



**COUNTRYSIDE**  
Homes

**S73 Application related to Planning Permission**  
**ref: 2021/1405**

**Planning Statement**

Former William Freeman Site, Wakefield Road,

Mapplewell, Barnsley, S75 6DN

Countryside Properties (UK) Limited

MAY 22, 2026



## Contents

Introduction .....	2
Planning History .....	4
Details of Changes Sought .....	6
Proposed Changes Sought .....	6
Variations to Conditions .....	8
Condition 2:.....	8
Condition 3.....	10
Condition 4.....	11
Condition 5.....	11
Condition 6.....	11
Condition 10.....	12
Condition 11.....	12
Condition 13.....	13
Condition 15.....	14
Condition 16.....	14
Planning Assessment .....	14
Amenity.....	15
Public Open Space .....	16
Landscape .....	16
Ecological Enhancements and Mitigation.....	17
Highways .....	17
Summary .....	18
Conclusion.....	19



## Introduction

This Section 73 application has been submitted to Barnsley Council to seek minor amendments to various conditions associated with reserved matters application ref: 2021/1405 which sought: Reserved Matters (appearance, landscaping, layout and Scale), application for development of 91 homes, structural planting and landscaping, surface water attenuation and associated infrastructure in connection with outline planning permission 2017/1718) (Outline planning for up to 102 homes) (Amended Plans).

The permission was approved subject to conditions on 08 October 2024. The application is due to expire on 08 October 2026 unless a material start on site is undertaken. To enable Countryside Properties (part of the Vistry Group) to deliver the much-needed housing approved by planning permission (ref: 2021/1405) this Section 73 application is required to amend the housetypes to bring them in line with current building regulations, through a plot substitution resulting in some minor amendments to the previously approved layout.

A Planning Performance Agreement (PPA) was entered into with Barnsley Council ('BMBC') given the tight timescales and the need for a determination within 13 weeks of submission. The planning strategy was agreed through the PPA process to enable the delivery of much needed housing in this location.

This planning statement is supported by the following documents:

Document Title:	Reference:
Site Location Plan	VWYM2-PHS-XX-XX-DR-A-01000 P01
Feasibility Layout Plan	VWYM2-PHS-XX-XX-DR-A-07000 P12
Coloured Feasibility Layout Plan	VWYM2-PHS-XX-XX-DR-A-07001 P03
Garden Area Plan	VWYM2-PHS-XX-XX-DR-A-07002 P03
M4(3), M4(2) and Affordable Housing Plan	VWYM2-PHS-XX-XX-DR-A-07005 P03
Boundaries Treatment Plan	VWYM2-PHS-XX-XX-DR-A-07003 P03
Boundaries Treatment Details	VWYM2-PHS-XX-XX-DR-A-07004 P01
Bike Storage Plan	VWYM2-PHS-XX-XX-DR-A-07006 P03
Site Sections	VWYM2-PHS-XX-XX-DR-A-07200 P02
Apple Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07010 P01
Atkins Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07011 P01
Becket Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07012 P01
Beech Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07013 P01
Chestnut Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07014 P01
Cherry Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07015 P01
Cypress Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07016 P01
Grainger Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07017 P01
Holly Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07018 P01
Hampton Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07019 P01

# S73 Planning Statement

Wakefield Road, Mapplewell



**COUNTRYSIDE**  
Homes

Allington Housetype Plan	VWYM2-PHS-XX-XX-DR-A-07020 P01
FT50/70 Housetype Plans	VWYM2-PHS-XX-XX-DR-A-07022 P01
Landscape General Arrangement Plan	GLY0268 GA 01
Landscape Proposals Sheet 1 of 2	GLY0268 LP 01
Landscape Proposals Sheet 2 of 2	GLY0268 LP 02
Landscape Specifications	GLY0268 SP 01
Construction Environment Management Plan	Rev 1 Dated May 2026
Noise Impact Assessment	NIA-12628-26-12923-v3 dated 22 <sup>nd</sup> May 2026
Planning Statement	Dated 22 <sup>nd</sup> May 2026

The planning application fee of £2,076 has been paid alongside this application.

The scope and content of this application has been agreed following pre-application PPA negotiations between BMBC and Countryside Properties (UK) Ltd 'the Applicant'.



