**Application No: 2016/91158**

**Type of application:** ***62m - FULL APPLICATION***

**Proposal:** ***Erection of 87 dwellings and demolition of existing working mens club***

**Location:** ***Flockton Green Working Mens Club, Barnsley Road, Flockton, Huddersfield, WF4 4AA***

**Grid Ref: 424127.0 415039.0**

**Ward:** ***Kirkburton Ward***

**Applicant:** ***Barratt and David Wilson Homes***

**Agent:**

**Target Date:** ***21-Jul-2016***

**Recommendation:** ***ASD-CONDITIONAL FULL APPROVAL SUBJECT TO THE DELEGATION OF AUTHORITY TO OFFICERS***

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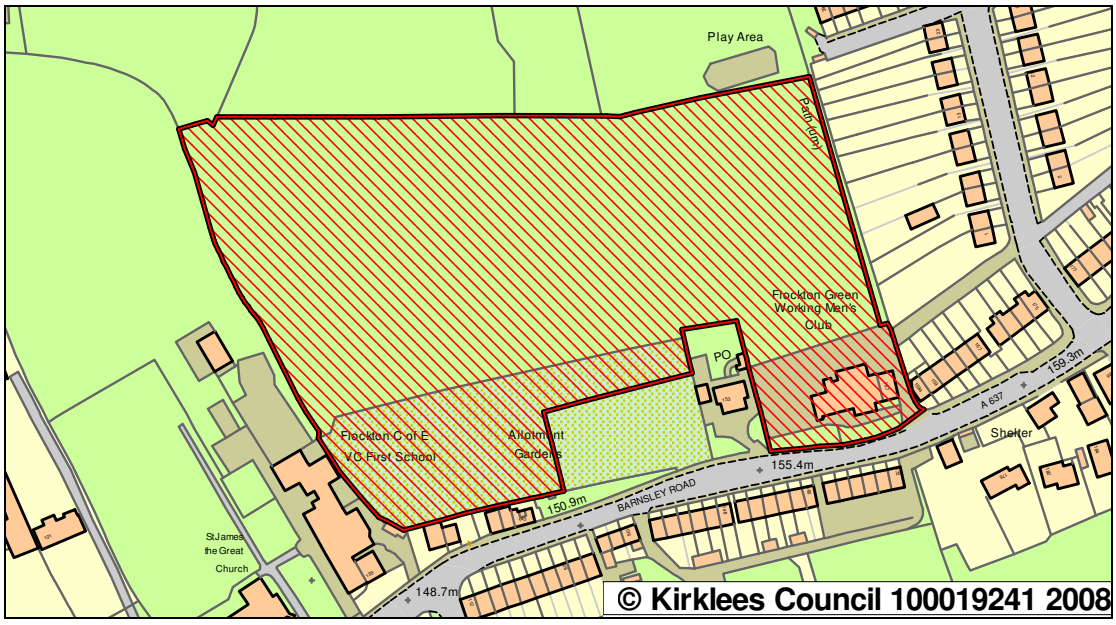
**http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf**

**LOCATION PLAN**




**Map not to scale – for identification purposes only**

## 1. SUMMARY OF APPLICATION

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|---|---|---|
| Application Details | | |
| Type of Development | Residential | |
| Scale of Development | Site area: 2.64 ha | Units: 87 |
| No. Jobs Created or Retained | N/A | |
| Policy | | |
| UDP allocation | Provisional Open Land (POL) & Unallocated | |
| Independent Viability Required | No | |
| Consultation/Representation | | |
| Individual Support (No.) | N/A | |
| Individual Objection (No.) | 6 | |
| Petition | No | |
| Ward Member Interest | Yes | |
| Statutory Consultee Objections | N/A | |
| Contributions | | |
| • Affordable Housing | 20% of units | To be secured by planning obligation |
| • Education | £292,247 | To be secured by planning obligation |
| • Public Open Space | £231,150 | To be secured by planning obligation |
| • Highways | £41,000 for sustainable travel fund<br>£10,000 for bus stop improvement | |
| Any Council Interest? | No | |
| Pre-application planning advice? | Yes | |
| Pre-App Consultation Undertaken? | Yes | |
| Comment on Application | The proposal constitutes sustainable development whereby the delivery of new housing outweighs the loss of the open land. The development would result in planning gain by facilitating the erection of a new working men's club and delivering on-site affordable housing and off-site improvements to existing nearby POS. Pedestrian links through the site to adjoining land are provided. There would be no significant detriment to visual amenity or highway safety and the residential amenity impacts are accepted on balance. | |

## 2. RECOMMENDATION

Delegate authority to officers to grant conditional full planning permission subject to the applicant and the Council entering into a S106 obligation.

## 3. INFORMATION

The application is brought forward to Strategic Committee as the development proposed would be a departure from the Councils Unitary Development Plan (UDP).

Site Description:

The application site predominantly comprises of a grassy field which is allocated as Provisional Open Land. The field slopes from north to south and from east to west. The south east corner of the site contains Flockton Green Working Men's Club and its car park and the south west corner of the site is relatively overgrown.

To the east of the site are semi-detached and terraced houses with much of the eastern boundary being flanked by the long rear gardens belonging to 1-23 Park Side. To the south of the site are traditional terraced housing fronting onto Barnsley Road and to the west is Flockton CE (VC) First School. A recreation ground, playing field and area of grazing land lie to the north.

Proposal:

The application seeks full planning permission for the development of 87 dwellings comprising a mix of 2, 3 and 4 bed detached, semi-detached and terraced dwellings. Access to the development would be off Barnsley Road.

The proposal includes the demolition of Flockton Green Working Men's Club to accommodate the location of the access road into the site.

## 4. BACKGROUND & HISTORY

The following application is for the erection of a new working men's club to replace the existing club that is to be demolished. The application has been submitted by the same applicant.

16/91464 Erection of club with flat above – Reported elsewhere on this agenda

## 5. PLANNING POLICY

Kirklees Unitary Development Plan

D5 – Provisional Open Land (POL)
BE1 – Design principles
BE2 – Quality of design
BE12 – Space about buildings
T10 – Highway safety
T16 – Pedestrian routes
T19 – Car parking standards
G6 – Contaminated land

H1 – Meeting housing needs in the district
H10 – Affordable housing
H12 – Affordable housing
H18 – Public open space
EP4 – Noise sensitive development
EP10 – Energy efficiency
EP11 – Integral landscaping scheme to protect / enhance ecology
BE23 – Crime prevention
R9 – Allotments
R13 – Rights of way

National Planning Policy Framework

NPPF Promoting sustainable transport (chapter 4)
NPPF Delivering a wide choice of high quality homes (chapter 6)
NPPF Requiring good design (chapter 7)
NPPF Promoting healthy communities (chapter 8)
NPPF Meeting the challenge of climate change, flooding (chapter 10)
NPPF Conserving and enhancing the natural environment (chapter 11)

Planning Practice Guidance March 2014

Air Quality

Other Guidance

KMC SPD 2 (2008) – Affordable Housing
KMC Policy Guidance: 'Providing for Education Needs Generated by New Housing'

**6. CONSULTATIONS**

**KC Highways** – No objections subject to conditions

**KC Environmental Services –** No objection subject to conditions relating to noise, the reporting of unexpected contamination and electric vehicle charging points.

