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**Ref 2019/1414**

Applicant: Hartwood Estates Ltd

Description: Residential development for up to 111 dwellings (Outline with all matters reserved apart from the site access).

Site Address: Land at Station Road, Wombwell, Barnsley, S75 0BS

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**Site Description**

The site is currently undeveloped land and is situated to the north of Station Road, within the Principle Town of Wombwell. Wombwell District Centre is to the west and Darfield Local Centre to the east.

The area surrounding the site is a mixture of residential and commercial with areas of woodland. The proposed development site comprises land to the north of Station Road and to the East of Low Valley Industrial Estate. To the north of the site, beyond the woodland, are Netherwood Academy's playing fields. To the east is residential development on Stonyford Road and George Street; the south features more residential development and a public playing field containing a playground. To the west is Low Valley Industrial Estate containing Naylor Industries, GK Cars, Safestyle UK Glass Processing and others.

Public footpaths number 9 which runs along Bulling Dike and footpath number 8 which runs along the River Dove both run along / adjacent the boundaries of the site.

The Site generally falls in a south easterly direction but is relatively level; being in the valley bottom. Using Environment Agency online indicative flood mapping the Site is primarily located in Flood Zone 2 with areas in Flood Zone 1 and 3.

**Proposed Development**

The application is in Outline with all matters reserved except access. The applicant has provided an indicative layout to demonstrate the site could deliver 111 dwellings, access routes and greenspace. The latter includes a buffer along Bulling Dike and the River Dove.

The site is proposed to be broken into the following areas:

- Residential – 2.77ha
- Open space – 1.07ha

A range of house types is suggested from 1 to 5 beds with 2 and 3 storeys. The overall density is stated to be at 40dph.

**History**

2005/2017 – Residential development and erection of 6,000 sq ft two storey office building (Outline) – Refused 19/09/2006 – Appeal Allowed 25<sup>th</sup> April 2007 (APP/R4408/06/2028445)

2008/0405 – Residential Development including means of access (Outline) – Withdrawn

2008/1752 – Residential Development including means of access (Outline)  
(Resubmission) – Withdrawn

2010/0310 – Residential Development of 137 dwellings and erection of 6,000 sq ft office building (reserved matters of 2005/2017) – In abeyance

2010/0381 – Residential Development and erection of 6,000 sq ft two storey office building (Outline) (2005/2017 extension of time limit) – In abeyance

2010/0396 – Variation of condition 7 of previous application 2005/2017 granted on appeal ref APP/R4408/06/2028445 to change minimum height of finished floor levels – In abeyance

### **Policy Context**

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Planning decision 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.

Site Allocation: Urban Fabric

SD1 'Presumption in Favour of Sustainable Development'.

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

LG2 'The Location of Growth'

H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546

H2 'Distribution of New Homes' states 10% of new homes to be built in the Principle Town of Wombwell.

H5 Residential Development on Large Non-allocated Sites, proposals will be supported where they are located on previously or part developed land, are within a village, are accessible and have good access to a range of shops and services.

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 Urban Barnsley and the Principle Towns.

Policy H7 'Affordable Housing' seeks 10% affordable housing in the Wombwell.

Policy T3 'New Development and Sustainable Travel'

Policy T4 'New Development and Transport Safety'

Policy D1 'High Quality Design and Place Making'

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

Policy GS2 'Green Ways and Public Rights of Way' seeks to protect rights of way from development.

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

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

#### SPD's

- Design of Housing Development
- Parking
- Open Space Provision on New Housing Developments

#### 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. 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.

Section 14 relates to meeting the challenge of climate change, flooding and coastal change and is particularly relevant to this application.

## **Consultations**

**Affordable Housing** – The development will be expected to provide 10% affordable housing, details to be agreed at the Reserved Matters Stage. An appropriate condition should be applied to this Outline.

**Air Quality** – The operational phase air quality assessment in support of this application has been appraised. Whilst there are no objections to the proposed development on air quality grounds, the assessment has been undertaken in accordance with the Barnsley MBC air quality and planning technical planning guidance. Consequently, the assessment details various mitigating actions in accordance with the guidance (such as residential EVCPs, travel plan etc.) as being of relevance to the proposed development. These should be secure through condition.