## Planning History

Planning permission was granted on 24 October 2018 in Outline for *Residential development for up to 102 dwellings with associated infrastructure and access (Outline with All Matters Reserved apart from access)*. The application was submitted subject to conditions.

Of importance from the Outline Consent Condition 1 notes: *Application for approval of the matters reserved by 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 before the expiration of two years from the date of approval of the last of the reserved matters to be approved.*

The Reserved Matters (RM) application was received and validated on 15 October 2021, within the timescales permitted by Condition 1. The permission was subsequently approved on 08 October 2024 for *Reserved Matters (appearance, landscaping, layout and Scale), application for development of 91 homes, structural planting and landscaping, surface water attenuation and associated infrastructure in connection with outline planning permission 2017/1718) (Outline planning for up to 102 homes) (Amended Plans)*. The application was approved subject to conditions and a Section 106 Agreement, signed and dated 08 October 2024.

In accordance with Condition 1 on the Outline Permission the development shall be begun within two years from the date of approval of the last of the reserved matters. The permission therefore requires to be implemented by 08 October 2026.

During the course of the RM permission the layout was amended to respond to comments from consultees with the number of dwellings reduced from 102 to 91 units. The description of development was also amended to reflect these changes. Nevertheless, despite the agreed changes the decision notice incorrectly lists plans and reports which show the original 102-unit layout. Regardless of the changes proposed through this Section 73 the list of approved plans and reports within condition 2 requires amending.

The RM planning permission is subject to several conditions, some of which are referred to in more detail later in this statement. In addition, the RM permission is subject to a Section 106 agreement which provides, for the following:

- Affordable Housing Schedule
- Education Contribution
- Off-Site Open Space Contribution

Since the submission and approval of the RM there have been significant changes to Planning Policy, Planning Guidance and Legislation as well as changes and advancements in Building Regulations. These changes result in the need to update and amend the housetype plans approved to enable compliance with the current best practice.

It was discussed with BMBC whether the minor amendments to the housetypes could be undertaken through a Section 96a non-material amendment application. On the understanding that the amendments would be 'de

# S73 Planning Statement

Wakefield Road, Mapplewell



**COUNTRYSIDE**  
Homes

*minimis*' and thus a non-material amendment. However, BMBC advised that a S73 application would be required to cover the number of changes to the layout as a result of the plot substitutions.



## Details of Changes Sought

Section 73 also referred to as Minor Material Amendment applications are made under Section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. Section 73 is a wide-ranging statutory power used to amend conditions attached to a previous planning permission. Whilst it is often referred to as 'Minor Material Amendments' this terminology is not based in the law. It is intended to allow for amendments to be made where necessary to ensure that a development is successfully implemented and completed.

This S73 is proposing to amend conditions 2, 3, 4, 5, 6, 10, 11, 13, 15 and 16 of the approved RM permission. There are no words in the description of the development that would prevent the proposed amendments from being approved under the S73 process. The conditions are discussed further in the later sections of this Statement.

To enable delivery of housing on the site, a number of changes are required associated with the current reserved matters application (ref: 2021/1405). This S73 planning application seeks approval for the following:

*Variation of Conditions 2, 3, 4, 5, 6, 10, 11, 13, 15 and 16 of planning permission 2021/1405: Reserved Matters (appearance, landscaping, layout and Scale) application for development of 91 homes, structural planting and landscaping, surface water attenuation and associated infrastructure in connection with outline planning permission 2017/1718 (Outline planning for up to 102 homes) (Amended Plans).*

- Condition 2 – Approved plans
- Condition 3 – Levels
- Condition 4 – Air Quality Mitigation
- Condition 5 – Trees
- Condition 6 – Highway Adoption Plans
- Condition 10 – Cycle Parking
- Condition 11 – Noise Mitigation
- Condition 13 – Boundary Treatment to Plots 1 – 7.
- Condition 15 – Construction Environment Management Plan
- Condition 16 – Hampton Windows

## Proposed Changes Sought

As previously mentioned since the submission of the Reserved Matters application there have been significant changes to Planning Policy, Planning Guidance and Legislation as well as advances in Building Regulations. The Building Regulations advancements have resulted in the need for changes to the housetype plans approved to ensure that they comply with the current best practice. These include renewable energy usage now embedded within the design to achieve a minimum 30% carbon reduction. There has also been the introduction of Parts O, F and S (overheating, ventilation and EV Charging) which require amendments to dwelling designs, fabric standards and roof layouts to accommodate new PV. More recently announcements for Future Homes



Standards requires even stricter controls to move to 75% carbon reductions for any new homes not delivered to slab level before March 2027.