**KC Strategic Drainage** – No objections in principle, subject to conditions

**KC Environment Unit –** No objection subject to conditions

**KC Landscape –** Development needs to ensure that suitable connectivity is achieved with the public open space to the north. Additional planting to rear gardens would enhance green infrastructure, ecological corridors and the overall setting of the development.

**KC PROW Officer** – Concerned that the layout has not made it practical to provide a footpath route along the eastern site boundary and does not provide a non-motor vehicle route through the site.

**KC Trees –** No objections

**KC Education –** Contribution of £292,247 is required

**Coal Authority –** Considers that conclusions of the geo-environmental appraisal is sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is or can be made safe and stable for the proposed development. The Coal Authority has no objection to the proposed development subject to the imposition of conditions concerning further intrusive site investigation works to establish the exact situation regarding coal mining legacy issues and any the carrying out of remedial works as necessary.

**Environment Agency –** The proposal falls outside the scope of issues the Environment Agency wish to be consulted on.

**Yorkshire Water –** No objections in principle, recommend a condition.

**West Yorkshire Police Architectural Liaison Officer –** Parking area between plots 85-87 needs to be overlooked as far as reasonably practical and the gates to the rear of plots 74-76 need to be lockable.

## 7. REPRESENTATIONS

Application advertised by site notices, press advert and neighbour notification letters.
Representations received: 6

The representations are summarised as follows:

Flockton CE(C) First School:

- The existing parking arrangement that the school has with the club in terms of parents using the WMC carpark and walking children to school needs to be maintained and secured by appropriate legal agreement.

- Pupils walk across the field from Park Side into the school and this serves as a safe route to school by enabling them to avoid Bansley Road

- The proposed footpath link into the school grounds needs to be in the same place as the existing access to the school along its eastern boundary. This link needs to be secured by appropriate legal agreement.

- Unclear whether the culvert to the western boundary forms part of the gardens for the adjoining properties. If not a plan for this strip of land is needed. Maintenance plan for the brook is also necessary.

- Careful consideration of the boundary treatment with the school is needed.

Highway matters:

- Additional traffic on Barnsley Road – impact on highway safety, including school children
- Query accuracy of traffic survey which is biased in favour of the developer (objector has provided details of their own traffic survey)
- Traffic calming measures needed on Barnsley Road
- Concerns with the cumulative impact of this development and two other sites in Flockton
- Concerns with the new access

Amenity:

- Impact on air quality from additional traffic
- More open green space and trees are needed within the development to help it blend in with the area
- Overlooking of 139 Barnsley Road and adjacent properties
- Visual impact of loss of green space

Drainage:

- Development is to connect to an existing watercourse which already struggles with the volume of surface water after heavy or prolonged rainfall. This will be exacerbated by the development. Watercourse can also become blocked by debris and flood the school playground.
- No indication of a 'storm tank' to deal with surface water as had been suggested at a pre-application community consultation meeting
- Building on the field will result in the loss of a natural 'soakaway' which will impact on flood risk
- Site is elevated and concerns with water run-off to lower lying properties
- Impact on capacity of drainage infrastructure

Other matters:

- Increased demand for school places
- Impact on stability of adjacent retaining walls and property at south west corner of the site because of coal mining legacy at the site. Coal mining not investigated adequately in this part of the site.
- Concerns with coal mining legacy and how this will be remediated
- Disruption and additional traffic during building works

**Kirkburton Parish Council:**

"*The Parish Council strongly objects to this proposed development on the following grounds:*

1. *A footpath which borders the Eastern edge of the site is owned by the Trustees of Flockton Cricket Club. The plan shows this path being built over or included in the gardens of the four houses in the South East corner of the site. Where the path runs from behind the current Flockton Club car park to the Northern edge of the development, it has been sealed off by locked gates without the permission of the Cricket Club Trustees.*
2. ***Parking:*** *The proposed new entry to a rebuilt Club House will result in the loss of 9 parking spaces on Barnsley Road, which were associated with the old Post Office. The existing Club's car park is currently used by agreement by parents bringing or collecting pupils of the Flockton First School and the Nursery School. It is not clear at this stage, whether this arrangement will be possible in the future. As there will be no other parking on the North side of Barnsley Road, children will have to use an unmanned crossing at which cars simply do not stop. The road within the new plan, which most closely approaches an existing gate to the school, is designated "shared surface", presumably to stop parents using it to park whilst collecting or dropping off pupils.*
3. ***Pedestrian Access to School****: children approaching the school from the Parkside area currently use a path running along the West and North sides of the site to a gate and bridge over the culvert into the school. The plan shows a "potential footpath", which should be agreed before planning permission is granted.*
4. ***Responsibility for Culvert:*** *The culvert and ditch along the Western edge of the site is the responsibility of the developer, but it appears to have been excluded from the site development. It therefore leaves a dangerous and hidden area, putting the school pupils at risk. The culvert, particularly at the Southern end, needs regular maintenance as it has flooded the school playground and store in the past. The developer should make proper safety and maintenance provision before planning permission is granted.*
5. *Although the application refers to Flockton Green WMC, the Club ceased operation in November 2013, since when it has been "Flockton Green Ltd". There is no clear indication that a replacement club will, in fact, be built.*
6. *The Transport Plan is not fit for purpose to the extent that it states 2% of people will travel by train to the site. The author of the Plan is clearly unaware that Flockton is not on a train line and is situated several miles from the nearest railway station.*
7. *If the development receives planning permission, there must be a limit imposed on the number of working hours permitted by the developer to protect local residents and for the safety of the school pupils.*
8. *There must also be traffic calming on the site, both during the construction and after it is completed.*"

**Councillor John Taylor:**

*“I have a number of reservations about this application, especially around the Highways issues and the increase in traffic that will be generated by the application.*

*Firstly I would like to see this application and the separate application for the Working Men's Club linked in some way, so that this one could not proceed without the other. The reason for my asking for this is that the existing car park for the club is used for parents who are bringing their children to school and if this provision was lost, this would force them to walk the children to school along Barnsley Rd, which I am sure you are aware is far from suitable given the narrowness of the pavements at some points and the volume of HGVs that use this road. The retention of this parking provision needs to be a firm obligation on the developer and the access to parking needs to be maintained throughout the development period.*

*My second concern relates to the loss of the existing footpath which is well established and has been used for years for children to walk to school from Parkside at the opposite side of the site. This is effectively a safe route to school away from the busy Barnsley Rd and is one which, if lost, would lead to further traffic congestion as parents from here would seek to drive their children to school and park at the club to avoid them using the main road. I note that the plans make reference to a "potential footpath link" to the open space behind the site and also at the point adjacent to the school to a "potential footpath link" here as well. This would need to be made a definitive part of the plan rather than a potential one. I have a secondary concern here about how the children will be able to get to school safely during the construction of the site and I would like to understand from you what protocols could perhaps be developed to ensure a safe route to school is maintained throughout the development of the site.*