**Biodiversity Officer** – The ecology report submitted with the application does not provide enough information to properly assess the impact on biodiversity and the mitigation and enhancements fall short of what is required in accordance with Local Plan Policy BIO1.

**Contaminated Land** – The Phase 1 Desk Study (ref Enzygo CRM.1122.005) which has been submitted to support this application has identified potential contamination risks to the proposed development and the recommendation that an Intrusive Site investigation will be required to fully assess these risks. Accepting these findings there are no objections subject to a suitable condition.

**Drainage** – A full review of the FRA has been secured by the Council which identifies areas whereby there is a need for further investigation and more detailed drainage and flood mitigation design to be undertaken. This must be provided to demonstrate that the site can be developed without impacting on flood risk.

**Danvm Drainage Commissioners** – No objection in principle, subject to a more detailed drainage strategy and the applicant securing the appropriate permits for any discharge into any watercourses.

**Enterprising Barnsley** - Enterprising Barnsley support the proposed planning consultation as long as adequate noise surveys are undertaken to ensure that the existing neighbouring business park on Valley road are not affected in the future via any imposed hours of operation due to any future complaints.

**Environment Agency** – No objection to the proposal, subject to a condition safeguarding land adjacent to the River Dove for any future flood alleviation scheme for the Low Valley. No detailed assessment of the FRA has been carried out by the EA due to the site being in Flood Zone 2; it is for the LPA to assess the FRA using the EA's standing advice.

**Education** – There is a requirement for an education contribution to mitigate the impact of this development on primary school places in the Wombwell area.

**Highways** – No objection subject to conditions.

**PROW** – No objection subject to further detail regarding existing and proposed footpath / public rights of way through the site.

Regulatory Services – Very little monitoring has been undertaken of the industrial site adjacent to this site. There are several 15 minute measurements that have been made, which are insufficient for us to make a determination with. Furthermore, the noise from the industrial estate has not been assessed in line with BS4142:2014 to establish a noise rating level to use for the modelling exercise and to establish what acoustic mitigation is required.

Without substantial monitoring results and a BS4142 assessment I cannot recommend that the application is approved.

Tree Officer – There is no objection to the proposed access or the development of the site in general as the majority of the site is covered in small self-set trees of little merit growing out of the existing hard surfacing. The more significant trees are located on or just outside the boundary in the main as detailed in the comprehensive tree survey provided. The advice in the tree survey must be used to inform the final layout put forward so as to avoid impacts on the trees during the works and also avoid conflicts longer term as noted in the report. Further information will be required at the reserved matters stage to deal with any potential issues for the trees as well as mitigation planting as part of a landscaping scheme.

SYMAS – The site is not in a Coal Authority Referral Area, however SYMAS holds records this indicates clay deposits have been worked as a shallow depth beneath the site. The majority of the site is also shown to be on made ground. Considering the nature of the proposal, made ground, possible shallow voids/soft ground, it is likely that some ground stabilisation works and / or suitably design foundations will be required. Further investigation should therefore be conditioned along with recommended mitigation.

South Yorkshire Police Architectural Liaison – No objection but various detailed design comments made for the applicant to review at the detailed design stage.

Superfast South Yorkshire – No objection subject to a condition securing superfast broadband.

Ward Councillors – Councillor Saunders has objected on the following grounds:

Station Road and Cotterdale Gardens were subject to flooding again in November 2019 residents are upset and concerned that planning permissions don't seem to see this as a significant factor, and there are planning permissions under consideration for Pitt Street, and on the industrial estate itself, as well as this one for Station Road. The cumulative effect of continuing to build on the edge of Wombwell/low valley area is of great concern to those who live there.

Traffic safety is another concern as Station Road is busy and difficult to cross, and most people (including school children) need to cross it as the housing is predominantly one side and the only path over the bridge is the other side. It is often difficult and unsafe to cross and with HGVs coming down Station Road to go onto the industrial estate.