The proposed housetypes changes respond directly to updated policy, legislation and guidance and result in no greater adverse impacts than those considered acceptable as part of the consented development. In many regards the changes result in an improved development which is deliverable and future proofed.

Section 73 is a legitimate route to amend schemes where the description of development remains unchanged and impacts are acceptable, supporting adjustments to housetypes, layouts and approved plans. The main proposed changes to the scheme are as follows:

- Complete replacement of housetypes to deliver Vistry's own housetype collection which have been designed to meet Building Regulations and FHS.
- Minor alterations as a result of the housetype changes to the mix resulting two fewer 1-bedroom maisonettes, six fewer 2-bed properties and eight additional 3-bed properties. The change in mix seeks to reflect updated local needs.
- Relocation of several properties, including Plots 1 and 2 moving these properties further away from Wakefield Road, increasing the open space at the site entrance and creating a stronger, consistent building line fronting Wakefield Road.
- The amount of private drives has been reduced through changing the positioning and orientation of several properties and therefore, their access; including Plots 1 and 2 shared drive omitted from the plans.
- Plots 78, 79 and 82 rotated to front onto both access road and site frontage to create a larger green buffer along the site frontage.
- Plots 73 and 74 have been relocated to an area previously for public open space to address the site frontage. Open Space increased in other areas, including site frontage to ensure that overall no loss of public open space through the revised layout.
- Relocation of visitor parking within the site to align with the revised layout and allow for refuse vehicle movements within the site.
- Plots 37 and 28 relocated east by 2.7m and 1.5m respectively.
- Omission of the 3 storey apartments on the site (previously plots 41-43 and 72-74).
- Existing landscaping and trees previously retained are not affected by any of the changes.
- The infrastructure; adoptable roads and drainage infrastructure (pump stations) etc... are not affected by any housetype and layout changes. The principles approved through the RM permission remain.
- The levels previously included in the approved RM are proposed to be retained within this scheme.

Although the proposed S73 permission will replace many of the previously approved plans there is a need to fully update the approved documents list under Condition 2 on the RM approval as these do not reflect the latest plans submitted to demonstrate how the 91-unit scheme would be delivered. The plans listed on the decision notice relate to the original RM submission based on delivery of 102 units. It is understood that through the course of the RM application in response to consultee comments the scheme was reduced to provide 91 units in order to allow for an appropriate layout which delivers a high-quality in respect to parking,

# S73 Planning Statement

Wakefield Road, Mapplewell



COUNTRYSIDE  
Homes

landscaping, constraints on site and external separation distances. The description of the development on the RM was updated through the course of the application to reflect the 91-unit scheme, however, many of the updated plans were missed off the final decision notice. Therefore, regardless of the housetypes substitutions an amendment would be required to regularise the approved plans.

## Variations to Conditions

Alongside the layout changes, there are several changes required to the approved conditions. These are set out below:

### Condition 2:

The following changes to condition 2 are required to update the approved plans to those accompanying this Section 73 permission and to remove any which refer to the outdated layout of 102 units.

“The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved and listed below unless required by any other conditions in this permission:

~~P08 4145 02 LOCATION PLAN (REV B)~~

~~P08 4145 1069 SITE PLANNING DRAWING~~

~~P08 4145 1079 LANDSCAPING PLAN~~

~~PROPOSED SITE SECTIONS (REV 0)~~

~~P08 4145 07 PROPOSED STRETSCEENES (REV 0)~~

~~D08 4145 04 BOUNDARY TREATMENTS (REV 0)~~

~~D08 4145 05 GARAGE DETAILS (REV 0)~~

~~Planning, Design and Access Statement~~

~~21524-DR-C-0100 Drainage Strategy P3~~

~~21524-DR-C-0110 Horizontal Alignments P2~~

~~21524-DR-C-0111 Vertical Alignments P2~~

~~21524-DR-C-0600 Proposed Levels P3~~

~~Micro Drainage Calculations (Dated 09/09/2022)~~

~~P08:4145:1001B ALTO (AS-OP) Plans and elevations~~

~~P08 4145 01L Proposed Site Layout Revision L~~

# S73 Planning Statement

Wakefield Road, Mapplewell



COUNTRYSIDE  
Homes

~~P08-4145-1003B Alto (AS-AS-OP)~~

~~P08-4145-08 Garden Areas~~

~~P08-4145-1002 B Alto (AS-OP-OP)~~

~~P08-4145-1008C Leedale (OP)~~

~~P08-4145-1007 C Leedale (AS)~~

~~P08-4145-1006 C Rochester (OP)~~

~~P08-4145-1005 C Rochester (AS)~~

~~P08-4145-1004 C Bilberry (AS-OP)~~

~~P08-4145-1010C Salisbury (OP)~~

~~P08-4145-1009C Salisbury (AS)~~

~~P08-4145-1013 C Hampton (AS)~~

~~P08-4145-1012C Allington (OP)~~

~~P08-4145-1011C Allington (AS)~~

~~P08-4145-1019B Squire~~

~~P08-4145-1017C Colton (AS)~~

~~P08-4145-1016C Edge 3 Hampton (AS & OP)~~

~~P08-4145-1020 Edge 3 (AS-OP)~~

VWYM2-PHS-XX-XX-DR-A-01000 P01 - Site Location Plan

VWYM2-PHS-XX-XX-DR-A-07000 P12 - Feasibility Layout

VWYM2-PHS-XX-XX-DR-A-07003 P03 – Boundary Treatment Plan

VWYM2-PHS-XX-XX-DR-A-07004 P01 – Boundary Treatment Details

VWYM2-PHS-XX-XX-DR-A-07006 P03 – Bike Storage Plan

VWYM2-PHS-XX-XX-DR-A-07010 P01 – Apple Housetype

VWYM2-PHS-XX-XX-DR-A-07011 P01 – Atkins Housetype

# S73 Planning Statement

Wakefield Road, Mapplewell



VWYM2-PHS-XX-XX-DR-A-07012 P01 – Beckett Housetype

VWYM2-PHS-XX-XX-DR-A-07013 P01 – Beech Housetype

VWYM2-PHS-XX-XX-DR-A-07014 P01 – Chestnut Housetype

VWYM2-PHS-XX-XX-DR-A-07015 P01 – Cherry Housetype

VWYM2-PHS-XX-XX-DR-A-07016 P01 – Cypress Housetype

VWYM2-PHS-XX-XX-DR-A-07017 P01 – Grainger Housetype

VWYM2-PHS-XX-XX-DR-A-07018 P01 – Holly Housetype

VWYM2-PHS-XX-XX-DR-A-07019 P01 – Hampton Housetype

VWYM2-PHS-XX-XX-DR-A-07020 P01 – Allington Housetype

VWYM2-PHS-XX-XX-DR-A-07021 P01 – Allington Affordable Housetype

VWYM2-PHS-XX-XX-DR-A-07022 P01 – F50/70 Housetype

GLY0268 LP 01 – Landscape Proposals Sheet 1 of 2

GLY0268 LP 02 – Landscape Proposals Sheet 2 of 2

GLY0268 SP 01 – Landscape Specification

Construction Environment Management Plan Rev 01

NIA-12628-26-12923-v3 – Noise Impact Assessment.

The amendments to Condition 2 will permit the revisions proposed to the layout to accommodate the revised housetypes mix and associated layout changes and ensure that the approved plans show the 91 unit layout in accordance with the description of development.

It is noted that the drainage strategy and levels plans needed to be updated to reflect the latest position approved by the RM. These have been removed from this S73 list as they are still required to be formally discharged via existing planning conditions. To avoid confusion this information is to be provided separately through the discharge of conditions process.

## Condition 3

Changes to condition 3 are required to reflect that updated levels plans are being prepared to support the discharge of condition 5 on the Outline and to reflect the revised layout proposed through this S73.



~~“Notwithstanding the details as submitted and prior to the commencement of development, plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.”~~

Condition 3 is proposed to be deleted as this is a reiteration of Condition 5 of the Outline planning permission and therefore this detail is already secured by another condition. It is not therefore, considered necessary to reiterate this and it should therefore be removed through this Section 73. The reason for both conditions remains the same and the intent therefore, secured by Condition 5 of the Outline planning permission. The Conditions on the Outline remain fully in force and do not need to be repeated by the RM as established by the Courts.