*Even with this we are faced with children losing a safe way to school across open space to them having to travel along residential streets with the obvious obstacles that that presents especially for younger children. Given that these residential roads will become the route to school, I would be looking to see some form of traffic calming instituted so that the danger to children from the moving traffic is minimised as much as possible.*

*An additional area that I would seek clarity on is the water course that runs down the west of the site adjacent to the school. It is not clear whether this is within the site and so in people's gardens or if it is intended to exclude this area from the site. If it is the latter that leaves me with some concerns that it creates a small area of dead land adjacent to the school which would raise some safeguarding concerns as it would not be easily observed. Also if the watercourse does not become the responsibility of the owners of the gardens at the west of the site, there needs to be clear ownership and maintenance plans of the brook including the regular removal of litter that a neglected area would attract.*

*My next concern is the inadequacy of the Travel Plan. This states under section 4.2.12 that Barnsley Rd is suitable for cycling. Clearly the people who wrote this report have never been to Flockton as the road is far from suitable for cycling, given its narrowness at points and the volume of HGVs that use the site. To be promoting people to cycle on this road, especially young people is clearly a concern.*

*The plan purports to demonstrate that commuting other than by car is possible & likely & yet there is only an hourly bus service which is little use for most people to get to work as it is unlikely to coincide with their hours of work, depending on where they work and in all likelihood they will use the car to avoid the risk of having missed a bus and needing to wait a further hour for the next one. The report fails to point out that the earliest that you can get to Huddersfield from Flockton is for 8am so if you need to get onwards transport you may not be able to get to your place of work in time and so in my mind this fails the sustainability test for public transport use.*

*The report summaries in section 4.5.3 that "the site provides convenient access to potential employment areas by sustainable modes of transport. It is therefore considered that the location of the site is consistent with national and local policy objectives." whereas in reality the bus service is too infrequent to be viable for people who need to commute for work and would need any onward transmission once in Huddersfield and is considered unsafe for cyclists due to the heavy traffic and narrowness of the road. There is no local shopping facilities beyond an expensive local convenience store which means people will need to travel out of the village to Huddersfield or Wakefield to access a large supermarket for a weekly shop.*

*My concerns about the suitability of this report are accentuated by section 6.1.4 which states that it anticipates that one departure journey each day from the site will be via the train when the nearest stations are in Wakefield, Shepley or Denby Dale. If the modelling undertaken can generate predictions which are impossible to deliver, surely the whole model needs to be challenged."*

## 8. ASSESSMENT

**General principle:**

The majority of the application site is designated as Provisional Open Land (POL) in the Councils UDP. The site comprises the vast majority of the POL allocation with the remainder comprising the site of the proposed replacement working men's club.

Policy D5 states that "planning permission will not be granted other than for development required in connection with established uses, changes of use to alternative open land uses or temporary uses which would not prejudice the contribution of the site to the character of its surroundings and the possibility of development in the longer term."

Paragraph 2.15 of the UDP advises that urban open land sites assessed as having less quality that those designated as Urban Greenspace but nevertheless having identifiable value as open land are designated as Provisional Open Land. These sites are judged to be capable of development either now or when new infrastructure such as roads and sewers can be provided. The aim of the designation is to maintain the character of the land at least during the period until the plan is reviewed when it will be considered for allocation for development.

The Local Plan will provide the evidence base for all new and retained allocations including POL. The local plan process is underway however it is not at a sufficiently advanced stage to carry any weight in decision making for individual planning applications. The LPA must therefore rely on existing policies (saved) in the UDP, national planning policy and guidance.

The weight that can be afforded to policy D5 in determining applications for housing must be assessed in the context of NPPF paragraphs 215 and 49.

In the context of paragraph 215, the wording of policy D5 is consistent with NPPF paragraph 85 concerning safeguarded land. However, with regard to paragraph 49 the Council is currently unable to demonstrate a five year supply of deliverable housing sites.

The weight that can be given to policy D5 in these circumstances was assessed in October 2013 by a Planning Inspector in his consideration of an appeal against refusal of permission for housing on a POL site at Ashbourne Drive, Cleckheaton (ref: APP/Z4718/A/13/2201353). The inspector concluded (paragraph 42):

“The lack of a five-year supply, on its own, weighs in favour of the development. In combination with other paragraphs in the Framework concerning housing delivery the weight is increased. The lack of a five-year supply also means that policies in the UDP concerning housing land are out of date. Policy D5 clearly relates to housing and so it, too, is out of date and its weight is reduced accordingly. This significantly reduces the weight that can be given to the policy requirement for there to be a review of the plan before the land can be released. In these circumstances, the Framework’s presumption in favour of sustainable development is engaged.”

NPPF paragraph 14 states that where relevant policies are out-of-date, planning permission should be granted “unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in this framework taken as a whole, or that specific NPPF policies indicate development should be restricted”.

Footnote 9 lists examples of restrictive policies but this does not include land allocated as Provisional Open Land.

The NPPF identifies the dimensions of sustainable development as economic, social and environmental roles. It states that these roles are mutually dependent and should not be undertaken in isolation; "*economic, social and environmental gains should be sought jointly and simultaneously through the planning system*" (paragraph 8). The 'economic' role includes providing support for growth and development requirements, while the 'social' role states the need to support communities by providing housing to meet the needs of present and future generations.

As such, in the absence of both a five year housing supply and any significant and demonstrable adverse impacts that can be evidenced and substantiated and which outweigh the benefits when assessed against the policies in the framework taken as a whole, the principle of developing this site is considered to be acceptable in this instance.

The following sections of this report detail the main issues with the application and conclude that development, at this scale, does not give rise to significant material planning harm which can be substantiated as a reason for refusal. In addition, although the NPPF encourages the effective use of previously developed (brownfield) land, the aforementioned policies make it clear that no significant weight can be given to the loss of greenfield sites to housing when there is a national priority to increase housing supply.

The part of the site which contains the existing working men's club is unallocated on the UDP Proposals Map and therefore policy D2 of the UDP is also relevant. This states that planning permission will normally be granted subject to a specific set of considerations. These considerations are addressed later in this report.

An area of the site that lies between Flockton C of E First School and the former post office at 153 Barnsley Road is identified as allotment gardens on the Ordnance Survey map however it is not allocated for allotments in the UDP.

Given that part of the site was formerly used as allotments UDP Policy R9 is relevant. This policy seeks to protect allotments or land last used as allotments from development. No alternative allotment provision is being proposed as part of the development and the proposal is therefore contrary to Policy R9. Paragraph 74 of the NPPF also sets out circumstances when existing open space may be built on and the proposal does not comply with these circumstances.

The land in question is overgrown and is not currently used as allotment land. What is more, historic aerial photographs suggest that the land has not been used as allotments for a considerable period of time. For example, an aerial photograph from 2000 does not indicate any allotments laid out on this part of the site.