The junction onto the industrial estate does not have the capacity to deal with the extra vehicles that the development will bring, jostling for position with HGVs. It will be a dangerous combination and I object on road safety grounds.

In short I object on road safety grounds, pedestrian safety grounds and the fact that the impact on possible flooding in the area is too great

Yorkshire Water – No objection subject to conditions to secure a detailed drainage strategy for the site.

## **Representations**

The application was advertised by neighbour notification letters, site and press notice. 26 objections have been received from residents raising the following concerns:-

- Flood defences to protect existing properties should be out in place before any new ones can be allowed.
- The development will increase flood risk for existing residents who are already flooded during high rainfall.
- The proposals include flood defences for the new houses but no improvements for existing residents.
- Properties in this area and the site itself flooded in November 2019.
- When there is a high flow in the river, the bridge is too narrow and water overflows into the backs of properties on Stonyford and onto this site. building here will increase this issue.
- Climate change is already increasing flood events, this development will make the issue worse.
- The land used to have two trenches on it which carried flood water from properties on Stonyford Rd to Bulling Dyke, these have been filled in.
- Houses are already devalued because of flooding issues.
- Traffic concerns along Station Road, it is already difficult to pull out of drives because the road is busy and at busy times there is static traffic along the main road.
- This will increase noise disturbance.
- Loss of privacy and light.
- More houses will exacerbate the existing parking problem in the area, especially next to the shop and associated with the industrial estate.
- Loss of wildlife on the site.
- Impact on local services which cannot take more residents.
- Disturbance during construction, mud on the road and dust / noise.

## **Assessment**

### Principle of development

There is an extant outline planning permission for the development of this site for mixed use comprising a 6,000 sq ft two storey office building and residential. This application was approved in 2006 (at appeal ref: APP/R4408/06/2028445) and a reserved matters (RM) application was submitted in 2008 which remains in abeyance. Flood Risk was not assessed at outline stage because the site was not identified as being at a high risk of flooding. However, following the approval of the outline application, the site flooded in 2007 and the site was subsequently rezoned as Flood Zone 3. This was downgraded in 2015 to Flood Zone 2. Therefore, it is the Council's position that this new application must be assessed against the current Planning Policy position and material changes to circumstances on site including Flood Risk.

The site is a brownfield site which is unallocated in the Local Plan, being Urban Fabric. The Local Plan confirms that development proposals will be assessed against all relevant policies in the Local Plan. Policy GD1 is the starting point for making

decisions on all proposals and states that development will be approved if (amongst others):

- there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;
- it is compatible with neighbouring land and will not significantly prejudice the current or future uses of the neighbouring land;
- any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated.

In the case of this proposed development, the site is largely located in Flood Zone 2 where there is a requirement for developers to provide evidence of the sequential test and exception test under Local Plan Policy CC3 Flood Risk.

The NPPF is also relevant. Paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (existing or future). All plans should apply a sequential, risk-based approach to the location of development – taking account of the current and future impacts of climate change (paragraph 157). The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding (paragraph 158).

The applicant has provided a Sequential Test, this has been limited to the settlement of Wombwell and includes only sites identified as housing and mixed-use allocations in the Local Plan. The sites identified are set out below:

<b>Site</b>	<b>Yield</b>	<b>Flood Zone</b>	<b>Applicant Comment</b>	<b>Council Comment</b>
HS77 Land at Pitt Street, Wombwell.	109 dwellings	Flood Zone 1	Planning Application submitted and approval recommend. - decision Pending at time of writing.	The Council has granted approval of this scheme subject to the S106 being signed. The planning application is for 109 dwellings and utilises part of the site allocation only. There is additional land available, capable of delivering a further 30 units <sup>1</sup> .
HS78 Land south of Doncaster Road	441 dwellings	Flood Zone 1	No application submitted to date.	This site is available and suitable to deliver additional dwellings
HS79 Former Foulstone School Playing Fields	189	Flood Zone 1	No application submitted to date	This site is available and suitable to deliver additional dwellings
HS80 The	49	Flood		Planning permission

<sup>1</sup> Using the standard gross to net ratio applied on sites of less than 1ha at Local Plan stage.

