

## **Report Precis**

Report of the Interim Head of Planning to the Planning Regulatory Board

Date: 21/04/2015

### **Subject**

Applications under Town and Country Planning Legislation.

### **Purpose of Report**

This report presents for decision planning, listed building, advertisement, Council development applications and also proposals for works to or felling of trees covered by a Preservation Order and miscellaneous items.

### **Access for the Disabled Implications**

Where there are any such implications they will be referred to within the individual report.

### **Financial Implications**

None

### **Crime and Disorder Implications**

Where there are any such implications they will be referred to within the individual reports.

### **Human Rights Act**

The Council has considered the general implications of the Human Rights Act in this agenda report.

### **Representations**

Where representations are received in respect of an application, a summary of those representations is provided in the application report which reflects the key points that have been expressed regarding the proposal.

Members are reminded that they have access to all documentation relating to the application, including the full text of any representations and any correspondence which has occurred between the Council and the applicant or any agent of the applicant.

### **Recommendation(s)**

That the applications be determined in accordance with the recommendations set out in the main report which is attached. Full report attached for public and press copy (unless Confidential item).

### **Background Papers**

These are contained within the application files listed in the following schedule of planning applications. They are available for inspection at Barnsley Library and Information Services, The Civic Centre, Eldon Street, Barnsley, S70 2JL.

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# PLANNING APPLICATIONS – WITH REPORTS

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## 2014/1452

Hartwood Estates Limited

Erection of employment led mixed use scheme comprising office (B1), general industry (B2), warehouse/distribution (B8), food and drink (A3/A4/A5), hotel (C1) and petrol filling station/fast food restaurant (Sui Generis/A3) and associated infrastructure (Outline) (Amended Plans and Site Area)

Land off Dearne Valley Parkway, Birdwell, Barnsley

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### Site Location and Description

The site is located to the north of the roundabout which serves junction 36 of the M6 Motorway with the A6195 Dearne Valley Parkway dual-carriageway. The A6195 extends along the sites southern boundary, Rockingham Roundabout is also located on the sites frontage, this includes a stub access into adjoining land.

The site occupies prominent location given the proximity to Junction 36. The land is flat and triangular in shape, it covers an area of approximately 3.5ha and is bounded by the Dearne Valley Parkway, Rockingham Business Park and the Highways Agency's depot, these factors give a distinct employment/industrial character to the site.

### Proposed Development

The application has been submitted in outline form including details of access for an employment led mixed use development. This would include approximately 8187m<sup>2</sup> of floorspace which would include the following use categories:

- B1bc
- B2 General industrial
- C1 Hotel
- A3/A4 Restaurant/Public House
- Petrol filling station
- B8 storage and distribution

With the exception of the access details, all matters relating to the layout, design, scale and landscaping would be reserved for subsequent approval. The intention is that this would be delivered on a plot by plot basis. The sites access would be taken from the Rockingham Roundabout via the adjoining land owned by Harworth Estates. This site has recently had an outline and subsequent Reserved Matters application approved for a mixed use employment development, this included an access road to the south western boundary that would serve the applicant site.

The illustrative Proposed Site Plan demonstrates how the plots, landscaping and associated infrastructure may be developed in full. This drawing serves to demonstrate how a development in conformity to the outline application and the parameters set out below may be configured, it however not definitive and could be subject to future alteration as per the requirements of future Reserved Matters applications.

The application defines the following range of parameters to allow proper assessment and control of the proposed scheme. The maximum defined floor space for the site as a whole would be 8187m<sup>2</sup>, this could be split across the uses defined below, the individual floorspace for these uses would however, be capped to a maximum as follows:

### **Non-Traditional Employment (2,400m<sup>2</sup>)**

- Hotel 1,300m<sup>2</sup>
- A3 (Restaurant)/A4 (Pub) 600m<sup>2</sup>
- Petrol Filling Station/A5 (Hot Food Takeaway) 500m<sup>2</sup>

### **Employment (5,787m<sup>2</sup>)**

- B2 (General Industrial) 500m<sup>2</sup>
- B1b (Research & Development) B1c (Light Industrial)/ B2 (General Industrial)1,000m<sup>2</sup>
- B1b (Research & Development) B1c (Light Industrial) 250m<sup>2</sup> x2 750m<sup>2</sup> x 2
- B8 (Storage & Distribution) 1 x 927m<sup>2</sup> 1 x 1,360m<sup>2</sup>

### **Policy Context**

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy, saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a Consultation Draft Local Plan which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

### Core Strategy

CSP 1 Climate Change  
CSP 2 Sustainable Construction  
CSP 3 Sustainable Drainage Systems  
CSP5 Including Renewable Energy in Developments.  
CSP8 Location of Growth  
CSP 19 Protecting Existing Employment Land  
CSP25 New Development and Sustainable Travel  
CSP 26 New Development and Highway Improvement  
CSP27 Parking Strategy  
CSP29 Design  
CSP31 Town Centres  
CSP39 Contaminated and Unstable Land  
CSP 40 Pollution Control and Protection

### Supplementary Planning Documents (SPD)

Residential Amenity and the Siting of Buildings  
Parking.

### Saved UDP Policies

HN3 (Employment Sites) HN3/2 Rocking ham Employment Site identifies sites to be developed/retained for employment uses.

ED7 (Existing Employment Areas) states employment policy areas identified on the proposals map will remain in employment use. Development will normally be permitted for business, industry and storage and distribution. Class A1 (Shops) and Class A2 (Financial and professional services) will not be permitted.

S3 (Retail Development Outside Defined Shopping Centres) directs retail development towards the defined centres followed by edge of centre then out of centre sites that are suitable, viable and available.

#### Emerging Local Plan: Employment Land

Policy E3 Employment Site Policies: Planning permission will be expected to be granted if details are provided in accordance with site specific policies:

HOY2 Rockingham the development will be expected to:

- Account for the reduction in developable area to accommodate the planned roundabout improvements
- Consider the impact on residential amenity and include appropriate mitigations where necessary.
- Consider the potential impact on the nearby Shortwood and Hay Green LWS
- Retain the hedgerow along the north edge

#### NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

General principles para's 17

Building a strong economy para's 18-22

Design para's 58 – 65

#### **Consultations**

Barnsley Development Agency: Offer support to the scheme.

Biodiversity Officer: Issues were raised with the Ecological report. Further information will need to accompany the Reserved Matters' applications detailing relevant biodiversity enhancement & Mitigation measures.

Coal Authority: Concur with the recommendations of the Phase 1 Environmental Desk Study and Mining Report; coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. Recommend that a Planning Condition is applied requiring these site investigation works prior to commencement of development.

Contaminated Land Officer: Supports the recommendations of the site investigation reports, no objections subject to conditions.

Design: The scheme was presented to the design panel and embraces points which were raised.

Drainage: No objection subject to conditions.

Environment Agency: No objection subject to the recommended conditions relating to the submission of drainage details.

Forestry Officer: No objections, very few trees within the site, those which are located towards boundaries whose long term retention should not be compromised.

Highway Agency: No objections

Highways: Following detailed modelling of the local highway network and identified mitigation measures, it is not considered that the development would have a severe impact upon the local highway network. No objections are raised subject to the recommended conditions.

Public Rights Of Way: No objections

SYAS: Consider the archaeological potential to be negligible and confirm that no archaeological investigation is required

SYMAS: No objections, confirm that the site is suitable for development.

SYP ALO: No objections

SYPTE: No objections

Tankersley Parish Council: Welcome the prospect of further employment in the area.

Yorkshire Water: No objections, public sewers cross the site but the indicative layout would observe their location.

