessment and accompanying Biodiversity Metric 2.0. This sets the baseline in terms of the sites ecological value, which has been agreed. However, the assessments propose 100% loss which is not acceptable and further details will be required to be submitted with to address the 'no net loss' requirement under Local Plan Policy BIO1. More information on this is provided later in the report.

Contaminated Land – No comments have been received.

Education – No objections and no contributions are required as there is sufficient capacity within the local schools to meet demand created by this development.

Drainage - There are proposed drainage details shown on the plans submitted, with the application form describing foul to discharge to "Mains" and surface water to "SuDs" therefore it is not possible to make any constructive comments regarding this application; however, it is noted that the area is well served by sewers. A conditional approval is appropriate in this case.

Forestry – No comments received, however, as the application is in outline additional information can be secured through conditions as the RM stage.

Highways DC - Given the application is seeking outline permission only, Highways DC would offer no objection subject to conditions. Detailed comments are included in the report below.

Pollution Control – No objections subject to conditions limiting construction and delivery hours and requiring dust and noise management.

SYMAS – The risk of mining legacy issues on this site are low, however, there is potential geological faulting in the area and as such further assessment is required. This can be secured through condition.

South Yorkshire Police – Detailed design advice regarding Secured by Design, passed to the applicant for reference at the RM stage.

Yorkshire Water – No objections subject to conditions securing further details.

Waste – No comments

Ward Councillors: Councillor Saunders has requested the application go to planning board and raised concerns regarding traffic safety and in particular concerns about the access. In addition, there are concerns about a loss of grass and flood implications further downhill.

Representations

The application has been advertised by neighbour letters, site notices and a press advert.

A second round of consultation was undertaken following the change to the red line, to incorporate the access and amendment to the description of development to reflect the reduction in numbers on site.

The 5 objections raise the following:

- There is a covenant on the land stating it can only be used for recreational purposes
- The land is on a fault line which is moving all the time
- It is green belt land
- The access from Snape Hill isn't safe, the road is busy and there aren't good pavements
- Local services can't take the increased residents
- Loss of views and impact on value of house
- Concerns about the height of buildings
- Noise from the development will disturb home working
- Impact on mental health from the development
- Will add to the existing severe flood issues

In addition, 9 comments have been sent in expressing support:

- Supportive of the market housing as there are too many rented properties in the area
- Good use of unused land

Assessment

Policy H5, provides the starting place for dealing with unallocated sites proposed for residential development and states that development will be supported where it:

- is located on previously or part previously developed land.
- is located within Urban Barnsley, Principal Towns and Villages.
- is accessible by public transport; and
- has good access to a range of shops and services.

The proposed is located within the residential area of Darfield which is part of the Principal Town of Wombwell. Local Plan Policy LG2 directs development to Urban Barnsley and then the Principal Towns with Wombwell identified in Policy H2 as the location for 10% of the borough's housing supply. There is good access to shops and services as well as public transport. Therefore, the proposed is in a sustainable location in accordance with Local Plan Policy SD1 and complies with three of the above criteria.

Loss of Greenspace

The development site is allocated in the Local Plan as Greenspace, and as such is not previously developed land. Local Plan Policy GS1 protects greenspace from development unless certain criteria can be met, including where:

- it can be shown that there is too much of that particular type of green space in the area which it serves, and its loss would not affect the existing and potential green space needs of the borough, or

- an appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.

The eastern portion of the site is a former allotment and is no longer in use whilst the western portion of the site is part of an area known as Hill Street Green Space; a 'park and open space'. The whole site is fenced off with no public access which reduces its value as greenspace but, nevertheless, it remains the case that open spaces such as this provide visual amenity benefits as well as ecological and environmental benefits.

In assessing if the loss of the greenspace, it is noted that the pre-application enquiry confirmed that there are sufficient allotments within the area. Further, the deficiencies in greenspace which exist in the area relate to youth and child facilities and not informal greenspace such as Hill Street Green.

Looking to alternative or improved provision, the proposed development offers an opportunity to secure funding which can be used to improve greenspace and associated facilities. This would be both in terms of a compensatory payment and a contribution as set out in Local Plan Policy GS1 and the accompanying SPD. Parks have confirmed that to the west of the site is Darfield Recreation Ground which has no children's play space and the small sports facility (MUGA) located on it has been removed. This area is earmarked for tree planting as part of the 10,000 Trees Project in the borough and improved access to it though this development would be a benefit. In addition, there are opportunities to invest in Bly Road Recreation Ground and / or Pinfold Recreation ground to provide youth and play facilities.

