2021/1150

Applicant: Yelcon Construction Ltd and The Cornell Group

Description: Residential development of 83no dwellings and associated works

Site Address: Land North off Wood Walk, Platts Common, Barnsley

3 letters of objection have been received from local residents.

Site Location & Description

The site measures approximately 3.6ha in size and is positioned to the north of Wood Walk, on the edge of Hoyland/Platts Common. The site comprises an arable field, left fallow, with improved grassland margins and boundary hedgerows and lengths of fencing. There are two mature trees in the southern area of the site and a plantation/woodland with dense scrub defined the eastern extent of the Site. Electricity pylons are located along the site frontage, which run in a north-east direction. In terms of levels, the site crowns in the middle and slopes down to the East and the West.

The site is bounded by Wombwell Wood Roundabout to the east and sits between the A6195 Dearne Valley Parkway to the north, and the B6096 (Wood Walk) to the south. The urban fabric of Platts Common and Hoyland is located to the southwest of the site, comprising residential and commercial development. To the south east is an area of farmland.

The site has a history of opencast mining and was previously developed as part of this activity, with a high wall running through the site.

Proposed Development

The planning application seeks full planning permission for the erection of a total of 83 dwellings, with associated landscaping, access and associated works.

The site layout has been influenced by a number of constraints including existing trees and hedgerows, open countryside to the south, and the presence of high wall within the site. The main point of vehicular access is off Woold Walk to the South of the site.

A mixture of 2, 3 and 4-bedroomed properties would be provided across the site. The 2-bedroomed properties comprise a mixture of apartments; terraced and semi-detached buildings. The ground floor apartments would benefit from their own separate access, reflecting a bungalow format. The 3-bedroomed properties are a combination of semi- detached and detached and the 4-bedroomed properties are all detached.

11 house types are proposed in all across the site with a total of 34no. 2 beds (41%), 19no. 3 beds (23%) and 30no. 4 beds (36%). A total of 8 affordable homes will be provided on site and would comprise two bedroom properties.

A total of 0.4ha of Public Open Space (POS) will be provided on site. The main area of public open space has been located within the centre of the site. Situated beneath would be a sub-surface surface water attenuation basin. Additional areas of public open space are proposed throughout the site, including to the far East adjacent to the existing wooded area which is to be retained.

Policy Context

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

Local Plan Allocation – site HS69 Land North of Wood Walk, Hoyland Indicative number of dwellings112

The development will be expected to:

- Retain the broadleaf plantation in the east of the site and the strip of dense scrub with scattered trees towards the west of the site;
- Retain and maintain the large ash tree near the centre of the site; and
- Fully evaluate any hedgerows which are proposed for removal against all criteria of the Hedgerows Regulations 1997.
- Archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a field evaluation of necessary) that must include the following:
- Information identifying the likely location and extent of the remains, and the nature of the remains;
- An assessment of the significance of the remains; and
- Consideration of how the remains would be affected by the proposed development.

Relevant Local Plan Policies include;

SD1 Presumption in favour of Sustainable Development

LG2 The Location of Growth

GD1 General Development

GS1 Green Space

H1 The Number of New Homes to be Built

H2 The Distribution of New Homes

H6 Housing Mix and Efficient Use of Land

H7 Affordable Housing

T3 New Development and Sustainable Travel

T4 New development and Transport Safety

D1 High Quality Design and Place Making

Poll1 Pollution Control and Protection

BIO1 Biodiversity and Geodiversity

CC1 Climate Change

CC2 Sustainable Design and Construction

CC4 Sustainable Drainage System (SuDS)

RE1 Low Carbon and Renewable Energy

I1 Infrastructure and Planning Obligations

SPD's

Those of relevance to this application are as follows:

-Design of Housing Development
-Parking
-Sustainable Travel
-Financial Contributions to schools
-Open Space Provision on New Housing Developments

Other

South Yorkshire Residential Design Guide
New Strategic Housing Market Assessment (July 2021)

NPPF

The NPPF 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.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 59 - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Para 65 - Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership

Paras 74-77 - Reiterates the importance of a deliverable supply of homes to meet the needs of a district.

Para 92 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places.

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 126 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 131 - Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

Para 134 - Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Consultations

Air Quality Officer – No objections subject to Electric Vehicle Charging Point (EVCP) condition

Biodiversity – No objections following on from additional information and subject to s106 for Biodiversity Net Gain.

Coal Authority – No objections. Agree with the findings of the Geo-environmental report.

Drainage – No objections subject to conditions.

Education – No objection subject to a £288k Primary School contribution and £208k Secondary school contribution, a total contribution of £496k.

Highways – No objections subject to conditions.

PROW – No objections subject to an informative.

Regulatory Services – No objections subject to conditions following the submission of the Noise Report.

Super Fast South Yorkshire – No objections, subject to condition.