## Condition 4

Condition 4 amendments required are:

~~“Prior to commencement of works, onsite, the developer shall submit details of actions for mitigation of air quality impact, for agreement with the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.”~~

Condition 4 is also proposed to be removed, as this is also a reiteration of Condition 4 of the Outline planning permission and again is therefore already secured. It is not, therefore, considered necessary to reiterate the condition, despite changes to the policy references the intent and reason of the condition is clearly understood through the Outline permission.

## Condition 5

The following amendments are required:

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

~~-Tree protective barrier details~~

~~-Tree protection plan~~

~~-Arboricultural method statement~~

~~No development or other operations shall take place except in complete accordance with the approved methodologies.~~

Condition 5 is proposed to be deleted as this is a reiteration of Condition 7 of the Outline planning permission and therefore this detail is already secured by another condition. It is not therefore, considered necessary to reiterate this and should therefore be removed through this Section 73. The reason for both conditions remains the same and the intent therefore, secured by Condition 7 of the Outline planning



permission. The Conditions on the Outline remain fully in force and do not need to be repeated by the RM as established by the courts, the Outline and Reserved Matters permissions together deliver the permission.

## Condition 6

Condition 6 is required to be amended as follows:

*“No development, (excluding the works agreed as necessary to make a meaningful start on site,) shall commence until full construction, engineering, drainage and street lighting details of the streets proposed for highway adoption have been submitted to ~~and approved in writing by~~ the LPA. ~~Once approved the~~ The development shall, thereafter, be constructed in accordance with the approved details.”*

Condition 6 is proposed to be amended to allow for the necessary start on site works prior to gaining the full S278 approval from the Council. The process for S278 approval typically takes longer than 8 weeks which would result in a delay to getting started on site. The amended wording would allow the works necessary to make a meaningful start on site but nothing further until the S278 approval is given from the LPA. In meeting the six tests this would ensure that the condition as worded is; necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other aspects.

The amended wording would ensure that the reason for the condition remains applicable. *In the interests of highway safety, in accordance with Local Plan policy T4 New Development and Transport Safety* whilst allowing the necessary works to secure the site to be delivered.

## Condition 10

The following amendments are proposed to Condition 10:

*“~~No works shall commence on site until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.~~”*

The removal of Condition 10 will enable the necessary start on site works to be undertaken, furthermore the detail of bicycle parking has been included within the amended layout plans above (ref: VWYM2-PHS-XX-XX-DR-A-07006 P02 – Bike Storage Plan), thus removing the need for the condition. The bicycle parking details are now proposed to be secured through Condition 2 and therefore compliance with this condition negates the need for an additional condition. It is also important to remember that guidance recommends that Local Planning Authorities limit the use of conditions requiring their approval of further matters after permission has been granted, unless they are not fully described in the application. Given that the revised layout now provides this detail there is no longer a requirement for this condition and it would not meet the six tests and can therefore be removed. Should a condition be considered necessary the following could be included:

*“Works to be carried out in accordance with the detail shown on Bike Storage Plan ref: VWYM2-PHS-XX-XX-DR-A-07006 P02.”*



## Condition 11

Condition 11 amendments proposed are:

*“Prior to any work commencing, a noise mitigation scheme shall be submitted and agreed by the local planning authority, which shall be used to inform the layout and design of the scheme such that mitigation to achieve the following sound levels are achieved within all dwellings;*

- Bedrooms: LAeq (8 hours) – 30dB (2300 to 0700 hours);
- Living Rooms & Bedrooms: LAeq (16 hour) – 35dB (0700 to 2300 hours);
- Bedrooms: LAFmax – 45dB (2300 to 0700 hours).

*The assessment shall be accompanied by a plan which clearly identifies the different types of mitigation measures proposed, where each type of mitigation is proposed and a programme of implementation. Thereafter the development shall be carried out in accordance with the approved measures.”*

The reason for the condition is noted as: to reduce or remove adverse impacts on health and quality of life. It is understood through the Officer’s Report that provisions were made on the Lidl site i.e acoustic fencing and the siting of the building to act as a noise barrier so that any noise created would be below the background levels for the residential properties.... It is understood that noise impacts resulting from the Lidl have been secured as part of their planning application. The noise from deliveries is wholly screened by the store itself and by an acoustic fence around the plant compound. Residential properties are c. 20m from the delivery bay which is not changed as a result of the S73.