Ward Councillors: No objections.

## **Representations**

The application was originally advertised by way of a site notice and properties which share a boundary to the site have been consulted in writing. Neighbouring properties have also been subsequently consulted on amendments to the parameter plan and overall employment mix.

In total 3 letters of representation and a petition of 162 signatures in support of the application have been received.

The reasons for objection can be summarised as follows:

- Noise: The development is too close to residential properties, the noise report is flawed and garden areas will be unnecessarily disturbed from noise. The mix of uses will be heard over 7 days of the week so residents will no longer get a lull on an evening or on a weekend. At the very least, residents of Birdwell should be given triple glazing.
- Highways: Residents in Birdwell are already blighted by traffic and there will be a further increase in traffic travelling along Sheffield Road. In light of this and that the local school and after school club are situated nearby, the proposal will be detrimental road safety.
- Need: There are already numerous petrol stations, hotels and public houses within the vicinity, there is no further demand given existing market competition between the sites.
- Health: Fast Food outlets are still proposed which is extremely worrying when there is huge concern over obesity.

## Assessment

### Principle of Development

Members will recall that outline planning consent has been granted for a mixed use employment led development on land that adjoins the site (Harworth), this has also been followed up by a Reserved Matters application for 3 of the employment units. This is a similar proposal, albeit on a smaller (approximately half) of the scale to that of the adjacent site, the report covers many similar themes so it is only appropriate that comparisons between the two can be made.

The proposals comprise of an outline application including details of access for a mixed use development comprising of Use Classes B1bc, B8, A3/A4/ PH/Restaurant, Hotel and Petrol Station/A5, supported by an overall Masterplan, this mix has been amended from the initial submission and the application appropriately re-consulted upon. It is envisaged that the proposal will provide £8.1 Million of investment in this area of Barnsley and is expected to deliver in the region of 314 jobs. This is considered to be highly significant given the national, sub regional and local emphasis on job creation.

The site has a longstanding established employment allocation, along with adjoining land it was allocated as a new employment proposal at the adoption of the UDP in 2000. Historically the site formed part of Rockingham Colliery, since the demise of the coal mining industry the site was restored and setup/primed for employment development. Despite the favourable location, immediately adjacent to the Dearne Valley Parkway and proximity to junction 36 of the M1 motorway, to date neither the site, nor adjoining land has yielded any employment/economic use.

The Council recognises that there is at present a shortage in the supply/allocation of employment land within the Borough. This will be addressed within the emerging Local Plan which aims to allocate approximately 300ha of land for employment purposes to meet future employment demands. The Local Plan intends to extend the existing allocation at Rockingham to form a much larger strategic employment allocation that would extend along the corridor of the Dearne Valley Parkway. The applicant site, along with the adjoining Harworth site (which has seen the fruition of recent Reserved Matters application) have the potential to form a potential 'gateway' to what is hoped will be a prosperous economic corridor. Whilst the Consultation Draft Local Plan is at an early stage in its preparation and is therefore afforded limited weight, the position in relation to shortage of employment land is undisputed. The proposed employment uses (B1, B2 & B8), which account for approximately 70% of the floorspace, therefore reflect the land use allocation.

Whilst the remaining 30% of the floorspace would not fall within the categories permitted by CSP19, it doesn't include A1 (Retail), D2 (Leisure) and B1 (Office), which could have necessitated a referral to the Secretary of State. In addition, the element of non-traditional employment (Town Centre) uses does not exceed 2,500m<sup>2</sup> and as such an impact assessment would not be required. Nevertheless, CSP31 and the NPPF require the non-traditional employment uses proposed to be located within defined centres (or any defined primary shopping area for retail proposals) and if no suitable and available sites can be demonstrated in such locations it is then necessary to consider edge of centre sites with preference given to sites that are well connected to the adjacent centre.

As with the adjacent Harworth proposal, the applicant asserts that the catchment for the town centre uses would be generated from users of the proposed development (and those of future allocations within the vicinity), passers-by, and local people. The catchment is therefore primarily aimed at uses long the Dearne Valley Parkway, with the uses being complimentary to the established traditional employment. The scale of the development is such that it would not form a destination from further afield, as such the applicant suggest that the catchment from passers-by would be undeterminable and the catchment from local people would realistically, be those within walking distance of the site who would primarily use the pub/restaurant element that the site aims to offer.

The catchment area for the sequential test was given as a 10 minute drive time from the site. This identified sites within Hoyland Common (the closest), Hoyland, Stocksbridge, YEB Depot on Harborough Hill Road and a site off Heelis Street. All were subsequently discounted on grounds of either suitability, lack of availability or that the site would require major disaggregation which would not comply with planning guidance. Following a detailed assessment, these conclusions are not challenged and the sequential test if passed.

Although limited weight can be attributed to the Consultation Draft Local Plan, it is apparent that this seeks to create a strategic business park around Junction 36 of the M1. Most business parks have an element of ancillary uses such as those proposed in this application and these tend to be prominently located. Increasingly, they come forward in the early stages of a development to act as a catalyst and also to assist in respect of cashflow, improving overall development viability. Although there is no adopted policy advocating the inclusion of a proportion of higher value uses, as acknowledged with the adjacent Harworth development, officers are of the view that these should be focused around Birdwell and Rockingham Roundabouts and split evenly between the various landowners (Harworth's approved scheme, this proposal and the site currently owned by the HCA at a maximum 30% higher value uses) to assist the viability of each particular proposal that is submitted. Given that the proposal reflects this mix of traditional and high value uses and would create approx. 314 jobs, it is considered an appropriate employment-led mixed use development, which complies with policy CSP19.

### Highways

This proposal is located directly near to Birdwell roundabout /Junction 36 of the M1 Motorway, which the Highway Authority note is at or close to capacity. Core Strategy policy CSP26 is clear that mitigation will be required if it can be demonstrated this proposal would create or add to highway safety problems or the efficiency of the highway. Paragraph 32 of the NPPF is also clear that where there are significant impacts from development, improvements can be undertaken within the transport network. It also states that 'where the residual cumulative impacts of development are severe' permission can be refused.

Given the sensitivity concerning congestion, junctions around the site have been modelled to assess the impact of the development, and any necessary mitigation measures that might be required. The Transport Assessment submitted models traffic capacity, queues and delays at roundabouts. This showed that both the Rockingham and Shortwood Roundabouts operate within capacity in the opening year and the future design year of the development. However, as expected, it also demonstrated Birdwell Roundabout is at present operating over capacity, and this would in turn be worsened by the development.

National guidance states that it is not the responsibility of a development to mitigate the impact of background traffic, and the developer must seek to achieve 'nil detriment'. Mitigation was proposed on the Harworth application which included minor widening on the western A61 approach of the Birdwell Roundabout complemented by additional signing/lining. This would help to avoid late lane changing which would in turn reduce congestion by allowing more vehicles to pass through the junction in the AM peak.

Following the modelling work that has been undertaken, a similar mitigation package has been proposed which includes further additional widening of the A61 approach. The development itself would not generate a large number of trips, it will nonetheless have an impact on the network. The mitigation that is proposed would not fully offset the development impact in terms of journey times and queue lengths but the predicted residual impact would be small and accordingly not considered significant. On this note it is stressed that the Highways Agency raised no objections in their consultation.



Fortunately, the need to provide mitigation is potentially academic because funding has since been confirmed for the major improvements works to the A61 Gyratory (the scheme approved at PRB in February). This will ultimately provide significant capacity on the local highway network addressing current issues by improving the free and safe flow of vehicles. Development of the site will clearly be phased therefore the 'worst case scenario' of a fully occupied site is likely to be several years away by which time the A61 improvements are likely to have been completed. Any impact of the development on the highway would therefore be for an interim period only, which could be tolerated subject to a condition requiring the suggested mitigation to be implemented.