Finally, the applicant has agreed to reduce the number of houses proposed on the site from 31 to 20. This brings the number of units below the density requirements in Policy H6 but provides an opportunity to retain some accessible greenspace on the site.

Therefore, taking account of all the above the requirements of Local Plan Policy GS1 are met.

Biodiversity

The applicant has provided a Biodiversity Metric 2.0 Baseline Assessment and accompanying Preliminary Ecological Assessment (PEA).

The majority of the grassland has been assessed as semi-improved neutral grassland or poor semi-improved grassland, which has been agreed as correct by the Council's Biodiversity Officer. There is a small orchard on the site which has been assessed as being of poor ecological value.

There are two species-poor native hedgerows on the site, and one is a habitat of principal importance. Whilst the ecology report assumes these will be removed, it is recommended that where possible they should be retained on site. If they are to be removed, where they meet the criteria as set out in in the Hedgerow Regulations 1997, they should be subject to appropriate assessment.

The PEA makes some recommendations for enhancements on site; however, these do not secure sufficient mitigation. Further, at this stage the applicants Biodiversity Metric 2.0 Baseline Assessment is set to a 100% loss of habitats on site with no on site mitigation proposed. This is not acceptable. However, the application is in outline with all matters reserved and the lack of detail as this stage means it is difficult to assess exactly what the impact will be. The overall number of units proposed on site has been reduced to 20, to allow for the retention of some greenspace, which also provides an opportunity for on-site mitigation over and above that proposed in the PEA. In addition, there are opportunities for offsite mitigation in the immediate area around the development. Therefore, it is proposed that detailed mitigation proposals to meet the no net loss requirement be provided with the Reserved Matters Application. In addition, any off-site mitigation identified to be required can be secured and agreed through the S106 Agreement. Subject to this the proposed complies with Local Plan Policy BIO1.

Trees

The applicant has provided a Tree Survey which identifies 39 items of woody vegetation, including 31 trees and 8 groups of trees, shrubs, or hedges. All the trees and groups are categorised and 'c' category which are trees of low or average quality and value but are in adequate condition to remain. The trees are largely located around the site edges of the fields, are unmanaged and the species diversity is stated to be relatively poor.

The Tree Survey identifies 23 trees for removal, largely located to the eastern side of the site, in the former orchard and along the boundary. These are stated to be of poor quality and unsuitable for retention in a garden setting. Trees along the northern edge and to the west, including the largest hedgerow are shown as retained.

As the application is in outline and the layout used in the tree survey has been superseded it is likely that additional trees can be retained on the site. Therefore, further detailed Arboricultural Assessment is conditioned to be provided at the Reserved Matters Stage.

Residential and Visual Amenity

Any assessment of residential and visual amenity impact is limited due to the application being in outline with all matters reserved.

The loss of greenspace will have an undoubted impact on visual and residential amenity for surrounding residents. This will be mitigated to a degree through the reduced number of dwellings proposed which provides an opportunity to design in greenspace and provide a good amount of soft landscaping to soften the appearance of the development.

In addition, as set out above, a number of trees can be retained on site and managed, which will also have a visual amenity benefit.

Finally, impacts on residential amenity associated with overlooking and overbearing impacts can be addressed through the detailed design stage, in accordance with Local Plan Policy D1 and GD1.

Highway Safety

Having reviewed the application, it is noted there is some history to this site and a previous planning approval with access for a lesser number of units (2010/1502). It is also understood that this development has been started so the permission remains extant, albeit this has not been substantiated through any submission of detailed evidence. Nevertheless, assuming both applications can be developed and accepting they would share the same access, it is necessary to clarify that the access approved under (2010/1502) remains sufficient for the previous development only. In order for access to be provided to a larger site, as would be the case under this application, the access would need to be enhanced to provide a standard width two lane carriageway plus full footway construction on both sides leading into the site. Given the indicative bend in the access road that is required it is suggested that the footway provision to both sides extends approximately 50m into the site (with the final distance to be determined at reserved matters stage, including assessment of appropriate internal crossing points).