Former Foulstone School	dwellings.	Zone 1.		was granted in 2019 (2018/1564) for 41 dwellings. Conditions are being discharged and development is likely to commence shortly.
Site HS81 Land rear of Kings Oak Primary School	49 dwellings	Flood Zone 1	Planning permission granted	Development is ongoing on site with an extent permission from 2007 being implemented for 56 dwellings and 4 apartments (2007/0533).
Site HS82 Land off Newsome Avenue	43 dwellings	Flood Zone 1.	Planning Permission Granted	All 43 dwellings are completed (2015/1302)
Site HS83 Former Kings Road School Site	34 dwellings	Flood Zone 1.	Planning Permission Granted	All 34 dwellings are completed (2012/0473)
HS84 Land east of Lundhill Road	150 dwellings	Flood Zone 1, 2 and 3.	Full planning application (Ref: 2017/1001) granted 27/04/2018. Two conditions discharged (Number 31 and 34) numerous pre-commencement conditions still to discharge	The majority of conditions have now been discharged with development ongoing on site for 150 houses, a number of which are complete at the time of writing.
Site HS85 Land at Hill Street/Snape Hill Road Darfield	32 dwelling	Flood Zone 1.		These 32 dwellings have been built
HS86 Land at New Street, Wombwell	35 dwellings	Flood Zone 1		This site is available and suitable to deliver additional dwellings
HS87 Land east of Wortley Avenue, Wombwell	32 dwellings.	Flood Zone 1.		Development is ongoing on-site implementing permission 2018/0849 for 40 dwellings.
MU6 Former Wombwell High School	250 dwellings + primary	Flood Zone1.	Full application submitted and validated in	This application was approved at the March Planning Regulatory

	school		January 2019 (Ref: 2019/0089) for 239 dwellings, not determined to date.	Board. Therefore, the site is suitable and available for development.
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It is notable that of those sites in the table above with planning permission, or where development has commenced or been completed, the overall yield is over what was assumed in the Site-Specific Policies.

It should also be noted that the applicant has not assessed any windfall sites. As the proposed is a windfall site, it is justifiable to extend the sequential test to include other windfall sites within the agreed area i.e. Wombwell and Darfield.

It is the Council's view that there are enough sites available and suitable for housing development, at a lower risk of flooding, within the Principle Town of Wombwell to deliver 10% of the boroughs total housing delivery between 2014 to 2033. It is also the case that the Council can demonstrate a 5-year housing supply, again of sites at a lower risk of flooding. Therefore, there is no justification to release this site for housing development at this time and the sequential test is failed.

In addition, the indicative layout provided alongside the supporting technical reports, particularly the FRA, do not provide enough information to demonstrate that the site can achieve a policy compliant development. The Design and Access Statement provides a breakdown of areas on the site with 2.77 ha for residential and 1.07 ha open space which is confirmed to achieve 111 dwellings at 40dph and 28% greenspace.

However, Local Plan Policy GS1 and the accompanying SPD Open Space Provision on New Housing Developments confirms that undevelopable areas, such as the easements alongside the River Dove and Bulling Dike, cannot be included within the open space requirement. These make up a substantial part of the 28% as shown on the indicative layout.

In addition, the FRA requires 1,400 cu.m compensatory storage of flood water to be provided, no details of which are available at this time. The DAS also does not refer to this in the design section as having been considered in the illustrative layout.

Finally, land levels are required to be raised across the site which will impact on the design and separation distances required as set out in the SPD Designing Housing Development and the South Yorkshire Residential Design Guide. No information is available at this stage to allow an assessment of the impact of this on the layout.

It is therefore not accepted at this stage that enough information has been provided to demonstrate that the proposed can achieve policy compliant scheme in accordance with Local Plan policies, in particular: Policy H6, Policy GS1 and Policy D1 and the accompanying design guidance.

The application is therefore not acceptable in Principle and refusal is recommended.