The actual access to the site would be derived from a spur road that leads off Rockingham Roundabout via the adjoining Harworth site. The provision of this access was encouraged within a condition applied on the Harworth outline consent and has ultimately resulted in agreement being reached between the two parties. It will be provided within a timely manner to allow the development of the applicant's site to proceed and help secure comprehensive development. The Carriageway will be constructed to adoptable standards and this is currently being considered under a discharge of conditions application.

In summary, whilst the proposed development would inevitably have some impact on the nearby highway network, the mitigation measures identified ensure an interim improvement until the completion of the A61 gyratory. With this in mind it is considered that the development provides a safe, secure and convenient access for all road users in accordance with Core Strategy policy CSP 26. On this basis, the residual cumulative impacts of development would not be considered severe and in this respect the proposal would also reflect national policy contained in the NPPF.

### Design/Visual Amenity

The current application seeks only to establish the principle of mixed use development. Details of design, scale, layout and landscaping would need to be submitted under a subsequent Reserved Matters application, should planning permission be approved.

The proposals have endorsed the concept of a master-planned approach, although this is for indicative purposes only. The final layout, scale, design and landscaping would be determined through the reserved matters submission(s). What it does illustrate is that the site has the potential to support development of the scale proposed and that this could be achieved in a way that provides a good balance between development and landscaping. It would be hoped to secure the smaller employment uses along the sites frontage with the larger employment buildings located along to the rear. Taken with a comprehensive landscaping scheme this would achieve an attractive frontage which actively engages with the Dearne Valley Parkway. It would also help to enforce a desired 'gateway' feature to what will hopefully be come a strategic employment corridor.

The northern boundary alongside the site entrance would comprise of a robust landscape buffer, this would extend from details approved on the adjacent Harworth development, the purpose of which is to provide an effective source of screening between the site and adjacent residential properties. The design would consist of an earth bund which supports tree planting and an acoustic fence above. This area of landscaping along with that across the site would be subject to a maintenance agreement that would be addressed as part of the Reserved Matters.

As previously noted, it is a level site which is defined by strong boundaries, these being in the main, the Dearne Valley Parkway, Highway Depot and units within Rockingham Business Park. These features contribute as mitigating factors which would help to reduce the visual impact of the development, as units within the development would be sited against the backdrop of existing employment development. The units would therefore not be seen in isolation, but as an addition to an established/expanding employment allocation which would help to grow overall confidence.

In terms of existing features, there are few constraints which could affect a comprehensive development such as that proposed. The site has been primed for development for a significant time with the development platform and connections with relevant infrastructure being in place. There is little vegetation of any significant merit and trees which do exist tend to be located towards the sites boundaries, whereby the future retention should not be compromised.

In summary, the application is not considered to raise any significant design issues at the outline stage. It is considered that a high-quality development can be achieved at the site which incorporates sustainable techniques and complies with CSP29 'Design' and relevant criteria of SPD.

### Residential Amenity

The site is relatively isolated from residential properties. Those which are closest (Wood View & Locksley Gardens) are separated respectively by the Highways Depot and units within Rockingham Business Park.

Concerns have been expressed within the representations about further encroachment of employment uses towards existing residential properties and the impact of noise and traffic which can be associated with this. It should be noted that the site has a long-term allocation for employment use, and that there are already established employment uses within the locality at Rockingham Business Park.

With regard to the representations, it will only be possible to determine the exact relationship between buildings and residential properties when details are submitted as part of Reserved Matters. The only properties to share a boundary to the site are those located along Locksley Gardens (4no.), the rear elevation of which would be approximately 40m from the boundary of the access road and this would in turn be separated by the landscape bund and acoustic fencing.

There is likely to be noise generated from the employment uses but the landscape bund, and acoustic fencing will in the main help to mitigate this. The separation incurred by the existing units within Rockingham Business Park and the Highway depot would also provide a means of effective screening, and in reality it would be difficult to distinguish between activities taking place within the site from those that are already taking place. Further analysis of noise, light and air consideration would also be undertaken as part of the detail of Reserved Matters.

Overall, given the established employment uses within the area, the identified mitigation (the Bund and acoustic fence) would be sufficient to ensure that the interests of resident's amenity can be sufficiently protected.

### Ground Conditions / Mining Legacy

The site falls within the Coal Authority's defined Development High Risk Area. As such, there are coal mining features and hazards which need to be considered. The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the Phase 1 Environmental Desk Study and Mining report. This proposes a series of boreholes be advanced to confirm conditions to identify any necessary remedial measures required prior to the commencement of any development. This approach has been endorsed by both the Coal Authority and SYMAS and would be addressed through a planning condition.

### Sustainability

Core Strategy Policy CS2 requires non-residential development to meet BREEAM rating Very Good. Policy CSP 5 of the Core Strategy states that all new development of 1,000sqm of non-residential floor space will be expected to incorporate decentralised, renewable or low carbon

energy sources and other appropriate design measures sufficient to reduce the development's carbon dioxide emissions by at least 15%.

A Sustainability Framework has been prepared for the site. It is anticipated that each phase/plot will provide detailed information on how the requirements of Policies CS2 and CS5 would be met as part of future reserved matters submissions, this will ultimately be secured through appropriate conditions.

### Drainage & Flood Risk

The Environment Agency Flood Map has identified that the site is within Flood Zone 1, which is suitable for all types of development as the risk of flooding from rivers and other sources is low. Nevertheless, development that increases the amount of impermeable surfaces can result in an increase in surface water run-off, which in turn can result in increased flood risk both on site and elsewhere within the catchment.

The sites underlying geology (Mudstone, Siltstone and Sandstone) would result in poor infiltration rates within the site. The presence of coal workings could also result in ground instability and potential contamination to aquifers. In light of this it is proposed that run-off associated from buildings roofs, associated hardstanding and service roads be routed to cellular storage that allows controlled release. There are watercourses located to the north east of the site which could provide a potential outfall for stored water subject agreement. This strategy would accommodate the 1 in 100 year flood events to ensure that greenfield run off rates are maintained or reduced in accordance with policy CSP4. The Reserved Matters would also have to demonstrate that adequate storage capacity can be achieved within the site to allow connection to any outfall. This will be Mandatory requirement through the SUDS regulations.

With regard to foul drainage Yorkshire water confirm that there are sewers within the site, a connection to which should therefore be readily available.

Subject to the recommendations of the FRA being secured by a condition, the proposed development can satisfy the requirements of National Planning Policy Framework as well as Core Strategy polices CSP1, CSP3 and CSP4.

### Air Quality

The site borders an AQMA, this reflects issues relating to traffic on the local highway network. The significance of the development in terms of contribution to air quality issues is considered to be slight to negligible. Nonetheless Regulatory Services advise that they would like to apply best practice measures to ensure that the development can make a positive contribution to improving Air Quality within the borough. This can be informed by a series of measures including a Travel Plan, electric charging points and landscaping measures. As such, a planning condition is recommended requiring that further air quality mitigation measures are expected.

### Trees

The trees in the main are situated along the boundaries, and adjacent to the power lines where the access would be taken. This includes more substantial/prominent specimens located towards the southern boundary with the Highways Depot which are also visible from the highway.

An arboricultural impact assessment will be required at the reserved matters stage to clearly demonstrate tree retention and removal and to deal with any potential issues which may arise along with standard tree protection measures where appropriate. Landscaping would also secure mitigation and future enhancement. This meets the recommendations of the biodiversity and tree officers.