South Yorks Archaeology – No objections due to previous open cast mining.

SYMAS – No objections subject to condition and compliance with the recommendations in the Geo-Environmental Report.

Yorkshire Water – No objections

Representations

The application was advertised by way of a site notice and press notice with immediate neighbours being notified by letter (181no. in total). 3 letters of objection have been received as a result. The main points of concern are:

- Increase in traffic to the detriment of highway safety
- Impact on the Dearne Valley Parkway and Local Road network
- Section of road adjacent to the site is unsafe in icy/snow conditions
- Additional pressure on already stretched local services
- Negative impact on drainage

Assessment

<u>Principle of Development</u>

The site is located within the Hoyland Principal Town Area and also nearby to Wombwell which is another principal town. The significance of the site being located in the Hoyland Principal Town area is that is a priority location to accommodate growth and new residential development in spatial and sustainable development terms making it compliant with policies LG2 and H2.

In accordance with Local Plan Policy H1 ‘The Number of New Homes to be Built’ and H2 ‘The Distribution of New Homes’, the site is allocated for Housing under site HS69 ‘Land north of Wood Walk’. The development largely adheres to the site specific policy in that it retains the broadleaf plantation to the East and dense scrub to the West, it retains the Ash tree to the centre of the site and has assessed and retained hedgerows where possible. The policy also requests potential

archaeological remains to be fully assessed, however, given the extensive past open cast mining on the site, South Yorkshire Archaeological Service has raised no objections to the sites development and requires no additional information or conditions.

Where the proposal does differ from the site specific policy is the yield of dwellings. The indicative number of dwellings on policy HS69 is 112, whereas the application is for 83 dwellings making the proposal 25% below the indicative figure. However, following on from the initial site investigations which influenced the Local Plan, more extensive investigations have taken place and identified a number of constraints on the site, as a result of past open cast mining activities, including a high wall which forms a ring dissecting the site and also runs along the Northern boundary. Full Geo-Environmental assessments have been submitted alongside the application which SYMAS and the Coal Authority who are in agreement with the findings and recommendations in demonstrating that the application site is safe and stable for the proposed development.

The yield also falls below the 40 dwellings per hectare figure set out in Local Plan Policy H6 'Housing Mix and Efficient Use of Land' which is expected in Urban Barnsley and principal towns. However, policy H6 goes onto state lower densities will be supported where it can be demonstrated that they are necessary for character and appearance, need, viability or sustainable design reasons. As outlined above, the location and size of the high wall limits the developable area for buildings which impacts the yield. It is acknowledged that it is possible to build over a high wall but this can be expensive and time consuming having a negative impact on viability. The site is also on the edge of the settlement surrounded by relatively open fields so a lower density sits more comfortably within the surroundings. Furthermore, there is a need to retain the vegetation around the edges of the site and to ensure sufficient stand-off distances so as to avoid pressures on that vegetation in the future and to safeguard amenity via over shading and insufficient outlook.

Local Plan Policy H6 also states that housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. The development is for 83 dwellings with a mix of 2 bed (including 8no. affordable units), 3 bed and 4 bed properties and has been informed by the Strategic Housing Market Assessment (SHMA), as such, it is considered to provide a broad mix of house size, type and tenure, in line with policy H6.

The site is not previously developed, but as has been established already, it is allocated for housing, and it is in priority location to accommodate growth and new residential development in spatial and sustainable development terms making it compliant with policies LG2 and H2.

In addition to the above all new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing. In addition, development will only be granted where it would maintain visual amenity and not create traffic problems/reduce highway safety. An assessment of the proposals against those criteria is set out within the sections of the report below:-

Residential Amenity

The site is bound by the Dearne Valley Parkway to the North, Wood Walk to the South, Wombwell Wood roundabout to the East and a recreation ground to the North West and as such only the South Western boundary adjoins existing residential properties. That area of the proposed development is less dense than other parts with the side elevation of plot 2 exceeding the required 12m from the former Police House fronting Wood Walk and the side elevation of plot 1 also exceeding 12m from the properties fronting Silkstone View. As such, the residential amenity of existing dwellings would be maintained, in accordance with Local Plan Policy GD1.

The site layout has been designed with regards to the required separation distances set out in SPD 'Design of Housing Development' in that principal elevations are at least 21m apart (with the exception of across road ways where 12-19m is acceptable). Principal elevations to side elevations are 12m apart and rear elevations have at least 10m separation to rear boundaries. As such, the residential amenity of future occupants in terms of outlook, privacy and levels of light would be acceptable.

The 2 bedroom dwellings have access to private amenity space of at least 50m2 and the 3 and 4 bedroom units have at least 60m2, in accordance with the SPD. The apartments also have

access to outdoor amenity space in accordance with guidelines. Public open space is also included within the site for use by the residents as well as a retained wooded area to the East of the site.