The prospect of an allotment use being provided is considered to be very limited given the length of time that has elapsed since they were last used as such. The land in question is also in private ownership which further limits the prospect of allotments being provided.

Taking into account the above alongside the wider benefits of the proposal in terms of the provision of new housing at a time when there is a shortfall of housing land and the other matters detailed in this report, it is considered that these factors outweigh the loss of the former allotments in this case.

**Impact on visual and residential amenity:**

The settlement of Flockton straddles the A637 Barnsley Road and accommodates a mixture of ribbon style residential development along with some local facilities and services as well as pockets of housing set back from the road.

The application site is on the northern side of Barnsley Road and within the centre of the village. The site is set at a higher level than the road. Within the immediate vicinity of the site is a mixture of traditional semi-detached and terraced houses constructed from natural stone or red brick which are two storeys in height.

The proposal is for a mixture of detached, semi-detached and terraced dwellings which incorporate a variety of design styles. Around two-thirds of the dwellings are two storeys in height with the remainder having two and half storeys through the provision of dormers and attic accommodation. It is proposed to construct the development from brick with the type of brick to be agreed. The roofing material is also to be agreed.

Policies BE1 and BE2 of the UDP are considerations in relation to design, materials and layout. The layout of buildings should respect any traditional character the area may have. New development should also respect the scale, height and design of adjoining buildings and be in keeping with the predominant character of the area. Chapter 7 of the NPPF emphasises the importance of good design. Whilst it is important to respect the local distinctiveness of an area it is also important not to impose particular architectural styles or tastes. This is a clear requirement of paragraph 60 of the NPPF.

The development proposed would be relatively well integrated into the surrounding area.

Three properties would have a direct frontage onto Barnsley Road where they are adjacent to the proposed access (plots 1, 86 & 87). Plot 87 has its principal elevation onto Barnsley Road and plots 1 and 86 have strong gable frontages which include main windows and their principal elevations facing onto the road junction. This enables this part of the development to integrate with the established nearby development that faces Barnsley Road. This

would be further enhanced through the provision of suitable boundary treatment that was in keeping with the character of the area.

In terms of the northern part of the site, a number of properties would front onto the recreation ground and existing children's play area. This helps to integrate the development with the established public open space whilst also providing natural surveillance which is a benefit from a crime prevention perspective.

The layout provides for a pedestrian link between the recreation ground to the north and through the site to Flockton First School. This link therefore maintains an existing informal link (desire line) across the site and directly into the school grounds. The layout also allows for a pedestrian link with the site of the proposed replacement clubhouse. These pedestrian links help to integrate the development within the surrounding area. Further details on these pedestrian links are included within the 'highway safety' section of this report.

The development does not provide any public open space within the site although funding will be secured via S106 agreement in lieu of this which will enable the recreation area to the north to be significantly upgraded.

The general design of the dwellings is considered to be acceptable and would sit comfortably within the village setting, with the design being broadly similar to other more modern developments that have taken place in the area. The development respects the existing topography of the site and the scale of the dwellings (two and two and a half storeys) is in keeping with established nearby development.

It is proposed to face the dwellings in brick with a mixture of red and buff brick being suggested by the developer. In principle brick is considered to be acceptable because it would be in keeping with a significant proportion of adjacent development. Samples of the brick to be used will need to be approved by condition. Roofing material is not specified within the application although natural slate predominates in the locality and the roof material will need to respect this. Approval of a sample of the roofing material will need to be secured by condition.

In summary the layout, scale and appearance of the development proposed are considered to be acceptable having regard to the established character of the area. It is considered that the development proposed would not have an unacceptable impact upon the visual amenity of neighbouring properties and the wider area.

The layout proposed in the main satisfies the Council's policy in relation to space about buildings between the proposed dwellings and existing development surrounding the site. There are however a number of instances where distances proposed fall short of those set out in policy BE12:

- Plot 1 to terraced houses on opposite side of Barnsley Road – 18m & 18.5m between habitable windows

- Plot 86 to terraced houses on opposite side of Barnsley Road – 15.5m & 16m

In the above cases the relationship is not dissimilar to existing residential development just to the east along Barnsley Road and the proposed layout therefore maintains the established character of the streetscene. It also enables the development to have a strong presence onto Barnsley Road and relate to the existing row of terraced houses to the west. Increasing the separation distance between habitable windows would result in a form of development that would less respectfully reflect the streetscene and would be detrimental to the overall quality of the proposed development. The separation distances that are provided are considered to afford a sufficient level of privacy for existing and future occupiers and on balance existing space standards are considered to be acceptable.

- Plots 11 & 12 to terraced cottages fronting onto Barnsley Road – 20m between ground floor kitchen-diner and rear wall of no.s 139-143

- Plot 13 to 137 Barnsley Road – 19m & 20.5m between rear elevations

In the above cases the slight shortfall in separation distances and potential for overlooking is mitigated by the difference in levels and boundary screening.

It is to be noted that 135-143 Barnsley Road are set down from the application site and the rear walls of these dwellings are very close to the application site boundary and separated by a retaining wall. To address this issue it is proposed to retain the existing height difference between the south west corner of the site (where plots 10-15 are located) and the existing properties to limit the potential impact and to ensure that the existing retaining wall remains intact. The rear boundary fences for plots 10-15 are also set in from the rear of 135-143 Barnsley Road to create an undeveloped plateau adjacent to the existing houses and thus mitigate the impact of the boundary treatment.

Dwellings adjoining the western boundary back onto Flockton CE (VC) First School and its grounds. Separation distances between rear elevation windows and the school are between approximately 10m and 14m and there is an established tree belt separating the sites along the western boundary. The separation distance and retention of the existing vegetation along the boundary means that Officers are satisfied that this relationship would not give rise to any significant harm to amenity.

Dwellings adjoining the eastern boundary abut the elongated rear gardens of 1-23 Park Side and the side boundary of 157 Barnsley Road.

It is mainly garden areas and single storey garages belonging to the proposed dwellings that are closest to the eastern boundary. This allows for acceptable separation distances between habitable windows and the adjacent gardens.

In the case of plots 72 and 81 these properties have a gable end relatively close to the boundary of the nearest neighbouring gardens (3-4m). In the side of plot 72 is a secondary lounge window at ground floor and a bathroom window at first floor. In the side of plot 81 is a secondary lounge/dining window at ground floor and two bathroom windows at first floor. Ground floor windows can be screened along the boundary and the upper floor windows can be obscure-glazed to ensure that there would not be any close overlooking. The scale and proximity of these dwellings would have an impact on the lower part of the neighbours' gardens but given the overall length of the gardens on balance it is considered that this relationship would not give rise to any unacceptable harm.

The proposal involves development to three sides of the former post office building at no.153 Barnsley Road. This property includes a large garden area to the rear. The application site is elevated from this property. The former post office building would be flanked by the rear gardens of the adjoining properties which provides a degree of openness around it and the separation distances and boundary treatment are sufficient to prevent undue overlooking.