#### Visual amenity

The proposed application is in outline therefore there is limited information to assess the visual amenity at this stage. Nevertheless, there will be an impact as the site is

currently undeveloped and whilst it is previously developed land, it has become largely vegetated and there are PROW's running along two of the site boundaries, connecting to woodland to the north west and Park Hill to the south. In addition, the site acts as a green buffer between the existing residential properties along the western boundary and Valley Road Industrial Estate. The loss of this open space to housing development will, therefore, have a negative impact on visual amenity.

### Residential Amenity

Residential amenity considerations are a sensitive issue with the application overall both in relation to noise from the adjacent industrial estate and given that existing dwellings are orientated to overlook the site at present in its open and green form.

The final detailed design will need to accord with the separation distances as set out in the Design of Housing Development SPD and South Yorkshire Residential Design Guidance. These distances will be impacted by the raising of land levels as proposed to address flood risk which is stated to be required in the FRA. These changes in levels range from 0.19m – 2.45m (FFL) across the site. No information has been provided at this stage to confirm the impact of these changes in level on surrounding residents. Accepting that this information, including details topographical data across the site and in relation to adjacent land, along with finished floor levels and ridge heights is normally provided at the RM stage of the application process, the Council has concerns that this will impact on overall housing numbers achievable as detailed previously in this report.

Noise impacts associated with the adjacent industrial estate need to be addressed at this stage. Since the previous outline was approved, guidance in relation to noise has changed and it is the Council's view that this application must be assessed against current British Standards. The applicant has provided a noise assessment with the application seeking to address this. However, the assessment has been found to be based on insufficient monitoring and is not in line with the British Standards. Therefore, there is insufficient information at this stage to judge if the proposed development could be delivered with suitable mitigation against noise disturbance from adjacent employment (bad neighbour) uses.

### Highway Safety

The applicant doesn't appear to be altering the access proposals from that previously granted at appeal and it appears that the access has already been created following that permission. As such there are no objections to maintaining use of this access.

The design of residential streets within the development shall follow the guiding principles and technical guidance contained within the South Yorkshire Residential Design Guide (SYRDG). Parking should be in accordance with the Parking SPD.

The site layout should be designed to maximise and encourage safe, sustainable movement through walking and cycling, providing links to existing networks. This should include provision of EVCP in accordance with the Sustainable Travel SPD and connections to the public right of way to the north and west of the site.

It will be necessary to include a refuse collection area at the end of shared private drives, close to the adoptable carriageway, to ensure efficient roadside waste collection. The refuse collection area should be sufficient to house the maximum number of bins on a recycling day for all properties.

Any boundary, fence, hedge or building shall be set back a minimum of 2m at the end of cul-de-sacs to avoid damage resulting from the overhang of manoeuvring vehicles.

Any highway structures (as defined within South Yorkshire Residential Design Guide 4D1.1) will require technical approval in accordance with the approval procedure based on DMRB BD2/05. The developer will be responsible for preparing and submitting the AIP, with the technical approving body being the Highway Authority. The approval procedure is to be followed for the construction or alteration of any highway structure whether to be adopted or not.

Ideally it is preferable to have a level approach, however where topography prevent this a maximum gradient of 1:12 is permissible on an individual slope of less than 5 metres or 1:15 if it's between 5 and 10 metres. It should be noted that adequate measures shall be designed to avoid the discharge of surface water from the site onto the public highway.

### Drainage/Flood Risk

The applicant has provided a Flood Risk Assessment, dated August 2019 alongside the Sequential Test in support of this application. Following the most recent floods in November 2019, the applicant also provided a Flood Note.

The Flood Note confirms that in November high water flows in the River Dove burst the banks upstream of the Stonyford Road bridge. This caused water to flow southwards flooding properties on Stonyford Road, the allotments to the rear and the application site. This is confirmed to be replicated in the applicant's flooding model in all events from the 1 in 100 years onwards.