## Biodiversity

The application is supported by a preliminary ecological assessment. The site comprises in the main of naturally vegetated reclaimed hardstanding or semi improved grassland with some trees and hedgerows to the southern boundary, the site is not subject to any designations and the nearest Local Wildlife Site is a sufficient distance away and severed by highway to be at risk.

The access (which is subject to the detailed application) would take a central alignment through the site which would result in a minimum disturbance. Further ecological assessments would be required as part of each of the Reserved Matters applications, where mitigation measures can be tailored as appropriate. However, there are no reasons why trees and hedgerows cannot be retained, and where appropriate bolstered as part of details submitted at Reserved Matters.

More generally, the provision of landscaping, green buffer zones would all provide potential areas of habitat providing a degree of biodiversity enhancement. A range of further mitigation measures can be considered with detailed matters in accordance with policy CSP36.

## Conclusion

The proposal is considered to comply with local and national planning policy in that it would support economic development on an allocated employment site. The proposals would bring into economic use to an underutilised site the investment in which would result in much needed job creation boosting the local economy.

The application has adequately demonstrated that the site is of an appropriate size to accommodate the scale of employment development proposed. Its location directly on to the Dearne Valley Parkway and M1 Motorway means that it is ideally located in relation to the strategic highway network. The identified package of mitigation measures means that the site will be acceptable from a highways, amenity, drainage, and ecological perspective.

There are therefore no significant or demonstrable adverse impacts associated with the development and the application has successfully demonstrated that an adequate access can be achieved without compromising highway safety.

The proposal therefore complies with relevant development plan policies as well as those contained within the NPPF and is considered acceptable when taking into account other material planning considerations.

## **Recommendation**

**Grant** subject to:-

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
**Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.**

- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
- (a) the layout of the proposed development.
  - (b) scale of building(s)
  - (c) the design and external appearance of the proposed development.
  - (d) landscaping
- Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.**
- 3 The access arrangements hereby approved shall be carried out substantially in accordance with the details shown on the plans:  
as approved unless required by any other conditions in this permission.
- Reason: To ensure a safe and adequate access can be achieved to the highway network, in accordance with Core Strategy Policy CSP 26.**
- 4 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all buildings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.
- Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Core Strategy Policy CSP 29, Design.**
- 5 The development hereby approved shall not exceed a maximum of 8187sqm of floorspace, of which a maximum 600sqm (7.3%) may be food & drink (A3/A4) uses, 1,300sqm (15.8%) hotel (C1) and 500sqm (6.1%) petrol station (sui generis) uses, the details of which shall be submitted as part of the application for approval of reserved matters.
- Reason: To ensure the development conforms with the approved outline planning Permission and stays with the maximum assessed level of development.**
- 6 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 Core Strategy Policy CSP 40, Pollution Control and Protection.**

7 No phase of development shall take place, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period for that phase. The Statement shall provide for:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Phasing of the development
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

The works shall be completed in accordance with the approved details and a timetable shall be submitted and approved in writing by the Local Planning Authority.

**Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.**

8 Within 6 months of the occupation of any unit a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Once approved the Travel Plan shall be fully implemented.

**Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.**

9 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. 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: In the interests of highway safety in accordance with Core Strategy Policy CSP26.**

10 Notwithstanding the details submitted within the ecological assessment detailed plans shall be submitted with the Reserved Matters application indicating biodiversity mitigation and enhancement measures. Thereafter the development shall proceed in accordance with the approved details.

**Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**

11 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 Core Strategy Policy CSP 40, Pollution Control and Protection.**

- 12 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 activity 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 Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**
- 13 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-  
1. A survey of the extent, scale and nature of contamination.  
2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.  
3. An appraisal of remedial options, and proposal of the preferred option(s).  
4. A remediation statement summarising the works to be undertaken (if required).  
The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The development shall thereafter be undertaken in full accordance with the submitted report.  
**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.**
- 14 Details shall accompany the reserved matters submission indicating of proposals to mitigate the air quality impact of the development. The mitigation shall take account of the requirements of the Barnsley MBC Air Quality and Emissions Good Practice Guidance. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: In the interests of minimising the impact of the proposal on air quality in accordance with Core Strategy policy CSP 40.**
- 15 Details shall accompany the reserved matters of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures 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 and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.  
**Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.**

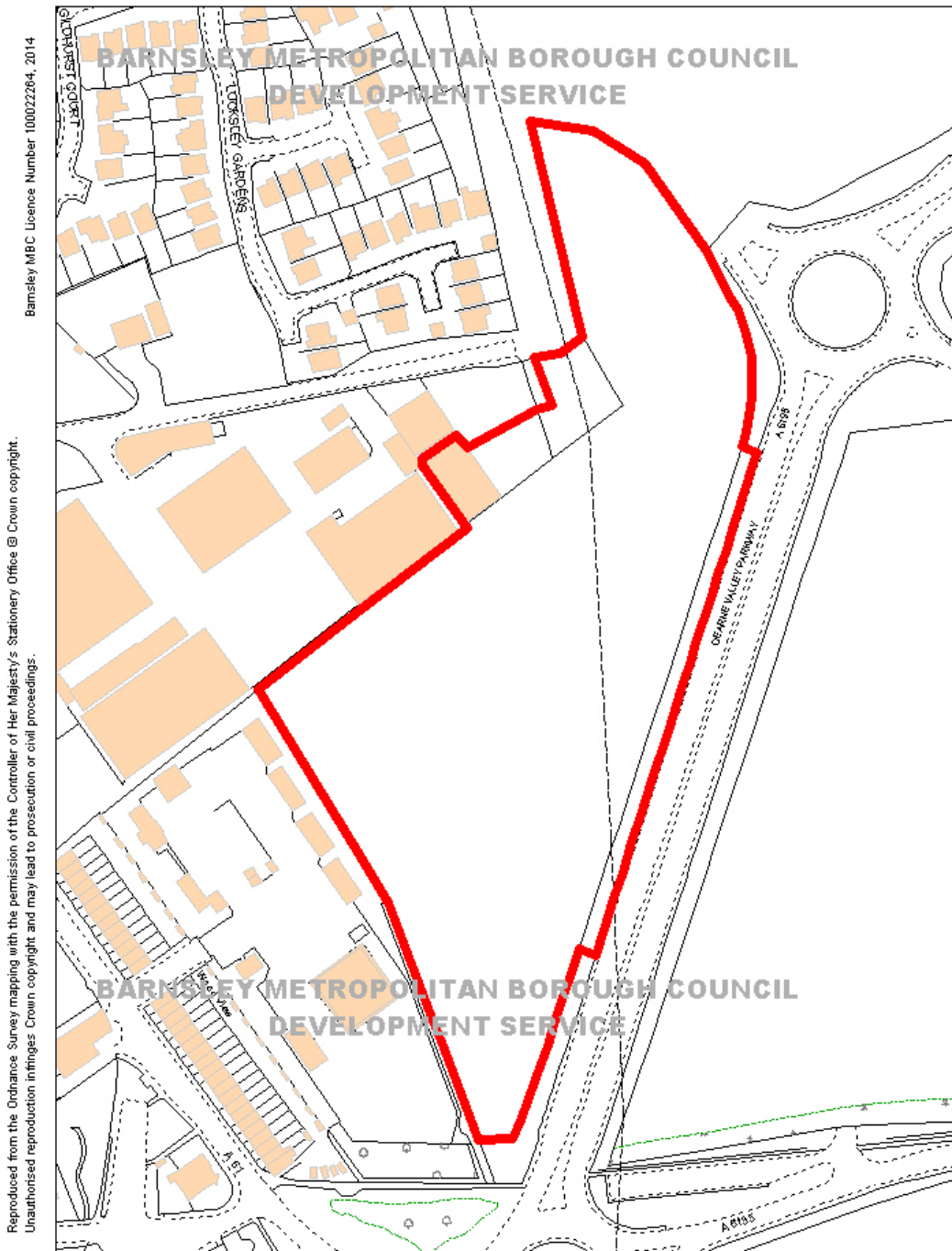
- 16 All buildings within the proposed development shall achieve BREEAM standard of 'very good' or equivalent. Upon completion of the development, an energy performance certificate shall be provided to the Local Planning Authority demonstrating that the required standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.  
**Reason: In the interest of sustainable development, in accordance with Core Strategy Policy CSP2.**
- 17 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:
- Tree protective barrier details
  - Tree protection plan
  - Arboricultural impact assessment
  - Arboricultural method statement
- Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.**
- 18 No hedges or trees on the site or their branches or roots, shall be lopped, topped, felled, or severed without the written consent of the Local Planning Authority. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.  
**Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality.**
- 19 No piped discharge of surface water from the application site shall take place prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to completion of the approved foul drainage works.  
**Reason: To ensure that the site is properly drained and surface water is not discharged to any off site drainage system, which will prevent overloading, in accordance with Core Strategy policy CSP4.**
- 20 Surface water draining from areas of hard standing shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s).  
**Reason: To reduce the risk of pollution to the water environment.**
- 21 All downpipes carrying rain water from areas of roof shall be sealed at ground-level prior to the occupation of the development. The sealed construction shall thereafter be retained throughout the lifetime of the development.  
**Reason: To prevent the contamination of clean surface water run-off.**
- 22 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.  
**Reason: To ensure a safe and adequate highway network, in accordance with Core Strategy Policy CSP 26 also in the interests of Core Strategy Policy CSP19 Protecting Existing Employment Land, to ensure that non-traditional employment uses retain an ancillary role.**