There are also a number of instances where the separation distances between some of the proposed dwellings do not meet Policy BE12. This needs to be balanced against the desirability of making efficient use of land in order to meet housing need, the fact that applying the separation distances in a rigid way would not be conducive to securing variation in form and street scene within the layout and that future occupiers of the proposed development would be aware of the separation distances when purchasing properties.

It is therefore considered that whilst in some instances the separation distances between properties internal to the site fall short of the minimum distances set out in policy BE12, this in itself would not be sufficient grounds to refuse planning permission when balanced against other material considerations.

**Highway safety:**

The site:

The site fronts onto A637 Barnsley Road. It slopes down from the north to the A637. To the east, it is bounded by the rear of properties which front onto Park Side. There is a football pitch and cricket pitch to the north of the site which are also owned by Flockton Green Working Men's Club (FGWMC) as well as a children's playground. To the west, the site is bounded by Flockton C of E First School. There is also a small beck which runs between the school and the site.

The existing FGWMC occupies the south-east corner of the site and is accessed via a track along the eastern boundary of the site to the rear of the Club where the car park is located. No 159 Barnsley Road is a former post office with residential accommodation which is bounded on three sides by the

site. It is served by a private drive and fronts onto A637. This property does not form part of the site. A637 Barnsley Road runs along the southern frontage to the site. It runs between the Grange Moor roundabout to the north-west of the site where it meets A642, past the site, through to the A636 and in a south easterly direction to the M1 and Barnsley.

As the A637 passes through Flockton there are a number of properties which reduce the carriageway width. These have been accommodated by installing a traffic signals and priority working shuttle system. There are no proposals to amend any of these traffic management measures as part of this planning application.

The A637 Barnsley Road varies in widths between 6m in the vicinity of the site. It has a continuous footway which runs along the site frontage. This is generally 1.5m in width but it narrows down to approximately 1m in width towards the south-east end of the site.

Pinfold Lane runs from A637 at the south-west corner of the site. It forms a priority junction where emerging traffic on Pinfold Lane must give way. There is a zebra crossing to the west of this junction. There is also a zebra crossing between the eastern corner of the site and Park Side.

The existing access to FGWMC is located at the extreme eastern side of the site frontage. The visibility to the right for vehicles emerging out of the FGWMC car park is poor. There is a lay-by on the site frontage which has capacity for approximately 7 cars. There is also a lay–by on the north side of A637 between the access to the FGWMC car park and Park Side. Both of these lay-bys appear to be used by residents of nearby houses.

Accident Review:

A review of personal injury accident records for the area in the vicinity of the site has been undertaken. The accident record for this area is good, with a relatively low incidence of injury accidents. There has been 1 serious accident within 50m of either side of the proposed access in the last 5 years (up to end May 2015) that was in early 2012 but no contributory factors are listed.

Public Transport:

The proposed development site is well located in terms of its proximity to public transport services which run adjacent to the site on Barnsley Road. Stops are located on both sides of Barnsely Road within 400m walking distance from the proposed development.

The bus stops on A637 are served by bus numbers 231 and 232 provide regular and direct connections from the site to both Huddersfield town centre and Wakefield city centre which provide further facilities and transport links to wider destinations.

The Proposed Development:

It is proposed that the development will be accessed via a simple, priority junction directly onto A637 Barnsley Road. It is proposed that the main access spine road will have a 5.5m wide carriageway with 2m wide footways to both sides leading to a number of shared surface carriageways.

A pedestrian link will be provided to the land to the north which contains the football pitch and children's playground. There would be a reasonably significant difference in levels between the application site and the adjacent land to the north and a flight of 8 steps is proposed to link these areas. Steps are considered to be unsuitable and it is considered that the land to the north should be graded to provide level access. The grading works would fall outside of the application site boundary within land that is also owned by the WMC. The applicant has proposed a separate planning application to carry out these grading works. The applicant also intends to locate their site compound in this area during the construction phase. A graded access would also allow maintenance vehicles to access the playing fields via the development site in the future. Officers are satisfied that a separate application to deal with the grading works on the adjacent land is an acceptable approach to addressing this matter. A Grampian style condition could be used to secure the off site works to accommodate the regrading.

A pedestrian access from the internal cul-de-sac will be created to provide access to the rear of the Flockton C of E First School. Parents and carers will be able to park in the new Flockton Green WMC car park and walk along the footway directly to and from the school along the residential cul-de-sac.

Parking for the residential units has been provided in line with Kirklees Council's Standards, on the basis of two parking space for dwellings with two and three bedrooms and three parking spaces for dwellings with four or more bedrooms.

The clubhouse will include for 24 car parking spaces accessed from Barnsley Road. It will also provide a ramped access which will provide pedestrian access between the clubhouse car park and the southernmost access road on the residential scheme.

The car parking spaces within the new club site will be available for the use of parents and carers dropping off and picking up children from the adjacent primary school. Planning conditions are proposed to control the timing, use and delivery of the provision of the new club car park for use by parents and carers dropping off and picking up children from the adjacent primary school. This will mean that the existing parking arrangement between the school and the WMC will be maintained. The new WMC would provide at least a commensurate level of parking space to the existing club car park. The serviced plot with car parking for the new club is proposed to be constructed in the first phase of development. This should keep disruption to a minimum though there may be a short period of time when the existing club parking facilities are removed and the new serviced plot parking is not new completed.

A speed survey has been carried out to verify actual traffic speeds. This shows that the 85th percentile wet weather speed in a westbound direction is 31 mph and that in an eastbound direction it is 30mph. Hence Manual for Streets recommends that visibility splays of 2.4m x 43m to the right and 2.4m x 45m to the left are provided.

Sight lines to the new club have also been provided as per the speed survey.

It is proposed that the road markings are amended to accommodate the access to the clubhouse and visibility splays of 2.4m x 43m to the right and 2.4m x 45m to the left will be provided. In order to form the access, some minor road marking will be required to ensure that the access is kept clear and the car parking in the existing lay-by is hatched out to prevent cars parking close to the access.

The internal layout has been amended with visibility splays onto Barnsley Road shown on the layout plans, the bend in the road opposite plots 79 and 80 has been amended to show radii to both sides and footways are carried past the proposed ramps where the traditional estate roads join the shared surfaces.

The proposed footway widening and improvement works along Barnsley Road to the site frontage now include measures to improve the visibility of the existing zebra crossing to the west of Pinfold Lane with the provision of 'halos' to the belisha beacons.

Traffic Generation:

The traffic count surveys were undertaken between the hours of 07:30 - 09:30 and 16:00 - 18:00 on Barnsley Road at the proposed site access location. The AM and PM peak hours were derived from the traffic count data and are 07:30 - 08:30 for the AM peak and 16:30 - 17:30 for the PM peak. These were recorded as 572 east bound and 749 west bound in the AM peak and 670 east bound and 618 west bound in the PM peak.