A noise condition was not attached to the Outline on the understanding that properties would lie 16m from Wakefield Road and as a result noise mitigation wasn’t required. However, through the course of the RM permission properties were proposed between 14 and 16m from the road, with one property 10m from the road. Suitable noise measures were considered achievable though the fabric of the building to ensure appropriate living conditions for residents of these properties.

This Section 73 is required to amend the housetypes to bring them in line with updated Building Regulations; which includes the introduction of Parts O, F and S (overheating, ventilation and EV Charging). Noise mitigation has a direct effect on both overheating and ventilation. The new Vistry collection has been designed to meet both these regulations. Suitable noise mitigation is set out in the attached Noise Impact Assessment. Which recommends that glazing is provided to properties fronting Wakefield Road to at least 32 dB with acoustic wall vents to at least 44 dB as shown on the plan in Appendix 3 of the report. Glazing to at least 25 dB with trickle vents rated to at least 37 dB required for the four properties highlighted. The condition is proposed to be removed or at the least amended to a compliance condition on the basis that the attached report sets out the scheme of sound attenuation required to protect the residential amenity in accordance with Condition 11.

Should a condition be considered necessary the following could be included:

# S73 Planning Statement

Wakefield Road, Mapplewell



COUNTRYSIDE  
Homes

*“Noise mitigation measures set out in the Noise Impact Assessment Report – NIA-12628-26-12923-v3 to be complied with.”*

## Condition 13

Condition 13 states:

~~*“Notwithstanding the boundary treatment plan and layout as submitted and prior to occupation of the development, a plan showing the proposed boundary treatments along the hawthorn hedge adjacent to plots 1—7 shall be submitted to in writing and approved in writing by the Local Authority.”*~~

Condition 13 is proposed to be removed on the basis that the plans submitted in support of this application include the necessary boundary treatment details. The inclusion of these plans within Condition 2 should be sufficient to secure this detail. As with Condition 10 if a condition is needed then we propose the following wording:

*“Works to be carried out in accordance with the detail shown on Boundary Treatment Plan VWYM2-PHS-XX-XX-DR-A-07003 P02 and Boundary Treatment Details VWYM2-PHS-XX-XX-DR-A-07004 P01.”*

## Condition 15

Condition 15 is proposed to be deleted:

~~*“No development (including construction, land raising and demolition if required) shall be carried out other than in accordance with a Construction Environment Management Plan (CEMP) that is first submitted to and approved by the local planning authority.”*~~

Condition 15 is proposed to be removed on the basis that a Construction Environmental Management Plan is submitted in support of this application. The detail provided is sufficient to discharge this condition. If a condition is needed we propose the following wording:

*“The development is to be carried out in accordance with the detail of the Envance Construction Environment Management Plan Revision 01 dated May 2026.”*

## Condition 16

Condition 16 is proposed to be deleted:

~~*“Notwithstanding the plans as submitted, the ground floor side kitchen window of the Hampton house type shall be obscure glazed.”*~~

The S73 permission amends the housetypes so the Hampton House type is no longer applicable, therefore the condition can be removed as it is no longer necessary or relevant to the planning permission approved through this S73 application.



## Planning Assessment

It is important to acknowledge that the fundamental basis for allowing this permission remains unchanged. The site is an allocated housing site and there are no technical constraints which cannot be addressed through typical design and technical mitigation and/or the currently agreed planning conditions. The key assessment points are considered below. The substitution of housetypes results in minor adjustments to the plots and site layout, however the built form aligns with the principles, layout and design intent of the original approval and the Outline parameters and remains consistent with the established policy framework.

The updated housetypes are considered to represent a minor variation that has no adverse impact on the visual character of the site, neighbouring amenity, highway safety, or site functionality. The built layout remains consistent with the intent and policy considerations that informed the original approval.

## Amenity

It was determined in the previous application that whilst the houses are a standardised product consistent with a national housebuilder, there were ten housetypes proposed which included a mix of styles and varying detailing to the elevations to break up the street scene and provide interest. The revised S73 proposes twelve house types across the site, including a 2.5 storey Beech located centrally within the scheme to add variety and interest to the streetscene without the potential to be dominant or overbearing on existing residential properties. The housetypes also include detailing on the elevations to provide interest and to accord with the approved dwellings on the other side of Wakefield Road approved on the schemes ref: 2016/0337 and 2017/0520 (as amended). A range of materials have been proposed across the site.