- 23 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:
- Amendments to lining to increase the lane width on the Sheffield Road entry to Birdwell Roundabout;
- The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.
- Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**
- 24 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 Core Strategy Policy CSP 26, New Development and Highway Improvement.**

PA reference :-

2014/1452



**BARNSELY MBC - Development Service**

Service Director: David Shepherd  
Westgate Plaza One, Westgate,  
Barnsley S70 9FD  
Tel: 01226 772621



Scale 1:2500

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**2015/0253**

Barnsley MBC

Erection of a Primary School and Nursery and associated parking, landscaping and play areas (Reserved Matters)

Land at Central Street, Goldthorpe, Rotherham, S63 9JS

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Representations in support from a local resident and Councillor Worton. No objections have been received from any other local residents or from any Councillors.

### **Site Description**

The site is a 1.6ha vacant area of derelict land in Goldthorpe that is located to the north of Doncaster Road and includes land on Main Street, Central Street, West Street and East Street that has been the subject of a demolition programme as part of the Goldthorpe masterplan initiative.

The site is in a predominately residential area with existing housing located to the east, west and south. Also to the south are a number of properties in commercial use on Doncaster Road. Allotments and a public footpath are located to the north.

The site is predominately open and there are no significant level changes across the site. However it does still include the network of roads, footpaths, street light columns, telegraph poles and some shrubbery dating from when the site was previously occupied by houses and shops.

### **Proposed Development**

The proposal is to construct a new primary school and nursery with associated car parking, landscaping and play areas on the site. This application is for approval of details of the layout, scale, appearance and landscaping which were reserved from the outline planning permission (ref 2013/1214).

The plan is to construct an 'L' shaped part two storey/part single storey building in a central within the site which is consistent with the indicative plan submitted at the outline planning application stage. The building would measure a maximum of 71.5m x 52m with the single storey part of the building measuring up to 6m in height and the two storey part 9.5m in height to the ridge. In total the gross internal building floor area would measure 2028smq. The building would have a light grey material with colour provided in the form bright coloured laminate panels. The building would have a pitched roof which would be clad with dark grey metal cladding.

Access would be via East Street/Doncaster Road and a car park would be provided within the site for 36 vehicles. This application also seeks to introduce an egress on East Street to allow vehicles enter the leave the site in an in/out loop arrangement.

The remaining areas of the site would be laid out as hard and soft playing areas and other soft landscaping. In addition new fencing would be erected around the perimeter of the site. This would be 2.4m high around the majority of the site raising to a 3m acoustic fence in the north west corner of the site.

The school would provide capacity for up to 310 places initially with ability to expand to 420 at a later date. It would also be a nursery having 26 full time equivalent nursery places.

## History

2010/1478 – Demolition of Central Street Nos 1-7 odds, Central Street 2-8 evens, East Street 1-9 odds, Doncaster Road Nos 71-113 odds and Main Street 29-103 odd and 36-106 even. Decision: Prior approval not required.

2013/1214 - Erection of primary school and nursery and associated parking, landscaping and play areas (outline). Decision: Outline planning permission with conditions was granted 20<sup>th</sup> February 2014.

## Policy Context

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and the saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a Consultation Draft Local Plan 2014 which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

### Local Development Framework Core Strategy

CSP2 'Sustainable Construction'  
CSP3 'SUDS'  
CSP4 'Flood Risk'  
CSP5 'Including Renewable Energy in Developments'  
CSP8 'The Location of Growth'  
CSP17 'Housing Regeneration Areas'  
CSP25 'New Development and Sustainable Travel'  
CSP26 'New Development and Highway Improvement'  
CSP29 'Design'  
CSP30 'The Historic Environment'  
CSP31 'Town Centres'  
CSP33 'Green Infrastructure'  
CSP36 'Biodiversity and Geodiversity'  
CSP39 'Contaminated and Unstable Land'  
CSP40 'Pollution Control and Protection'  
CSP43 'Educational Facilities and Community Uses'

### SPD

Residential Amenity and the Siting of Buildings - Any building at single or two storey height should be a minimum 25m from the windows of any habitable rooms in any nearby dwelling.

Parking - 1 space per 3 teaching staff and 1 space per 3 non-teaching staff.

### Saved UDP Policies

UDP notation: Housing Policy Area/Principle Shopping Area

H8A/DE2 – Existing Residential Areas

DE17 - Principal Shopping Area

## Local Plan Consultation Draft 2014

Proposed allocation: Urban Fabric/Green Way

### NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

### **Consultations**

Drainage – No objections subject to conditions

Highways – No objections subject to conditions

Regulatory Services – No objections subject to conditions

Yorkshire Water – No objections subject to conditions.

### **Representations**

The application was advertised by neighbour notification, site and press notices.

1 letter of support has been received from a local resident. The letter states that the proposed development is an excellent proposal to regenerate a site which has been in a state of dereliction for many years. It is also stated that education use is a positive use that would be of benefit to the children in the area and that the proposed nursery would also be good for the area. Furthermore it is stated that the proposed outdoor play areas would be of great benefit to children in the area due to a lack of facilities locally.

Councillor Worton has also expressed strong support for the proposed development.

### **Assessment**

#### Principle of Development

The proposed development was approved in principle when the decision was taken by the Council to grant outline planning permission 20<sup>th</sup> February 2014. An application for the approval of the reserved matters only relates to the detail of the proposed development and accordingly there are no issues to consider in land use planning policy terms.

#### Visual Amenity/Impact on the Setting of a Listed Building (Grade II listed St John Evangelist and St Mary Magdalene Church)

This application seeks approval over the details of the scale, appearance and landscaping for the development.