The Flood Risk Assessment and Flood Note has been assessed by the Council and Ecus Environmental Consultants on the Council's behalf. This assessment concluded, in recommendations summarised below:

- Further assessment to quantify the potential effect of the development on fluvial flood zone extents and provide these to BMBC. This should also include use of the proposed finished site level for the development areas, using the minimum finished floor level of 27.27 m AOD (max flood level of 26.67m AOD + 0.60 m).
- A detailed site layout and section drawings illustrating the position and level of buildings, access roadways, essential infrastructure and other key development features, such as compensatory storage areas. These plans may be used provide clear illustration of controls for the management of flooding and surface water runoff, as well as the appropriateness of location. These drawings should also highlight construction requirements for any proposed mitigation measures, specifically compensatory flood zone storage.
- A detailed surface water drainage strategy must be provided for review by BMBC and respective statutory consultees. This should include development of a hydraulic network model, using Microdrainage or equivalent, to confirm site drainage conditions for all events up to and including the 1 in 2, 1 in 30, 1 in 100 and 1 in 100 year plus 40% climate change critical rainfall / runoff events. This should also clarify the proposed methodology and infrastructure required to attenuate and manage all runoff waters on site and include a

construction and post-construction surface water management strategy, as well as details of operation and maintenance requirements for any proposed surface water drainage infrastructures. The design should be developed in accordance and compliant with applicable adoption standards, specifically Sewers for Adoption 7th Edition, Part H Building Regulations, C753 SuDS Manual and any other local development and design guidance.

- The site is confirmed in the DAS to fall in a south easterly direction (from the River Dove to Station Road) with levels ranging from 27.08 AOD to 24.82 AOD. The FRA provided by the applicant recommends an uplift of 0.60m from the maximum flood level which gives a finished floor level (FFL) of 27.27 across the site. This is an uplift of between 0.19m and 2.45m and is to improve flood resilience of properties on the site.
- A comprehensive Flood Evacuation and Emergency Plan from the applicant, which may be used to provide further detail on specific measures associated with the developments flood resilience and resistance, as well as clarification on flood warning mechanisms and how hazard levels for internal site areas will be effectively reduced to minimise danger to public. This should be developed in conjunction with BMBC's local emergency services coordinator. Flood resilience and resistance measures should be reflective of EA proposals for development in areas susceptible to flood risk or inundation

This further detailed modelling along with the drainage strategy and evacuation plan is recommended to be required with the RM application and / or pre-construction. However, there are implications for food risk further down the network as a result of the proposed development which, in the absence of further detail, it is not possible to fully assess. This raises clear concerns that the application has not demonstrated compliance with Local Plan policy CC3 Flood Risk.

### Biodiversity

The Preliminary Ecological Assessment (Enzygo, CRM.1122.005.ec.R.001, 28/2/19) has some major shortcomings and the wider ecological information provided with the application falls well short of the standard which could allow the LPA to determine it. Updated information should be provided as summarised below:

The application is not clear about what proposals, if any, there are for development of the northern strip of land encompassing riparian land alongside and into the middle of the River Dove. At various places in the application reference is made to leaving an 8m strip here as a river easement and ecological buffer to the watercourse – which is good as biodiversity mitigation - but clarification is required as to the long term protection for this area, particularly as reference is also made to the EA plans for future flood defences in this location.

There is no ecological assessment of the River Dove or Bulling Dyke or their embankments as they run through the proposal site.

There are insufficient or outdated references to Local Plan Policies or the supporting SPD's reducing the ability to assess how the site complies with these. For example, the new Biodiversity/ Geological Conservation SPD has a requirement for biodiversity Net Gain which must be demonstrated by the application.

The applicant has not sought data from the South Yorkshire Bat group and there is no indication that citations and habitat maps relating to the Local Wildlife Sites was

gained from the Council's Records Centre and evaluated – Parkhill LWS is only 150m away and in direct ecological connectivity with the site via Bulling Dyke. Furthermore, the Dearne Valley 'Nature Improvement Area' is not mentioned. The Local BAP habitats does not mention 'running water' which needs to be updated as this is a major habitat for this site. Blue infrastructure fails to refer to policy GI1 and the River Dove strategic corridor.

The extent of semi-improved grassland is significantly under-reported compared to the phase 1 habitat plan at the end of the report. Also, there is standing water near the middle of the site which is not mentioned here but is referred to later (table 3.2, great-crested newts). The redline boundary runs down the middle of the River Dove yet there is no ecological surveying of that major watercourse/ wildlife corridor.