The layout maintains the provision of public open space and ecological buffers and reflects the tree retention and buffer between the proposed development and Lidl following the parameters set by the Outline. Although some areas of public open space have been relocated on the S73 layout the total amount of public open space remains as approved, with these key green spaces within accessible areas of the site and overlooked by adjacent properties. The amount of public open space complies with the SPD in terms of on-site provision.

The underlying design approach has been carried forward from the consented layout and is therefore entirely appropriate.

The positioning of properties to the Lidl foodstore remains unchanged from those previously consented. None of the S73 properties lie within 10m of Wakefield Road, these are now between 14 – 16m and therefore in some instances a betterment to the previously proposed layout in respect to potential noise impacts from Wakefield Road. The accompanying Noise Impact Assessment demonstrates that subject to the recommended mitigation measures future residents amenity will be protected from the ambient noise climate.

The revised layout does not impact on the previous conclusions that there is minimal impact in residential amenity for existing residents, there is a 21m separation distance with the proposed houses which provides the necessary distance, the existing tree line will be retained and enhanced to further mitigate residential amenity. This meets the standards within SPDs for separation distances and maintains an appropriate level of



amenity for both existing and future residents. The development therefore maintains a good standard of residential amenity in compliance with Local Plan Policies GD1 and D1. A 1.8m high close boarded timber garden fence as shown on the layout plans and the landscaping plans show the detail of the proposed boundary treatment between the existing and proposed dwellings. These provide an appropriate boundary treatment between the existing and proposed properties.

The Vistry housetype collection are compliant delivering the appropriate internal environment for residents in accordance with the South Yorkshire Residential Design Guidance. With 3 no. M4(3) properties proposed and 1no M4(2) property as previously approved within the RM for the site these are shown on the accompanying plans submitted to support this S73.

Although it is noted that there are three occasions where rear gardens do not comply with the SPD standard sizes, these are on corner plots where privacy and daylighting are maintained such that it will not impact on amenity. The SPD provides flexibility on corner plots where the amenity can be maintained. These properties are also located within easy walking distance of the POS available within the site and thereby providing appropriate amenity to these plots.

### Public Open Space

The amount of POS on the site remains consistent with the amount of POS approved. 0.55ha is proposed on the site, with 0.31ha of ecological zones/ buffer planting. Providing a marginal betterment to the previously approved scheme which totalled 0.82ha. This scheme proposes a total of 0.86ha of onsite POS and ecological buffer planting as shown on the accompanying Landscape Plans.

As set out above areas of POS have moved slightly within the revised layout, with an increased buffer provided to Wakefield Road, a larger single parcel located adjacent to plots 83 – 85 and an increase in the area of POS around the LEAP in the south western corner of the site. The main area of POS to the west of the site remains as previously proposed and easily accessible from all parts of the site and surrounding area. The space provides a dual function improving visual amenity and providing for informal recreational open space. The alterations to the POS were necessary to accommodate the revised house type layouts and highways arrangements. The slight increase in POS area seeks to provide a betterment for residents and does not impact on future amenity.

An area of equipped play is proposed in the southern corner, providing access to both future and existing residents, through the connection of streets and new pedestrian routes.

The amount of off-site open space required was approved within the Section 106. A separate Deed of Variation is to follow this submission and can pick up any necessary amendments required to the off-site provision deemed necessary.



## Landscape

This S73 has been submitted with accompanying Landscape Plans; Landscape was a reserved matter with details required by Condition 2. The attached plans provide the detail and specification for the Landscaping proposals.

This shows that front gardens to the majority of dwellings allows for landscaping throughout creating an attractive street scene. The tree retention previously agreed has been retained within the landscaping proposals. Additional native species rich hedgerow with scattered trees is proposed along the boundary with the existing properties to the north of the site. The proposal seeks to extend and enhance the existing green infrastructure, making the most of the existing landscape, vegetation and habitats. Along the eastern boundary additional planting is proposed to strengthen the ecological corridor creating a wildlife habitat corridor to the open land to the north and west of the proposed development site.