Dealing with scale first of all, the proposal to limit the storey height of the building to part single storey and part two storey would mean that the building would not over dominate its surroundings

which mainly consists of terraced two storey shops and houses. The height would also be kept below the height of the bell tower on St John Evangelist and St Mary Magdalene Church which would also ensure that the development would not over dominate a grade II listed building.

In terms of appearance, the design and access statement explains that the plans have been designed to maximise the capital sum that is available to fund the construction of the school. The Urban Design Officer has been involved in the discussions and the final plans are a reflection of the changes he has requested with regard to the shape of the building and the colour scheme.

From a landscaping perspective, the plans indicate that new trees and shrubs would be planted around the boundaries of the site. This is acceptable in principle however a condition would be required to agree the specifications, as would be the case for the areas of hard landscaping within the site. Other than these details I content that the application is not in conflict with CSP29 'Design' and CSP30 'The Historic Environment'.

### Residential Amenity

The location of the proposed school building in relation to existing houses adjacent to the site is such that it complies with the Residential Amenity and the Siting of Buildings SPD. Accordingly, it would not give rise to any significant effects with regards to overshadowing and overlooking. In addition, the plans indicate that trees and shrubs would be planted around the site which would soften the impact of the development.

The school would increase the level of activity in the area and this would cause a level of disruption during school drop off and pick up times. However, the outline application was supported by a noise assessment and this identified where it would be necessary to erect acoustic fencing and this has been reflected in the submitted details. The proposals are therefore also judged acceptable with regards to CSP40 'Pollution Control and Protection'.

In addition to the above, the outline planning permission already contains a conditions to limit hours of working and requiring a method statement to limit the effects of the development during the construction phase.

In summary the application is considered acceptable with regards to residential amenity considerations subject to the conditions recommended.

### Highway Safety

The implications of the development on the local highway network were considered by a Transport Assessment that accompanied the outline planning application. As a reminder this concluded that the developed could be absorbed by the local highway network, which is not currently affected by any significant levels of congestion at present even at the busiest times of the day.

The location of the inbound access via East Street was also approved as part of the outline planning permission. The outline planning permission also imposed a condition requiring off site highway works including build outs the East Street/Doncaster Road junction, the widening of East Street to provide 6.5m carriageway and measures to control parking/loading on highways in the immediate of the site. Essentially, therefore, the scope of the current application is to consider the internal layout for the site. In this regard, the plans seek to introduce an egress to allow vehicles enter the leave the site in an in/out loop arrangement. In addition the plans make provision for an emergency vehicle access, a mini bus parking bay and a refuse store. Both would be served from East Street.

highways are content that the proposed development would be acceptable in highway safety terms, although the final details of the off-site works are still something that would need to be

resolved when the application is made to discharge condition 8 of the outline planning permission. In terms of parking, the plans include a 36 space car park and number is easily large enough to ensure that the standards in the SPD are satisfied with excess capacity already built in for if the school expands in the future.

Overall, the development is considered to have an acceptable impact on the highway network taking into account CSP26 'New Development and Highway Improvement'.

### Others

Yorkshire Water had initially raised concerns that public sewers and a water main may be affected by the proposed layout. However a CCTV survey has confirmed that the network within the site is redundant following the demolition of the houses that previously occupied the site. Therefore Yorkshire Water have resolved not to object subject to a condition requiring the measures to diver or otherwise formally close the sewers prior to the commencement of development. This is in addition to condition 11 of the outline planning permission which already requires approval over the details of surface water and foul water drainage before the start of building works.

### Conclusion

In summary the proposed development was approved in principle when the decision was taken by the Council to grant outline planning permission 20<sup>th</sup> February 2014. That decision also approved the means of access to the site from East Street subject to a condition requiring off site highway improvement works.

The proposed site layout, the scale of the buildings, design and external appearance and landscaping included within the reserved matters are acceptable having regard to visual and residential amenity considerations, including the effect of the setting of the development on the setting of a grade II listed building and the relationship with existing dwellings having regard to policies including CSP29 'Design', CSP30 'The Historic Environment' and the Residential Amenity and the Siting of Buildings SPD. The plans are also judged acceptable in highway safety terms taking into account CSP26 'New Development and Highway Improvement'.

### **Recommendation**

Grant reserved matters approval subject to conditions:-

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

81397-G2-SI-101 Location Plan Rev A  
81397-G2-SI-102 Topo and Existing Plan Rev A  
81397-G2-SI-103 Proposed Site Plan Rev A  
81397-G2-LY-100 GA Plan Rev D  
81397-G2-LY-101 GA Roof Plan Rev B  
81397-G2-EL-201 Coloured Elevations Rev B  
81397-G2-SE-210 Sections Rev B  
81397-G2-DT-220 3D Views Rev B  
81397 3D View East  
81397 3D View West  
81397 Energy Statement Rev A

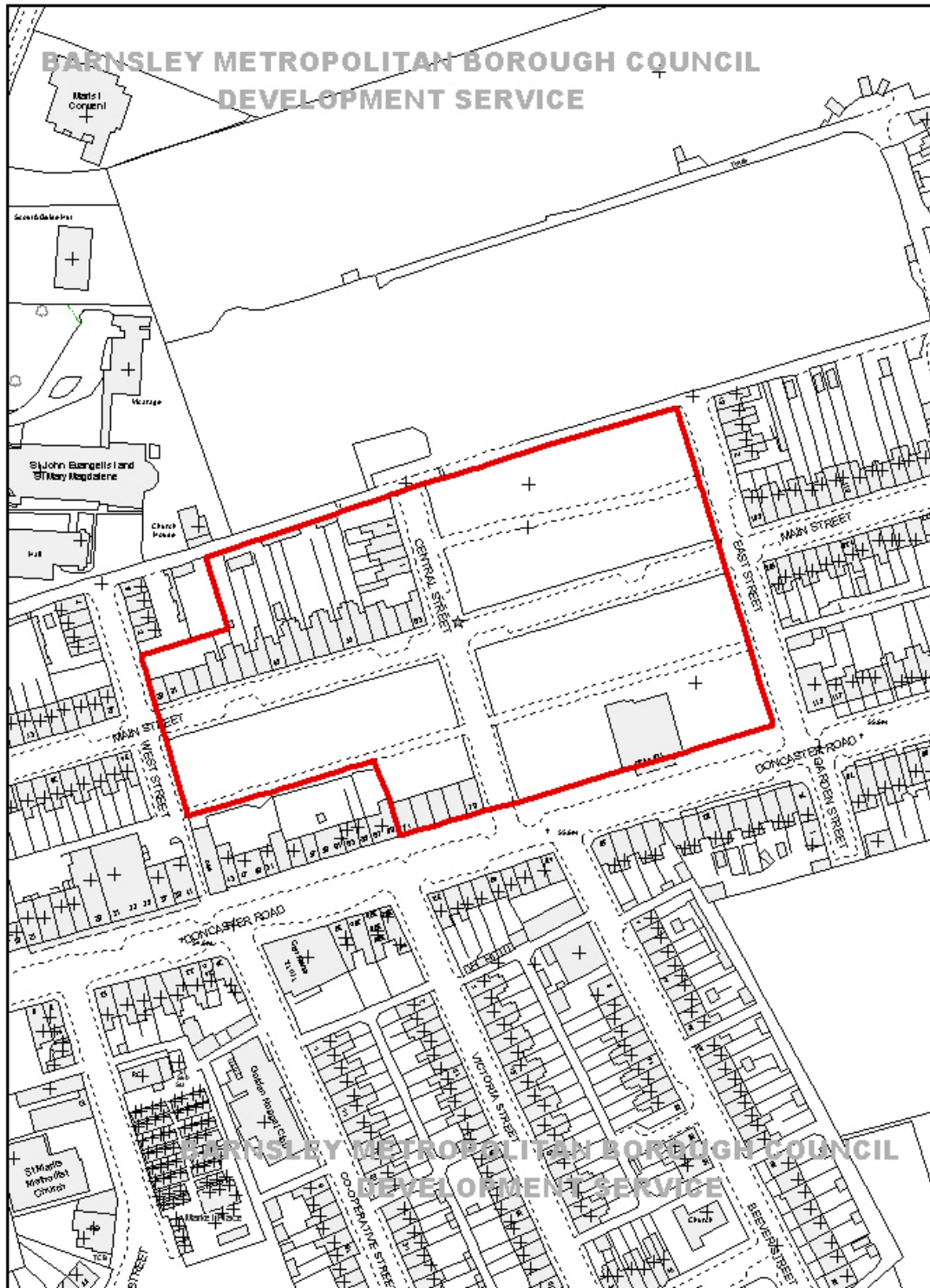
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**