Internally, the house types proposed generally meet or exceed the internal spacing requirements of the South Yorkshire Residential Design Guide and all the habitable rooms have access to adequate natural light and an acceptable outlook.

It is noted that the dwellings backing onto the North Eastern and Northern boundaries would have an acoustic barrier consisting of a bund and fence as their rear boundary. However, their gardens slope down to the bund which would have a 1 in 3 slope and be landscaped. The fence would sit atop and be viewed against the existing mature landscape barrier beyond the site boundary. The boundary treatments would also be orientated to the North of the properties, as such, they would not significantly overshadow garden areas or be overbearing features.

Noise

Given the proximity of a number of the plots to the Dearne Valley Parkway and Wombwell Woods roundabout, and the associated noise they generate, a Noise Impact Assessment has been submitted alongside the application.

The report concludes; *that compliance with the internal noise criteria limits can be achieved with standard thermal double glazing for the majority of the plots and upgraded glazing for a minority of plots which lie closest to the main roads. A scheme of alternative ventilation has also been recommended in order to permit background ventilation whilst maintaining façade sound insulation performance.*

This assessment has shown that, through good acoustic design of various plots and by use of acoustic fences of varying height across the site, the resultant noise levels are the lowest practicable within garden areas. It should be noted that the proposed layout has been optimised for noise control and it is not possible to make any further noise-related design enhancements to the layout due to other master planning design considerations.

Subject to the incorporation of the specified mitigation measures, it is considered reasonable to suggest that future noise levels within habitable areas of the proposed dwelling plots accord with the 'No Observed Adverse Effect Level' as detailed in the PPG and ***negligible*** *noise impacts will prevail.*

In addition to the above, the applicants also propose a 1m high bund with 2m high acoustic fence on top to the North Western boundary and a 2m bund with 2m fence on top to the Northern barrier adjacent to the Parkway.

Design & Visual Amenity

It is noted that there is limited interaction between the proposed development and Wood Walk in that a limited number of dwellings front the existing Highway. This is due to individual access points not being possible off Wood Walk and also the level differences to the South east as well as the retention of the hedgerows and landscaping along the site frontage. Although there are a number of side and rear elevations adjacent to Wood Walk these are generally set back from the highway and softened by the retained landscaping as well as the additional landscaping proposed.

When viewed from Wombwell Wood Roundabout the development would not be highly prominent due to the existing landscaping outside of the redline boundary as well as the retained wooded area and proposed public open space to the East of the site within the red line boundary. Similar can be said regarding views from Dearne Valley Parkway given the mature landscaped banking outside of the redline boundary and the proposed landscape bund and fencing within the boundary.

Therefore, although the development would be on a previously undeveloped Greenfield site, the existing mature landscaping outside of the site boundary, as well as the retained hedges, trees and landscaping within the site, in addition to the proposed landscaping scheme and public open spaces, would aid to soften the development within its edge of settlement surroundings. The

existing site, especially centrally, is particularly devoid of character and features, but the assets the site does have, in terms of trees, hedges and landscaping is largely retained.

There is 1no. vehicular access point into the development and a single adoptable road through the development with smaller private drives and shared spaces off. As outlined above, there are 11 no. different house types proposed which are mixed throughout the development resulting in a varied streetscene. The house types proposed are considered acceptable within the area given there is a mixture of styles, sizes, ages and type of dwelling evident within the surrounding streetscenes.

Each property, including the apartments, has a buffer garden to the front and the parking solutions are varied across the streetscene, with some front of dwelling parking, some side of dwelling parking and a number of garages. The parking solutions are also separated by soft landscaping which avoids a continuous run of hard landscaping and vehicles, as such, the development would not be car dominated. Furthermore all would have pedestrian access to the rear amenity space which allows bins and recycling containers to be stored away from principal elevations and public vantage points. Bin collection areas are also proposed adjacent to private drives to avoid them being visually untidy and obstructive on bin collection days.

The submitted site layout plan sets out the proposed boundary treatments for the development. There are timber acoustic fences to the North West and North of the site with close boarded fencing predominantly to the rear of the dwellings. In more prominent areas dwarf brick walls with pillars and timber infill panels are proposed and more open areas and areas of public open space would have timber knee rails. The proposed boundary treatments are considered appropriate for the development and would provide good levels of visual amenity, in accordance with Local Plan Policy D1.

As set out in the National Planning Policy Framework, the Government attaches great importance to the design and quality of the built environment, stating that 'it is important to plan positively for the achievement of high quality and inclusive design for all development'. Given the comments set out above, it is considered that the development is of a high quality design and takes advantage of the features of the site and surrounding area, in accordance with the NPPF and Local Plan Policy D1.