The landscape plans include species designed to help integrate the development with its surroundings in a sympathetic manner and appropriate to the character of the area. Although it's not a requirement of the permission to demonstrate a 10% net gain in biodiversity, the landscaping plans still seek to promote and enhance existing onsite biodiversity.

Off-site open space enhancements in accordance with Condition 22 of the Outline are provided for through the S106 contributions agreed to support the Reserved Matters permission.

## Ecological Enhancements and Mitigation.

A Preliminary Ecological Appraisal of the site was undertaken and agreed at outline with condition 9 of the approval requiring full details of the mitigation measures, including a timetable for their implementation identified in the report to be submitted prior to the commencement of the development. The following measures set out in the accompanying Construction Environment Management Plan ('CEMP') respond to this requirement and are proposed to support the latest layout.

Section 4.5 of the CEMP sets out that the Landscaping shall include numerous native shrub and tree species such as native fruit and berry bearing species. Full details of the plants are set out on the Landscaping Plans submitted alongside this planning application.

The CEMP sets out for each ecological receptor the mitigation requirements required prior to and during construction. Including, *inter alia*, for birds an Ecological Clerk of Works (ECoW) to undertake a nesting bird check within 48 hours prior to works and checks for any bat roosts prior to felling. Provision is also proposed for 10 bird boxes to be placed in the trees along the northern and eastern sides of the Site. Exact locations to be agreed. Vistry have committed to delivering Homes for Nature on top of these proposals. For bats lighting within the site shall be down lighting and face away from site boundaries with baffles fitted to the rear to reduce light spill.

Measures such as RAMS and the need for toolbox talks are proposed as well as pre-commencement site walkover surveys looking for evidence of ecological receptors. In all cases if unexpected Ecology is found



during the works, an ECoW is to be called with works unable to continue until authorised to do so. All excavations to be left open overnight are to include sloped sides to prevent animals being trapped. With these measures in place no significant adverse effects to local ecology are envisaged.

### Highways

The proposed Highways remain largely unchanged from the approved development. The number of private drives has been reduced to accommodate the new housetypes. The access position and detail were agreed through the Outline permission and remain fully in accordance with that permission.

Conditions attached to the outline consent require the submission of additional Highways detailed information which is to be provided through the discharge of conditions process. The revised layout makes the street hierarchy clear, with the central loop the primary route through the scheme; private drives serve no more than 5 dwellings in accordance with the South Yorkshire Residential Design Guide. Each 1 and 2-bed property has access to at least 1 parking space and each 3 and 4-bed property has access to at least 2 spaces in accordance with the SPD 'Parking'. Visitor spaces are clearly marked on the site and have been tracked to ensure they do not cause a Highways safety issue.

The development delivers an appropriate highway in compliance with the previously approved plans and Local Plan policies and guidance. The highways conditions on both the outline and this permission still need to be complied with, nevertheless this scheme is acceptable in terms of highway safety.

### Summary

When considering the material considerations which informed the approval of the previous scheme and noting that these considerations remain unchanged despite the proposed amendments, it is clear that the revised scheme continues to be appropriate and acceptable in planning terms. This S73 should therefore look to be approved without delay.



### Conclusion

This Section 73 application seeks to amend conditions relating to the consented Reserved Matters approval for 91 units at Former William Freeman Site, Wakefield Road, Mapplewell.

The proposed changes to the scheme result from substitutions of the approved housetypes plans in response to advancements in building regulations and controls. The layout has been amended to reflect the Vistry product and to provide an overall betterment to the scheme. The plans demonstrate that a suitable layout can be achieved that is reflective of the character of the area, the outline parameters and safeguards neighbouring properties through appropriate separation distances. Additionally, the reasons underpinning the approval granted remain unchanged.

There are no material reasons or overriding technical considerations that arise from these amendments to warrant a refusal. Further details remain secured by conditions on both the outline and reserved matters application; separate applications to discharge these will follow this consent.

Alongside the proposed changes, it is necessary to update the relevant planning conditions, as outlined in this report, to ensure they accurately reflect the amended scheme and maintain compliance with the approved development parameters.

The positive aspects of the proposal outlined above are not outweighed by any other material planning considerations. In accordance with paragraph 11 of the NPPF (2024) the proposed should be considered in the context of the presumption in favour of sustainable development. The site is a sustainable location and the principle has previously been agreed through the approval of the Outline and Reserved Matters applications. The development should be approved without delay.