- 2 No development shall take place until full sample details of the proposed external materials have been 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 LDF Core Strategy Policy CSP 29, Design.**
- 3 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: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 4 Vehicular and pedestrian gradients within the site shall not exceed 1:12.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).  
**Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.**
- 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, 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 Core Strategy Policy CSP 29.**
- 7 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 Core Strategy Policy CSP 40.**
- 8 The boundary treatment shall be completed before the development is occupied. Development shall be carried out in accordance with the approved details shown on plan 81397-G2-SI-103 Proposed Site Plan Rev A.  
**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29.**
- 9 Prior to commencement of development details of the proposed stack heights and an assessment of emissions of any proposed biomass installation shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the building and retained as such thereafter.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**



- 10 No construction of buildings or other structures or planting of landscape features shall take place until measures to divert or otherwise formally close the sewers and water main that are laid within the site have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.  
**Reason: In the interest of satisfactory and sustainable drainage and to maintain the public water supply.**
- 11 Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.  
**Reason: In the interest of satisfactory drainage.**

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BARNESLEY MBC - Development Service



Scale 1: -----

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**2015/0362**

Mr Jeremy Sykes

Development of a surface car park for up to 173 vehicles and 20 bicycle spaces, with associated boundary treatments, lighting, CCTV, access and landscaping

Former CEAG Site, Land between Kendray Street and Harborough Hill Road, Barnsley, S70 1DB

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No objections at time of writing

### **Site Location and Description**

The site location is the former CEAG site, Kendray Street, Barnsley. The site is triangular in shape and is approximately 0.75ha in area; it is a cleared levelled site having previously accommodated the CEAG lighting warehouse.

The site is largely flat with a gentle fall from the north to the south. There is also a localised sunken area to the south east next to the boundary to the railway line. The surface is predominantly degrading tarmac, concrete and rubble fill associated from the demolition of the CEAG building.

The site is bounded by Kendray Street to the north (where vehicular and pedestrian access was previously taken from), a railway line to the west and Harborough Hill Road to the east. Jumble Lane level crossing is also to the north of the site along with Barnsley interchange. Vegetation is limited to a number of mature trees located along the boundary with the Harborough Hill Road slip road/ Kendray Street junction.

It is secured by a wall with railings, locked metal gates to the north, an existing stone wall with metal railings to the railway to the west and a concrete retaining wall to the flyover to the south and east. The site is very open and its boundaries afford clear views across its extent.

### **Background**

BMBC commissioned NPS and IBI Group in 2014 to prepare a masterplan of the town centre retail core around the markets. The preparation of this masterplan comprised an extensive period of consultation and workshops with the various town centre stakeholders. It culminated in a masterplan design and investment Prospectus issued in late summer 2014.

The design and development process included a series of assessments in relation to car parking provision including;

- Assessing the ownership, nature, quality and suitability of existing open spaces in the town centre for surface car parking;
- Assessing other open space facilities in the area, and their potential for taking on parking demand created by likely loss of the Metropolitan Centre multi-storey;
- Providing indicative design options for development of the site for surface car park use;
- Exploring options for integrating art work and sustainability measures
- Identifying outline construction costs

The former CEAG site is cut off from the town centre by the railway line and pedestrians are required to use the Jumble Lane level crossing to travel east – west. Jumble Lane crossing is ranked 17th most dangerous in the country and Network Rail approached Barnsley MBC in 2013 to discuss how this might be addressed. Initial discussions between Network Rail and Barnsley MBC have already taken place and there is consensus on the idea of a new pedestrian bridge over the railway line as identified within the masterplan. Negotiations on the delivery of the bridge are now progressing on the basis of connecting the bridge into the proposed car park and enhancing the possibility of safe east west pedestrian travel across the town.

## Site History

Wider schemes incorporating the site:

2006/1082 – Mixed use redevelopment comprising retail, leisure and residential, including new market hall, public amphitheatre/outdoor market, multi-storey carpark with pedestrian link bridge over railway, new pedestrian routes and means of access (outline) – approved

2007/0271 – variation of condition 39 of planning Consent 2006/1082 – relating to pedestrian link bridge – approved.

2007/1573 - Mixed use redevelopment comprising retail, leisure and residential, including new market hall, public amphitheatre/outdoor market, multi-storey carpark with pedestrian link bridge over railway, new pedestrian routes and means of access (reserved matters) – approved

2008/0581 – Landscaping and associated work in connection with associated mixed use redevelopment of markets (reserved Matters) – approved

2010/0293 – variation of condition 39 of planning consent 2006/1082 (2007/0271 extension of time limit) – approved

2011/0714 – Mixed-use redevelopment, comprising demolition of existing buildings on application site and replacement with retail and leisure elements, including new market, multi-storey car park and surface level carpark, new pedestrian routes, public realm, means of access and landscaping – approved

Site specific application;

2009/1400 – Demolition of former CEAG building and formation of pay and display car parking areas - Withdrawn

## Proposed Development

The application has been submitted for full planning permission for the development of a surface car park for up to 173 vehicles, with associated boundary treatments, lighting, CCTV, access and landscaping. It also includes a dramatic new light feature to the fly-over retaining wall.

The proposed car park would be accessed from the existing site access from Kendray Street to the north. Pedestrian access is also proposed on both sides of the vehicular access road. The access barrier is located 5 car lengths from the junction on Kendray Street as required by BMBC Highways department.

The car park will be laid out with parking bays arranged perpendicular to the edge of the site and the remaining space filled with back to back bays. All are served by a 6.2m wide access road. Disabled, Parent and Child, electric and minibus parking is located to the north of the site adjacent to the access points and future bridge connection and so have the shortest travel distances.

Hard landscaped pedestrian routes would be provided east west and north south through the car park to ensure safe passage. A canopy is proposed on the east west route with bench seating.

The parking provision would comprise of 173 motor vehicles and 20 bicycle spaces as follows:

Parking bays (2.75 x 5m) x 152 spaces

Disabled bays x 7 spaces

Parent and child spaces x 6 spaces

Electric car bays (with charging points) x 2 spaces  
Minibus bays x 2 spaces  
Motorcycles x 4 spaces

Secure cycle parking x 20 spaces

The car park would operate as a pay and display for visitors to the town centre, the intention is that this would operate on a 24/7 basis.

The proposal is a permanent, long term solution for visitor parking in the town centre. It is part of the 'Better Barnsley' town centre regeneration project which aims to significantly transform the town centre into a new thriving, dynamic place. The new parking on the former CEAG site is intended as the first phase of new parking provision that will eventually replace the multi-storey car park currently identified for demolition (subject to statutory approvals) in 2016.