Highway's considerations

The proposed development would utilise 1no. access point off Wood Walk. It is noted that some of the representations cite highway safety as a concern. However, the applicants and their appointed specialists have demonstrated that adequate visibility splays can be achieved at the junction with Wood Walk. The existing pavement to the West of the site is to be extended partially along the site frontage to the site entrance to provide a pedestrian link to the facilities in Platts Common and Hoyland.

It is noted that the pavement would not be extended along the entire site frontage between the site entrance and Wood Walk Roundabout. This was initially raised by highways, but the pavement would only lead to Dearne Valley Parkway where there is no pedestrian route at present towards junction 36 of the motorway. Pedestrians from the site could cross over Wood Walk to the South of the site where there is an existing pedestrian access towards jump and Wombwell. As such, a pavement along the entire site frontage would not be necessary, in addition, existing trees and hedgerows would have to be removed to accommodate it which would have a negative impact on visual amenity.

Within the site there is a main spine road with smaller shared surfaces and private drives off. The private drives serve no more than 5 dwellings in accordance with the South Yorkshire Residential Design Guide.

Each 2 bedroom property has access to at least 1no. dedicated parking space and each 3 and 4 bedroom property has access to at least 2no. dedicated parking spaces, in accordance with SPD 'Parking'.

For the reasons outlined above, highway safety would be maintained to a reasonable degree, in accordance with Local Plan Policy T4. In addition, Paragraph 111 of the NPPF states

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Highways have been consulted on the application and have raised no objections subject to conditions.

Trees

The centre of the site is relatively clear of trees and hedges with the exception of 1no. ash tree. There is a Broadleaf plantation to the East of the site and a Sycamore on the Southern boundary. The broadleaf plantation and the trees are to be retained and incorporated within the scheme in accordance with policy HS69.

The Arboricultural report recorded 6no. hedgerows on the site, predominantly along the boundaries. 4no were found to be species poor and intact and 2no. were species poor and defunct, none were assessed to be 'important' under the Hedgerow Regulations (1997) criteria. Some of the hedgerows to the South and East of the site are to be retained and improved as part of the site landscaping scheme.

The Tree Officer has observed that the plans have been designed around the trees and hedges and as a result none are proposed to be removed as part of the development. Construction activity is set outside the rooting areas of the trees and hedges, however in some instances works are in very close proximity and as such ground protection et. will be required and need to be included in the arboricultural method statement condition.

Generally the proposed dwellings have been located so as to provide a reasonable amount of clearance from the trees; the only exception is T1 and plot 83. Going on the canopy measurements and the rooting area plotted it appears that at its closest point the canopy is approximately 2.2m away from the corner of the dwelling. However the angle of the dwelling to the tree mean that the canopy would not be dominating the whole of one elevation, likewise some relatively minor pruning could also improve the situation. On balance given the orientation and distance between the tree and the dwelling he does not feel that construction should lead to undue future pressure on the tree.

With regards to the proposed landscaping the Tree Officer is of the view that the given the nature of the site the species choices seem entirely sensible from an arboricultural perspective and are supported accordingly. Subject to conditions therefore the proposal is compliant with the part of policy GD1 concerning trees and landscaping.

Ecology

Ecological surveys, site appraisals and impact assessments were carried out with respect to the site and a preliminary Ecological Appraisal, Biodiversity Net Gain Assessment and Metric have been submitted in support of the application.

There are no international statutory or national statutory designated sites within the search area. There are three non-statutory designated sites, located within 2 km of the site centre, however, they are over 500 m from the site boundaries. Furthermore, the sites are all designated for habitats not found on-site, such that the proposed development of the site is not considered to have a significant adverse impact on them.

The Site covers an area of 3.6 hectares (ha) and comprises an arable field left fallow, with improved grassland margins, and boundary hedgerows and lengths of fencing. There are two mature broadleaved trees in the southern area of the Site. A plantation broadleaved woodland and dense scrub defined the eastern extent of the Site.

The plan indicates that the Site will include a residential properties, roads, driveways, and footpaths (circa 1.88 ha), with amenity grassland/shrub planting within private gardens (circa 1.23 ha). Areas of Public Open Space (POS) are proposed within the central and eastern extents of the Site, which would be primarily managed for their amenity value with amenity grassland and shrubs (circa 0.33 ha).

The woodland in the eastern extent of the Site is set to be retained and enhanced (circa 0.16 ha), with the potential for further woodland and scrub planting in the eastern extent of the Site (circa 0.08 ha). In addition, the mature trees within the hedgerows would be retained, and the hedgerows themselves will be largely retained, replanted, and enhanced, with a short section of H4 removed to provide access to the Site. Furthermore, an addition 65 no. trees are proposed to be planted across the Site, adjacent to roads and within areas of POS.

Despite the retention of high value habitats such as the trees, and woodland, the highest scoring combination of landscaping resulted in a projected deficit score of -32.41%. Within Barnsley's Biodiversity and Geodiversity SPD it is stated that the LPA will not support applications that would cause a net-loss in biodiversity. As the metric provided shows a loss we would seek the applicant to provide provide mitigation and cause 'no net loss'.