There has been no surveying of the site for its value for commuting/ foraging bats – this is a requirement of the BCT Guidelines and it should be carried out.

Further survey work, or enough evidence to demonstrate the habitat is unsuitable, is also required in relation to:

- Otters and water vole
- Kingfishers
- Reptiles
- Great-crested newts and other amphibians.
- White-clawed crayfish

The whole Discussion and Recommendations is insufficient based on the various points raised above and requires updating to address these, including additional enhancement to address the sites location in the NIA and the net gain requirement as set out in the Biodiversity/ Geological Conservation SPD.

### S106 Agreement

This is an outline application therefore provisions and contributions towards specific infrastructure requirements would need to be based upon the final number of dwellings allowed at the detailed reserved matters stage. The S106 can be written using suitable formulas that are based on the contents of the SPD covering the following topics:-

Affordable Housing - Local Plan Policy H7 states that housing developments of 15 or more dwellings will be expected to provide affordable housing, with 10% affordable housing provision expected in the Wombwell area.

Education – There is a requirement for an education contribution towards primary school places, based on the proposed number of houses and current capacity within the schools. This would need to be calculated in accordance with the education SPD.

Greenspace – The illustrative masterplan includes provision for 15% onsite greenspace, including a play area. This requirement would need to be secured along with a contribution towards formal greenspace improvements of site, via a combination of conditions and the S106, in accordance with Local Plan Policy GS1.

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. The site is located in the

Accessibility Improvement Zone therefore this contribution is required. EV charging points would need to be conditioned for each dwelling as would cycle storage.

Subject to these S106 obligations and conditions, the proposal would be compliant with the requirements of Policy I1 Infrastructure and Planning Obligations which states that development must contribute as necessary to meet all onsite and off-site infrastructure requirements to enable development to take place satisfactorily.

### **Conclusion**

Assessed against current National and Local Planning Policy and known flood risk issues across the site, the proposed development has been demonstrated to fail the sequential test; whereby there are sufficient sites currently available and suitable for residential development at a lower risk of flooding within the Principle Town of Wombwell and wider Borough of Barnsley to demonstrate a 5 year + supply of housing.

There is insufficient information provided with the application to adequately demonstrate that the site can deliver a policy compliant scheme allowing for the need to provide flood attenuation and easements along the River Dove and Bulling Dike.

Furthermore, the noise report and ecology report provided with this application is insufficient to allow an assessment of the impacts to be adequately understood and appropriate mitigation and enhancement identified.

Therefore, the proposed is recommended for refusal.

### **Recommendation**

#### Reasons

1. The majority of the application site is within Flood Zone 2. Local Plan Policy CC3 and paragraph 157 of the NPPF requires all development to apply a sequential, risk-based approach to locating development. As the Council can demonstrate a rolling supply of housing sites at a lower risk of flooding than the proposed, the sequential test is failed, and the application is refused in accordance with Paragraph 158 of the NPPF and Local Plan Policy CC3.
2. There is insufficient information provided with the application to demonstrate how, allowing for the known constraints of the site, the proposed development can deliver a scheme which complies with Local Plan Policies: H6 Housing Mix and Efficient Use of Land, Policy D1 High Quality Design and Place Making and Policy GS1 Green Space and the accompanying guidance contained in the Design of Housing Development SPD, Open Space Provision on New Housing Developments SPD and Parking SPD.
3. There is insufficient information provided with the application to demonstrate that the development will not increase flood risk elsewhere within the network contrary to Local Plan Policy CC3.
4. There is insufficient information provided with the application to demonstrate that noise levels on the site are at a level suitable, or can be appropriately mitigated to a level suitable, for residential development in accordance with Local Plan Policy Poll1.

5. There is insufficient information provided with the application to fully assess the biodiversity value of the site, impacts on habitats and how appropriate mitigation and enhancement can be provided in accordance with Local Plan Policy BIO1 and the accompanying Biodiversity/ Geological Conservation SPD.