In addition, the blue line boundary for this application extends north east of the proposed site access point. At present there is a limited width footway along this section of Snape Hill Road and given the presence of the southbound bus stop located immediately opposite the site frontage, investigation into the widening of the footway at this point to improve access to bus services is requested. This is to accord with Local Plan Policy T3, sustainable Travel.

As the above detail can be secured through conditions and at the reserved matters stage, there is no objection to the proposed and it complies with Local Plan Policy T4.

Contaminated / Unstable Land

The applicant has submitted a Phase 1 desk top study report (RB Geotechnical) which indicates the risk of mining legacy issues affecting the site is low- SYMAS have assessed this and agreed with this view.

However, there is potential geological faulting through this area based on past records held by SYMAS who have advised that the geofault movement was likely activated by past deep mining activity in the area and that as all deep mining subsidence is now long complete there is unlikely to be excessive fault movement in the future. Nevertheless, the records indicate that the geological faulting covers a large zone and a suitable approach should be determined to identified measures to be taken to safeguard future development from potential instability. The RB report acknowledges this and states: *"it is generally recommended that any phase II investigation also incorporates an assessment of the geotechnical site parameters".* It is recommended that this is secured through a condition to ensure an adequate geotechnical assessment of ground conditions is undertaken as recommended by a suitably qualified person.

The RB geotechnical report also recommends shallow soil sampling is undertaken to confirm contaminants and ground gas. The condition applied will secure these investigations in accordance with Local Plan Policy CL1.

Drainage/Flood Risk

The site is not at high risk of flooding and as it is less than 1ha no flood risk assessment is required.

The Drainage Assessment prepared by EWE Associates Ltd (Report dated October 2020) states that foul water will discharge to the public combined sewer. In relation to surface water, sub-soil conditions do not support the use of soakaways and the site is remote from a watercourse, therefore, it is proposed that surface water will discharge to public combined sewer via storage with restricted discharge rates. Yorkshire Water have no objections to this approach subject to agreeing an amended discharge rate, reduced to that of a greenfield site flow rate, which can be agreed through the drainage conditions.

Concerns have been raised in the responses to this application about the impact on known flood issues in the wider area. However, as the rate of discharge of surface water from this site will be restricted to the same as a greenfield flow rate (i.e. the same rate as currently running off the site) the will be no increased impact on flood risk in accordance with Local Plan Policies CC3.

S106 Agreement

Assessed against the formulae in the published SPD's the following contributions would be required: -

Affordable Housing – 10% required on site, mix and tenure split to be agreed at Reserved Matters Stage.

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. This will be calculated at the Reserved Matters Stage using the formulae in Appendix C of the Sustainable Travel SPD.

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

Greenspace – the site is allocated as greenspace in the Local Plan and as such a compensation payment is required to address its loss. This is calculated at £125,640 in accordance with Policy GS1 and as set out in the Open Space Provision on New Housing Development SPD.

Over and above this, a contribution is required toward formal greenspace and children play space improvements off site with the informal requirement of 15% to be met onsite. This contribution will be based on the final mix of development and calculated using the contributions per dwelling figures at Appendix 2 of the Open Space Provision on New Housing Development SPD.

<u>Conclusion</u>

The proposed has been submitted in outline with all matters reserved, therefore, the focus at this stage is the principle of the proposed development. All aspects of Policy H5 are passed except the requirement to be located on previously developed land. The site is greenfield and allocated as greenspace which is protected from development by Local Plan Policy GS1, subject to set criteria. An assessment of the

greenspace in the area has demonstrated that there is sufficient greenspace of the type to be lost and that deficiencies in other types of greenspace can be addressed through contributions and a compensation payment secured through this development. In addition, the proposed offers an opportunity to increase pedestrian access to the existing recreation ground from the north and west.

In addition, the site is located in a sustainable location with access to services and facilities as well as public transport. The proposed number of units has been reduced to ensure some greenspace is retained on site and help to secure a high-quality designed scheme.

Therefore, whilst there is some conflict with some individual Local Plan Policies the proposed is assessed as being in compliance with the Local Plan as a whole and approval recommended.

Recommendation

Grant planning permission subject to a S106 Agreement securing greenspace compensation and the other contributions as set out in this report.