The development proposals (based on 87 residential dwellings) are forecast to generate some 66 and 64 two-way vehicle trips during the AM and PM peak hours, respectively. This equates to an increase in vehicular trips on the local highway network of approximately one every minute in both the AM and PM peak periods.

Future year junction capacity assessments have been undertaken using the junction 8 PICADY software at the proposed site access /Barnsley Road priority junction for the 2022 predicted traffic flows, for both the AM and PM peak hours. No committed development traffic has been included in the assessment. The proposed junction layout is predicted to operate with substantial spare capacity under the future year traffic flow scenarios in both the AM and PM peak periods.

The applicants have undertaken an assessment of the Flockton shuttle traffic signals and priority working system and included committed development traffic from applications 2014/93480 (24 dwellings at Manor House Flockton Huddersfield) and 2014/94027 (Flockton Hall Farm, Barnsley Road, Flockton). The capacity assessment undertaken demonstrates that any increase due to the proposed developments and committed development will be small. In terms of flow to capacity the increase is 1% to 2% in the AM peak and 4% in the PM peak.

Conclusion:

The development can be controlled so that the proposed new WMC will provide drop-off and pick-up facilities for the nearby school. The proposals provide highway safety improvements to Barnsley Road and good connectivity between the development and the urban greenspace to the north as well as good connectivity with the school. The proposals provide an acceptable layout with sufficient off-street parking and internal refuse vehicle turning. These proposals are considered acceptable in highway safety terms and the application accords with policies T10 and T19 of the UDP.

**Public rights of way:**

The public rights of way team has raised concern that the layout does not provide a pedestrian only route through the site. Notwithstanding this concern, officers have concluded that the overall connectivity between the site and adjacent land to the north is good with access being provided on well surfaced and well-lit footways where vehicular traffic speeds are likely to be low. On balance officers have concluded that the connectivity provided along with the wider benefits of the development outweigh the absence of a non-motorised footpath link.

**Flood risk & drainage:**

It is proposed to dispose of surface water to the watercourse to the west of the site at a restricted rate of 3.5 l/s. A partial survey of the downstream watercourse has been submitted to establish the condition of the pipework and ascertain its suitability for such a connection.

Kirklees Flood Management and Drainage have agreed in principle the surface water strategy. However, the survey of the downstream watercourse has revealed that there are several defects (primarily cracking) along its length in multiple places and as such the pipework is compromised and requires attention in the short to medium term. As a result of the development additional properties would be reliant on its integrity and the potential for failure increases because of the additional discharge to the network that would arise. As such, it is considered necessary for the downstream network to be upgraded as part of the application. The upgrade to the pipework will either need to be secured by Grampian condition or planning obligation. The most appropriate method of dealing with this may be for a financial

contribution to be secured in order for the council to carry out the upgrade works.

The watercourse to the western boundary flows in a southerly direction and forms an open channel before becoming culverted in the southwest corner of the site. The site plan indicates that the existing tree belt that runs along much of the western boundary will be retained and will essentially form the rear boundary for 13 plots.

A suitable stand-off distance between the new dwellings and the western boundary watercourse is achieved, including to the retaining walls that are to be formed within the rear gardens of the adjacent plots.

The watercourse will need to be kept open and it is important that boundary construction does not interfere with the flow. The applicant has confirmed that the culverted part of the watercourse in the southwestern part of the site will fall within the curtilage of plot 15 and the homeowner will assume responsibility for this section. To the north of plot 15 the watercourse passes through a landscaped area at the head of a cul-de-sac where the watercourse will be the responsibility of a management company. Further to the north the applicant considers that the watercourse falls outside of the application site boundary on land that is owned by the school; there is a row of 13 plots which back onto this stretch of the watercourse and the rear boundary for these plots will broadly follow the eastern side of the watercourse. Where the watercourse is outside of the applicant's control maintenance responsibilities would continue to lie with the adjacent land owner (the school). The development would not therefore significantly alter the existing situation, albeit access on the eastern side of the watercourse would be restricted. The applicant is reviewing this situation and any further information received will be reported in the Committee Update.

The proposed layout allows for safe flood routing to the natural low spots on the site and flood routing plans also indicate that a ditch will be incorporated at the northern boundary. A condition requiring more detailed flood routing proposals, building on those measures already indicated, is recommended.

A temporary drainage plan is also required prior to commencement on site. This will need to specifically consider the increased risk of flooding post site soil strip for property and the local road network, as well as local drainage systems at lower levels. This shall include a plan for controlling sediment discharge to the watercourse and be linked to the phasing of the works.

There have been no objections raised by Yorkshire Water and the application falls outside of the scope of issues the Environment Agency wish to be consulted on.

Officers are satisfied that the development can be adequately drained and the application is considered to satisfy chapter 10 of the NPPF.

**Ecology:**

The Environment Unit agrees with the conclusion and recommendations of the ecological appraisal which has established that the site is of low ecological value and recommends a series of biodiversity mitigation and enhancement measures. These include:

- Precautionary approach to vegetation clearance to avoid impacts to badger and hedgehog, and to check for invasive species;
- Protection of trees and hedgerows adjacent to the site during construction;
- Native planting (hedgerow and trees) as part of the landscaping scheme for the site
- Hedgehog access through fences;
- Bat and bird boxes on the new dwellings

The Environment Unit has recommended that the above measures are set out as part of a Construction Environment Management Plan and a Landscape and Environmental Management Plan. This can be conditioned.

A bat survey has also been provided in respect of the existing working men's club that is to be demolished. The survey indicates that bats are not roosting on site and that the habitats to the north of the working men's club are not important as a foraging habitat. Very low bat activity was recorded around the site. It is therefore unlikely that demolition of the club will result in a significant impact to bats.

**Air quality:**

NPPF Paragraph 109 states that "the planning system should contribute to and enhance the natural and local environment by…… preventing both new and existing development from contributing to or being put at unacceptable risk from, amongst other things, air pollution. On small to medium sized new developments this can be achieved by promoting green sustainable transport through the installation of vehicle charging points. This can be secured by planning condition.

**S106 and community benefit:**

The proposal involves the demolition of Flockton Green Working Men's Club. The proposal will however facilitate the erection of a replacement club building on land to the west of the club's existing site and a separate planning application for the erection of a new club building has been submitted (reported elsewhere on this agenda).

The entirety of the application site is owned by Flockton Green Working Men's Club and the land receipt will provide the club with funds for the new build. As part of the land deal the applicant will also be providing the proposed car park

for the new club building and a fully serviced plot on which the replacement club building can be erected.

Having regard to the definition of community facilities in the NPPF, a working men's club is considered to constitute a community facility. Facilitating the provision of a new club building within Flockton would represent a community benefit because a modern purpose-built facility would enhance the club's ability to meet the day-to-day needs of the local community. In this context the application would help to support one of the main principles of the NPPF which is to promote healthy communities (chapter 8).