Discussions have been held with the applicants about this matter who have agreed to enter into a S106 agreement to ensure there is 'no net loss', with a range of solutions available for achieving this. The recommendation is the subject of a S106 Agreement being completed therefore.

Public Rights of Way

There are no recorded public rights of way at this site. Several pedestrian links are shown on the plans: in the woodland, POS and a link to the adjacent recreation ground. The Public Rights of Way Officer has raised no objections but has requested that the proposed routes are privately maintained and clearly marked as such.

Air Quality

Given the proximity of the development to the Dearne Valley Parkway, the application was accompanied by an Air Quality Assessment. The assessment concluded;

*The Proposed Development is expected to result in an overall **negligible** impact associated with the operational phase traffic on nearby receptors and the residual effects are considered to be **not significant.***

An assessment of the potential for future users of the Proposed Development to be exposed to poor air quality has also been undertaken.

*The results indicate that pollutant concentrations at relevant proposed receptors are likely to meet the annual mean objectives. The residual effect of air quality on future occupiers of the Proposed Development is judged to be **not significant**.*

The Councils Air Quality Officer agrees with the Conclusions and has raised no objections and requested no additional mitigation measures. However, inline with SPD' Sustainable Travel' the Air Quality Officer has requested a condition requiring each property to be fitted with an Electric Vehicle Charge Point to be "mode 3", minimum 7 kW (32 AMP).

Historical coal mining risks

The proposed development is located in a Coal Authority coal mining high risk referral area due to the presence of shallow coal and former opencast coal workings.

The applicant has provided a coal mining risk assessment and Geo-environmental assessment by Delta Simons ref 16-0406.03 dated August 2021 which confirms the site is covered by a variable thickness of made ground and an opencast highwall crosses the site.

The report makes appropriate recommendations for ground improvement by way of excavation of the upper 3m of fill and re-compaction. Building of dwellings over the opencast highwall position is to be avoided as this area may experience further ground settlement issues. The report indicates that outside of the opencast extraction area traditional foundation designs can be utilised.

Both South Yorkshire Mining Advisor Service and the Coal Authority agree with the findings and recommendations in the report and have raised no objections subject to a suitably worded conditions for works to be carried out in accordance with the recommendations.

Drainage

The site is located within Flood Zone 1 which is defined in the Planning Practice Guidance as a low-risk area, which comprises land assessed as having less than 1 in 1,000 annual probability of river or sea flooding (0.1%). Planning Practice Guidance states that all uses of land are appropriate in Flood Zone 1.

The application has been accompanied by a Flood Risk Assessment which concluded 'sources of flooding have been assessed and the risk of flooding from these sources is considered to be low and/or manageable with mitigation'.

In terms of surface water management it is proposed to discharge surface water to the 375mm public surface water sewer at manhole ref 2512 in Wombwell Road at a rate of 6.1 litres/second, this being the equivalent greenfield discharge rate for the site. As surface water discharge from the sites will be restricted, on-site surface water attenuation would need to be provided as is indicated on the plans. Yorkshire Water have requested that a condition is imposed to agree the final technical details and discharge rates.

Foul water disposal shall be in accordance with Yorkshire Water requirements to the 225mm diameter public combined sewer recorded in Wood walk, to the southwest of the site.

Planning obligation and infrastructure requirements

Education

SPD 'Financial contributions towards schools' states that a financial contribution will be needed for planning applications for housing developments where:-

- The scheme provides 10 or more homes; and
- There is insufficient capacity in schools; or
- There is a need for contributions to ensure schools are in an appropriate condition

As Hoyland falls within a Masterplan area an education contribution would need to be sought for both primary and secondary provision due to the high level of planned development and the subsequent impact on school places. Based upon the indicative number of dwellings the contribution required would be:-

- Primary – 18 primary pupils at £16,000 per pupil totalling £288,000
- Secondary – 13 secondary pupils at £16,000 per pupil totalling £208,000

That would equate to a total of £496,000. Again, this would need to be secured via the proposed S106 Agreement.

Sustainable Travel

The objective of the 'Sustainable Travel' SPD is to ensure that the accessibility of new development via public transport, walking and cycling is acceptable in order to promote sustainable transport and active travel and where possible enhance the safety, efficiency, and sustainability of the transport network to meet Barnsley MBC's economic, health and air quality aspirations. This document also supports the Council's 'Zero to 40' Climate Change strategy.

The SPD requires contributions on developments of 10 or more dwellings using the calculation set out in the SPD. Based upon the number of 83 dwellings (including 18 apartments) a contribution of £56,850 would be required. This is another matter for the proposed S106 Agreement, therefore. The contributions will be used to help finance and deliver the programme of public transport improvements and enhancements identified in the Infrastructure Delivery Plan, the updated Barnsley Rail Vision, and other relevant documents.