This community benefit weighs in favour of the development proposed when balanced against other material considerations, including the loss of the open land. Nevertheless, the acceptability of the principle of development does not rest with the provision of a replacement working men's club. The land receipt that will facilitate a new club to be built represents planning gain however a replacement club building is not necessary to mitigate the impacts of the development and make it acceptable in planning terms. The provision of a replacement club building as part of this application would therefore not meet all of the tests for planning obligations. The tests are: (i) necessary to make the development acceptable in planning terms; (ii) directly related to the development; and (iii) fairly and reasonably related in scale and kind to the development.

The developer will be providing a serviced plot with car parking on the site of the proposed replacement club. This benefits the working men's club and will assist the delivery of the new facility. Whilst the planning system does not provide any mechanism by which to guarantee that a replacement club is erected, the delivery of a serviced plot and car park will further facilitate the club's ability to erect a new building funded by the land receipt. The provision of the services and the surfacing of the plot can be ensured through a planning obligation tied to a specific phase of the development which allows the access to the car park for parents pick up and drop off.

An indirect community benefit would also arise in relation to Flockton Cricket Club. The cricket club has a right of access over the working men's club land from Barnsley Road and up to the cricket club; the route is adjacent to the eastern boundary of the site. The right of access is very rarely exercised by the cricket club and they have agreed with the applicant to relinquish this right subject to financial compensation. The value of the compensation has been independently valued by the applicant at around £27,000. Officers understand that this money is to be used to upgrade the existing cricket club facilities which would thus help to support the future viability of the cricket club.

<u>Public Open Space:</u>

The site is over 0.4 ha and therefore triggers the requirement for the provision of public open space. No public open space is provided within the site and based on the number of dwellings an off-site contribution of £231,150 is required.

KC Landscaping advise that the money would primarily be used to upgrade the existing play area to the north of the site. It is envisaged that the overall recreation ground would be enhanced to incorporate a broad range of play facilities/activities to suit all age ranges with enhanced landscaped amenity space and playing field. The money would also be used to provide semi-formalised links (e.g. crushed stone pathways) between the development and the recreation ground and from Park Side across the existing Urban Greenspace to the proposed development, linking into the proposed pedestrian route through the development to Flockton CE(C) First School.

Affordable Housing:

UDP Policies H10 and H12 together with the Councils Supplementary Planning Document set out the requirement for affordable housing.

Current Council guidelines specify that the Council aspires to secure 15% of the development floor-space for affordable housing on brownfield sites, and 30% of the development floor-space for affordable housing on greenfield sites. The vast majority of the site is greenfield.

The applicant has offered to provide 20% of the total number of dwellings as affordable.

It is considered that the affordable offer is acceptable, particularly in light of the draft emerging Local Plan policy which is based on up-to-date evidence of the viability of schemes within the District can likely afford were it is proposed to seek at least 20% of total dwellings on sites for affordable housing with a split of 55-45% social rented to sub market tenure.

Education:

The number of dwellings proposed is above the threshold for an education contribution. KC School Organisation & Planning advise that a contribution of £292,247 is required towards education provision in the area. The calculation is based on contributions to Flockton CE(C) First School and Scissett Middle School.

Bus stop improvement & sustainable travel fund:

Highways have recommended that a contribution to providing 'live' bus information at a nearby bus stop is secured at a cost of circa £10,000. It has also been recommended that a contribution towards sustainable travel incentives is secured (e.g. discounted residential Metro Cards, cycle purchase schemes, car sharing promotion, car club use). The contribution appropriate for this development would be circa £41,000. It is considered that these contributions are necessary to enable the development to meet local and national sustainability objectives.

**Other matters:**

The Coal Authority considers that conclusions of the geo-environmental appraisal that has been submitted with the application is sufficient for the purposes of the planning system and meet the requirements of the NPPF. This demonstrates that the application site is or can be made safe and stable for the proposed development. The Coal Authority has no objection to the proposed development subject to the imposition of conditions concerning further intrusive site investigation works to establish the exact situation regarding coal mining legacy issues and any the carrying out of remedial works as necessary. Such conditions are recommended.

**Crime Prevention:**

The West Yorkshire Police Architectural Liaison Officer has advised that the parking area between plots 85-87 needs to be overlooked as far as reasonably practical and the gates to the rear of plots 74-76 need to be lockable. It is considered that adequate natural surveillance of the parking area between plots 85-87 is achieved whilst also maintaining sufficient privacy for future occupiers. Lockable gates to the rear of 74-76 can be required by condition.

**Representations:**

Concerns have been raised by Cllr John Taylor and Kirkburton Parish Council.

One of the main issues raised relates to the school's parking arrangement with the existing working men's club. At present the school has an agreement with the club for parents to use the car park when bringing children to and from school. If this provision was lost then it would mean more pupils having to access the school via Barnsley Road which is deemed to be far from suitable given the narrowness of the pavement at certain points and the volume of traffic along the highway. The loss of this parking provision would also have an impact on on-street parking.

As part of the land deal the applicant is committed to providing the working men's club with a serviced plot that will include the provision of the proposed car park for the replacement club. The developer is also providing a graded access from the new car park into the housing development as part of application 2016/91464. The provision of the car park and graded access can be secured via planning condition that is linked to the first phase of the development. A planning condition can also be used to ensure that the car park is thereafter made available for used by the school (with the number of parking spaces to be made available and times of use to be agreed).

It will be required that the replacement car park for the club will be provided during the first phase of the construction of the housing development to limit the impact on the school. It recognised that there will most likely be a period of time during the construction phase when the school does not have access

to the existing or proposed working men's club car parks. This will however be limited as far as reasonably practicable by tying the delivery of the car park to the first phase of the build.

Another of the main issues raised relates to the established pedestrian access to the school across the site. Pupils have traditionally been able to walk across the field from Park Side and gain access directly into the school grounds from the existing field.

The proposed layout makes provision for continued access from the land to the north of the site directly to the school. A point of access is proposed to the northern boundary that will enable pupils to walk down to the school along the new footways within the development. A new pedestrian link is to be formed into the school grounds in the same position as the existing point of access. Informal footways from Park Side across the recreation ground that link to the proposed point of access to the northern boundary would be provided through the off-site POS contribution.

Officers consider that the development takes into account the existing desire lines between Park Side and the school and provides good connectivity between the development and the school.

An issue has also been raised with the construction phase and the impact on those pupils that currently walk over the site to access the school. It has been requested that provision is made for pupils to continue to access the school grounds from the field during construction. A condition requiring a construction management plan can be imposed to limit the impact of the construction on this access issue however there will inevitably be a period of time when this is not achievable on safety grounds.

A further issue raised relates to the responsibility of the watercourse adjacent to the western boundary. The southernmost part of the watercourse lies within the site and responsibility would fall to a management company and the future owner of plot 15. The applicant considers that the remainder of the watercourse falls outside of the application site boundary on land belonging to the school. In such circumstances the development would not materially alter the existing situation in terms of maintenance of the watercourse.