The SPD also requires that 1 electric vehicle charging point (EVCP) will be provided per unit. A condition requesting the EVCP will be imposed on any permission.

Affordable Housing

Policy H7 sets out that; '*Housing developments of 15 or more dwellings will be expected to provide affordable housing…10% in Hoyland, Wombwell and Darfield…These percentages will be sought unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable…The developer must show that arrangements have been put in place to keep the new homes affordable…'*

The applicants have proposed 8no. affordable units (10%), in accordance with policy H7 and SPD 'Affordable Housing'. The units comprise 6no. 2 bedroom apartments and 2no. 2 bedroom terrace properties. This is inline with the SHMA (2021) which states there is a need for mainly two and 3 and some 4 bed houses plus some 1 / 2 bed flats and 2 / 3 bed level access accommodation in Hoyland, Wombwell and Darfield. The units would need to be secured through the proposed S106 Agreement.

Open Space

In line with SPD 'Open Space Provision on New Housing Developments' a minimum of 15% of the gross site area of new housing development (of 20 or more dwellings) must be open space of a type appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses.

In this case the applicants are proposing 16% on site public open space in the form of a central with footpath through and 3no. smaller parcels including an area to the South of the site with new tree planting and areas to both sides of the existing broadleaf plantation which is to be retained. The plantation is not included in the 15% as it is considered a non-developable area given its retention forms part of policy HS69.

Although 15% of the site would be public open space the applicants are only proposing informal play space and informal landscaped areas. As part of the provision on a site of this size Equipped Children's Play Areas and Formal Recreation areas are required. As such, given these are not provided on site an off site contribution is required inline with the figures set out in Appendix 2 of the SPD. A combination of on site and off site provision is commonplace and the SPD states '*on sites of over 40 houses, depending on individual circumstances, a combination of on and off site provision is a likely outcome, with informal open space being provided on site, and a financial contribution to enhance existing formal recreation facilities and equipped children's play facilities off site'.*

In accordance with appendix 2, the off site contribution in this instance is £131,239.69 and will be subject to a S106 agreement.

Conclusion

In summary the proposed residential development is considered acceptable in principle due to the land being allocated for housing under policy HS69. The proposal generally accords with the requirements of the policy in that it retains the Ash Tree, the Broadleaf Plantation and a number of the hedgerows. It is acknowledged that the indicative yield number of 112 dwellings in the site specific allocation policy has not been achieved. However, following on from the adoption of the policy further site investigations have taken place which have identified a larger area of undevelopable land than anticipated. The 83 dwellings proposed would still make a valuable contribution to housing delivery and supply therefore within a Principal Town location, which is a priority to accommodate growth in local plan and sustainable development terms.

Biodiversity habitat on the site is generally of a low value and it is not the subject of any special designations. However, the metric assessment has quantified that a loss of value would occur and so a mixture of on site and off site solutions are required to arrive at a position of no net loss of biodiversity. A S106 Agreement is required therefore to ensure that the requirement is delivered as part of the future development. The development also delivers 10% affordable housing provision on site, 15% informal open space on site and contributions towards primary and secondary school places, sustainable travel and off site provision of formal recreation areas and Equipped children's play areas in full compliance with the amounts and formulas set out in the SPD's.

The site is located near to the Dearne Valley Parkway. However, the application has been accompanied by noise and air quality surveys which conclude that the development would deliver acceptable standards for residential amenity subject to the recommendations of the noise survey being complied with including the provision of a 2m bund plus 2m high acoustic fence barrier on the northern edge of the development. Again, this makes the proposal satisfactory to local plan policy GD1.

The application is also considered acceptable in relation to the other considerations set out in the assessment section of the report including highways matters, drainage, coal mining risk, relationship with the adjacent Public Right of Way subject to appropriately worded conditions.

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies LG2, H1, H2, H6, GD1, I1, BIO1, T4 and the site specific allocation policy HS69 in the majority of respects) and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that proposals that accord with an up to date development plan should be approved without delay. The recommendation is one of approval therefore subject to the completion of a S106 Agreement and the conditions listed below.

Recommendation: Grant subject to conditions and a S106 Agreement (10% affordable housing provision on site, 15% informal open space on site and contributions towards primary and secondary school places, sustainable travel and off site formal recreation and Equipped Children's Play Areas in full compliance with the amounts and formulas set out in the SPD's and to ensure the required biodiversity provisions to prevent net loss).

Conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
   Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in substantial accordance with the plans and specifications as approved unless required by any other conditions in this permission. The approved plans are;

   00-001-P10 – Proposed Site Plan
   A-01 – House Type A (The Ingleborough)
   A-01 – House Type A (The Ingleborough) (detached)
   B-01 – House Type B (The Lilac)
   C-01 – House Type C (The Laurel)
   D-01 – House Type D (The Sandringham)
   E-01 – House Type E (The Harewood)
   F-01 – House Type F (The Winterley)
   G-01 – House Type G (The Whernside)
   H-01 – House Type H (3nr) (The Beamsley)
   H-01 – House Type H (4nr) (The Beamsley)
   JK-01 – House Type J/K (The Eastern/The Kelham)
   L-01 – House Type L (The Buckden)
   GD-01 – Proposed Separated Double Garage
   GS-01 – Proposed Single Garage
   Y19072-D901-4 – Engineering Schematic Plan 1
   Y19072-D902-3 – Engineering Schematic Plan 2
   Y19072-D300-2 – Proposed Long Sections 1
   Y19072-D301-2 – Proposed Long Sections 2
   Y19072 –D0302-1 – Private Drives

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

3. Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
   Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

4. Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
   Reason: In order to ensure compliance with Local Plan Policy I1.

5. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
   Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

6. All in curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs - 064.01.01-B, 02-B, 03-B, 04-B, 05-B, 06-B & 07-A) shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
   Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

7. All out of curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs 064.01.01-B, 02-B, 03-B, 04-B, 05-B, 06-B & 07-A) shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.
   Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'

8. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
   Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

9. The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

   Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.

10. Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
    Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

11. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
    i.The parking of vehicles of site operatives and visitors
    ii.Means of access for construction traffic
    iii.Loading and unloading of plant and materials
    iv.Storage of plant and materials used in constructing the development
    v.Measures to prevent mud/debris being deposited on the public highway.

    Reason: In the interests of highway safety.

12. All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
    Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.

13. No development shall take place until:

    (a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

    (b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

    (c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

    Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.
    Reason: To ensure proper drainage of the area in accordance with Local Plan Policy POLL1 Pollution Control and Protection.

14. Prior to the first occupation of the development hereby permitted, a vehicular access shall be provided and thereafter retained in the position shown on the approved plan and constructed in accordance with the BMBC highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
    Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water from or onto the highway and in the interests of highway safety.

15. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.
    Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety.

16. No building or use hereby permitted shall be occupied (or use commenced) until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption as maintainable at public expense within the site have been submitted to and approved in writing by the LPA. On occupation of the first dwelling (or building) within the site, the streets shall be maintained in accordance with the approved management and maintenance details.
    Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users.

17. Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at Wood Walk in accordance with details of a phasing and completion plan to be submitted and approved in writing by the LPA.
Reason: To ensure streets are completed prior to occupation and satisfactory development of the site.

18. Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4m x 90m shall be provided as measured back from the centre line of the access or give way point and extending 90m along the nearside carriageway edge of Wood Walk to each side of the access and such splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05m above the level of the adjacent highway carriageway.
Reason: In the interests of highway safety.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (or any Order revoking and/or re-enacting that Order), the garages/car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the LPA.
Reason: To retain the garages/car parking spaces for parking purposes.

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

    On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
    Reason: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety.

21. 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.
Reason: In interests of encouraging use of sustainable modes of transport.

22. The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the Noise Impact Assessment carried out by Deltasimons, dated August 2021, Project Number 16-0406.08 and retained as such thereafter. Prior to the commencement of development, precise details of the required noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details which shall be retained thereafter for the lifetime of the development.

    Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

23. The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the Air Quality Assessment carried out by Deltasimons, dated August 2021, Project Number 16-0406.05 and retained as such thereafter.

    Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

24. The development hereby approved shall be carried out in strict accordance with the mitigations/recommendations set out in section 6 of the Preliminary Ecological Appraisal by Deltasimons dated August 2021 (Ref: 16-0406.07). Prior to the commencement of development, precise details of the required mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.

    Reason: In the interest of Biodiversity and in accordance with Local Plan Policy BIO1.

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

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

26. Prior to commencement, a Biodiversity Enhancement Management Plan (BEMP) which would include the following shall be submitted to, and approved in writing by the Local Planning Authority:
    -a plan of the areas to be maintained, enhanced and/or created;
    -a schedule of actions to create or enhance and maintain each habitat at the required quality for a period of 30 years;
    -a schedule of ecological monitoring for the 30 year period identifying when key indicators of habitat maturity should be achieved. Monitoring would be required within years 2, 5, 10, 20 and 30; and
    -schedule of actions to be undertaken in case signs of failing are identified.
    -the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.

    Thereafter the approved scheme shall be carried out in accordance with the approved details and timescales.