Concerns have been raised with the adequacy of the submitted travel plan. Officers accept that aspects of the travel plan are not agreed in terms of the projected use of non-car modes of transport. The development will nevertheless be providing opportunity for more sustainable travel through the inclusion of electric vehicle charging points and a contribution of £41,000 towards sustainable travel incentives has been secured (e.g. discounted residential Metro Cards, cycle purchase schemes, car sharing promotion, car club use). Officers have concluded that the benefits of the development outweigh any harm that would arise from these limitations.

Kirkburton Parish Council has raised an issue regarding working hours during construction. Statutory nuisances that can arise from development sites are dealt with under Environmental Health legislation.

It has been requested that traffic calming measures be incorporated into the development. The highway layout shows a raised platform adjacent to plot 31 which is along the route that pupils would walk through the development.

The issues raised by Flockton CE(C) First School are considered to have been addressed and are discussed earlier in this report.

Of the issues raised in representations from local residents, highway and drainage matters have been considered by relevant consultees to be acceptable and are detailed earlier in this report.

Officers have considered overlooking issues in the amenity section of this report and have concluded that the impact on the privacy of adjacent properties is acceptable.

The impact on air pollution associated within the new houses would be very limited and would not amount to reason to refuse the application.

Disruption resulting from the development phase is not a material consideration.

The development triggers an education contribution which will address the issue of increased demand for school places.

Issues relating to the coal mining legacy at the site have been considered by The Coal Authority and conditions are recommended in this regard. This will cover issues to do with land stability.

**Conclusion:**

The Council can no longer demonstrate a required deliverable housing land supply sufficient for 5 years and in accordance with the NPPF relevant policies for the supply of housing are out of date. In such circumstances no significant weight can be given to its content and, in accordance with the NPPF, there is a presumption in favour of sustainable development and planning permission should be granted "*unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in this framework taken as a whole, or that specific NPPF policies indicate development should be restricted"*.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice. On balance, it is considered that the proposed development is in accordance with the principles of sustainable development.

The development would result in planning gain by facilitating the erection of a new working men's club and providing a well-laid out car park for the replacement club that could be used by the nearby school. The proposal also provides good connectivity through the site by linking the existing recreation ground with the school and allowing for a link between the development and the new club car park. Highway improvements are also proposed to Barnsley Road and the development will enable the recreation ground to be comprehensively upgraded through the off-site POS contribution.

The proposal therefore provides a number of benefits in addition to boosting the supply of housing in the district. These benefits are to be weighed against aspects of the scheme which aren't fully policy compliant; these aspects include a shortfall in separation distances between habitable windows in some instances and an affordable housing offer that is below the level set by current policy (although the offer is in line with emerging policy in the draft local plan).

Weighing these considerations in the planning balance - and all other matters detailed in this report – officers have concluded that the development is acceptable and the shortfall in separation distances and affordable housing are clearly outweighed by the wider benefits of the proposal.

This application has been assessed against relevant policies in the development plan and other material considerations. The proposals are considered to be compliant with the policies in the Unitary Development Plan and there are no adverse impacts which would outweigh the benefits of the development proposed.

## 9. RECOMMENDATION

**Delegate authority to Officers to grant conditional full planning permission subject to:**

1. **The applicant and the Council entering into a S106 obligation to secure:**
    i. **The provision of affordable housing**
    ii. **The payment of an education contribution**
    iii. **The payment of an off-site POS commuted sum**
    iv. **The provision of the car park for the new working men's club**
    v. **Works/financial contribution to upgrade existing surface water drainage infrastructure serving the development**

2. **The imposition of appropriate planning conditions, which may include those matters listed below; and,**

3. **There being no material change in circumstances, to issue the decision.**

1. The development hereby permitted shall be begun within three years of the date of this permission.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

3. Samples of the facing materials for the dwellings shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of any of the dwellings commences. The dwellings shall be constructed of the approved materials and thereafter retained as such.

4. The submission and approval of a phasing and management plan for the construction of the development that provides a serviced plot with car park on the new site for the WMC

5. Submission and approval of a Construction Environment Management Plan and a Landscape and Environmental Management Plan.

6. Submission and approval of details of internal and external boundary treatment for the site

7. Details of the responsibilities for the maintenance and management of the watercourse adjacent to the western site boundary where it falls within the application site

8. Submission and approval of full details of the proposed surface water drainage strategy for the site

9. Submission and approval of a temporary drainage plan

10. Submission and approval of a flood routing plan

11. Lockable gates to the rear of plots 74-76

12. The submission and approval of a scheme of intrusive site investigations for the mine entries and high wall including:
- The submission of a scheme of intrusive site investigations for the shallow coal workings for approval;
- The undertaking of both of those schemes of intrusive site investigations;
- The submission of a report of findings arising from both of the intrusive site investigations, including the results of any gas monitoring undertaken;
- The submission of a scheme of treatment for the recorded mine entries for approval;
- The submission of a scheme of remedial works for the shallow coal workings for approval;
- The implementation of those remedial works.

13. Condition requiring the reporting of any unexpected contamination that may be encountered during development

14. Before development commences a report specifying the measures to be taken to protect the development shall be submitted to and approved in writing by the LPA

The report shall

(i) Determine the existing noise climate

(ii) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development.

(iii) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

Unless otherwise agreed in writing with the LPA the development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

15. Before development commences, a scheme to show how the development shall incorporate facilities for charging plug-in electric vehicles shall be submitted to and approved in writing by the LPA. All works which form part of the approved scheme shall be completed prior to occupation of the development.

16. Before development commences, the wall to the site frontage shall be set back to the rear of the proposed visibility splays as shown on approved plan number FL-PL/01 rev H and shall be cleared of all obstructions to visibility and tarmac surfaced to current standards in accordance with details that have previously been approved in writing by the Local Planning Authority.

17. No development shall take place until a scheme detailing the proposed internal adoptable estate roads and pedestrian links to Flockton Primary school to the east and the land to the north have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audits covering all aspects of work. Before any building is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

18. Prior to development commencing, a detailed scheme for the provision of footway widening works and improvements to the zebra crossing on Barnsley Road with associated signing and white lining shall be submitted to and approved in writing by the LPA. The scheme shall include construction specifications, white lining, signing, surface finishes together with an independent Safety Audits covering all aspects of the work. Unless otherwise agreed in writing by the LPA, all of the agreed works shall be implemented before any part of the development is first brought into use.

19. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the LPA. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. All construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

20. The steps providing the access to the urban greenspace to the north are hereby not approved. Revised details to be submitted and approved in writing.

This recommendation is based on the following plans and specifications schedule:-

| **Plan Type** | **Reference** | **Version** | **Date Received** |
|---|---|---|---|
| Design & Access Statement | | | |
| Location Plan | | | |
| Site Layout Plan | | | |
| Proposed Plans & Elevations | | | |
| Landscape Masterplan | | | |
| Connectivity Plan | | | |
| Highway Improvement Plan | | | |
| Transport Assessment | | | |
| Travel Plan | | | |
| Flood Risk Assessment | | | |
| Ecology Report | | | |
| Bat Emergence Survey | | | |
| Arboricultural Report | | | |
| Geoenvironmental Appraisal | | | |
| Statement of Community Involvement | | | |