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

27. No development or other operations being undertaken on site shall take place until the following documents have been submitted to and approved in writing by the Local Planning Authority:

    Tree protective fencing
    Tree protection plan (TPP)
    Arboricultural Method Statement

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

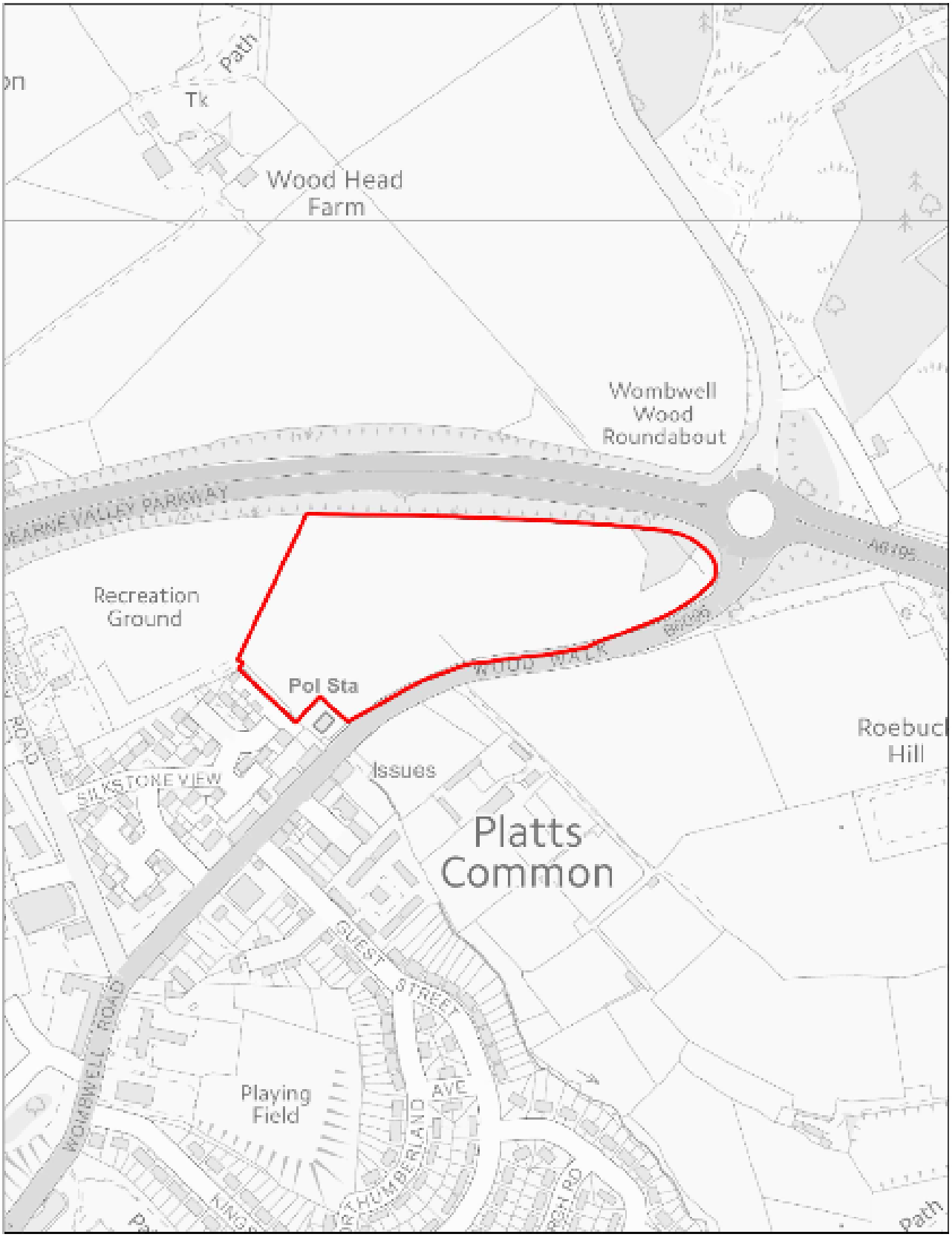
    Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

28. The site is located within a Coal Authority coal mining referral area due to the presence of opencast backfill and highwalls. As detailed in the Delta Simons Geo-Environmental report ref 16-0406.03 dated August 2021 the land could therefore be at risk from mining legacy risks such as ground instability. The development must therefore be undertaken in compliance with the conclusions and recommendations of the Delta Simons report. For the avoidance of doubt this shall include but not be limited to the following –
-No dwellings shall be constructed over the opencast highwall exclusion zone.
-An earthworks ground improvement scheme shall be implemented, and the foundations of the proposed dwellings shall be suitably designed as advised by a suitably qualified engineer.
-The access roadways shall be designed by a suitably qualified engineer. Additional design/mitigation measures shall be implemented where they cross the opencast highwall to ensure differential settlement does not affect long-term sustainability and integrity.

The development shall be undertaken in compliance with Construction Industry Research and Information association publication C758D “Abandoned Mine Workings Manual” where applicable.
Responsibility for securing a safe and sustainable development rests with the developer and/or landowner”

Reason: Land stability NPPF sections 183 a,b,c. 184 and 174 e & f

PA Reference:- 2021/1150



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