Although excluded from this application it is the intention of the council, in partnership with Network Rail, to construct a new pedestrian bridge across the railway line. The proposed layout has been designed to accommodate the provision of such a bridge; this would be subject to a planning application.

### **Policy Context**

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy, saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced a Consultation Draft of the Local Plan, which shows possible allocations up to 2033 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.

### Core Strategy

CSP 1 Climate Change  
CSP 3 Sustainable Drainage Systems  
CSP 26 New Development and Highway Improvement  
CSP 27 Parking Strategy  
CSP 31 Town Centres  
CSP 40 Pollution Control and Protection

### Saved UDP Policies

Policy ED4 'Economic Development and Residential amenity'  
Policy TC38

### SPDs/SPGs & other relevant guidance

SPD Parking

### Emerging Local Plan

Employment land

## EMP1 Uses on Employment Land

### NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

General principles para's 17  
Building a strong economy para's 18-22  
Design para's 58 – 65  
Highway

### **Consultations**

Barnsley Development Agency: No objections  
Civic Trust: No comments at time of writing  
Design: No objections subject to condition relating to materials  
Drainage: No objections subject to condition  
Environment Agency: No objections subject to conditions  
Highways: No objections subject to conditions  
Network Rail: No comments at time of writing  
SYPTe: No comments at time of writing  
SYPALO – Recommend being built to the Safer Parking Award Scheme standards  
Yorkshire Water: No comments at time of writing

### **Representations**

The application has been advertised by way of a site notice and properties which share a boundary to the site have been consulted in writing. Whilst the consultation period had yet to expire, no representations have been received to date. Any comments received between publication of the report and its consideration by members will be reported verbally. Given this, if members are minded to grant, officers would like delegated authority to issue the decision on expiry of the consultation period. The site forms one aspect of the Town Centres forthcoming redevelopment, delegated authority is required to assist to avoid potential delays to the sites delivery given that PRB does not meet again until 2nd June 2015.

In the highly unlikely event that material planning considerations are raised which have not been considered in this report, officers would refer the application back to members for further consideration.

### **Assessment**

#### Principle of Development

The principle of a car park on the former CEAG site has been long established. There have been two approved car park planning applications on this site associated with the redevelopment proposals of the Town Centre, application 2006/1082 proposed a multi storey car park with the

access and egress point remaining in the same location as the existing site access and application 2011/0714 proposed a surface car park for 250 vehicles again using the same access and egress point as this proposal.

The NPPF supports improvements in the quality of parking in town centres so that is convenient, safe and secure, including appropriate provision for motorcycles (NPPF, p. 11). The Core Strategy acknowledges the contribution car parking makes to an integrated transport system (Vision). The Core Strategy Policy CSP8 gives priority for the location of growth to Urban Barnsley – it will be expected to accommodate significantly more growth than any individual Principal Towns to accord with its place in the settlement hierarchy. Policy CSP 27 (Parking Strategy) notes that the number and location of short and long term car parking spaces, taking into account of development proposals in Barnsley Town Centre.

It is important to recognise the contribution that this new car parking provision will make to enabling the transformation of the town centre through a number of development and public realm projects proposed as part of the Masterplan for the town centre ('Better Barnsley'). Policy TC38 also states that the Council will consider proposals for further public car parking provision outside of the pedestrianised zone.

### Design & Layout

The car park will be laid out with parking bays arranged perpendicular to the edge of the site and the remaining space filled with back to back bays. All are served by a 6.2m wide access road. Disabled, Parent and Child, electric and minibus parking is located to the north of the site adjacent to the access points and the future bridge connection and so would have the shortest travel distances.

Hard landscaped pedestrian routes are provided on an east west and north south axis through the car park to ensure safe passage. A canopy is proposed on the east west axis route with bench seating laid underneath. These will contribute to visually breaking up the car park, so that it does not appear as a sea of cars. Wherever possible the existing trees and foliage will be retained, but where trees are lost, new trees will be planted within the soft landscaped parts of the site. A pedestrian footpath from the car park to Kendray Street will be provided at the north west corner on both sides of the access road.

The car park has been carefully designed to avoid looking like a standard surface car park. These include the provision of high quality boundary treatments, a light feature to the flyover retaining wall, the retention of existing trees and the provision of pedestrian connections.

The car park would be hard surfaced, and be of a suitable durability and construction for car parking. Where possible existing boundary treatments have been retained, new boundary treatments will complement existing whilst creating a more contemporary feel. A new concrete wall and railings running along the railway line side of the site will give the site a more defined edge and will clearly demarcate the railway line from the car park, whilst the use of railings will create a more permeable boundary allowing views in and out of the site. The northern boundary will be retained where possible, existing railings and brick work will be 'made good' where required, further concrete walls and railings will be used to tie in to this existing boundary.

Entrance points are to be clearly marked with concrete walls to match the height of existing boundaries. Lettering is to be acid etched into the wall to clearly mark each entrance. The east entrance opens out into a pedestrian space where a timber bench fixed into the wall and natural stone paving creates a space for people to meet.

An important aspect of the proposed design is a canopy structure on the east-west pedestrian route. It would reinforce the important east west connection within the town and would provide cover on the pedestrian route for shoppers, including appropriate bench seating and robust lighting powered by photovoltaics. The canopy would provide a frame for photovoltaic cells to be safely mounted on the roof. These PV cells will provide much of the energy used on the car park - including general lighting, the light feature on the fly over retaining wall and the electric car charging points.

A key component of the proposed car park is the installation of a dynamic light feature on the existing concrete retaining wall beneath the fly-over. The installation of a light feature in this location provides a fitting reference to the sites industrial past, it being the former home to the CEAG lighting company who produced light fittings for the mining industry. The proposed design is intended to have a dramatic effect on this part of the site and greatly enhance the sense of arrival into the town by train. In addition it will provide significantly enhanced lighting levels, securing security benefits.

### Landscape

The landscape proposals clearly set out designated routes for vehicular and pedestrian circulation. Where possible, existing trees have been retained. The planting palette for the scheme has been chosen for seasonal interest, and strong form ensuring there will be colour and texture all year round, with focus on a row of pleached hornbeam to the north which provides the illusion of a floating hedge running along the northern boundary.

### Residential Amenity

The site is located on the edge of the town centre bounded by a major road way to the East and a railway line to the West. The closest residential properties are separated from the site by Harbourough Hill Road and its associated fly over and are circa 60m from the Eastern boundary. The site is also separated from the Town Centre to the West, Bingo Hall to the North and transport interchange to the North East by transport links. As such, given the surrounding land uses, the separation distance and the previous use of the site, residential amenity levels for existing residents and neighbouring uses would be retained to a reasonable degree.

### Highways

The proposed car park is accessed from the existing site access from Kendray Street to the north. Pedestrian access is also provided on both sides of the vehicular access road. The access barrier is located 5 car lengths from the junction on Kendray Street as required by BMBC Highways department. There will be no access for cars from any other direction. An existing access gate to the south west of the site to Network Rail land will be retained.

Vehicular routes have been designed to local authority standard dimensions for parking spaces and road widths, to allow a good flow of two way traffic around the whole site. Parking numbers for disabled, parent and child, motorcycle and electric charge points would be set out to local authority standards.

Pedestrian routes would be clearly defined through the use of contrasting materials chosen to compliment material identified within the Barnsley Town Centre Public Space Strategy document (September 2010). A central pedestrian route would run across the site from west to east servicing the two entrance and exit points. This route would be flush with the car park surface to ensure good access from disabled and parent and child spaces. Further use of these materials is continued north to south linking all parking spaces with the central route.



Highways DC have been consulted and have raised no objections to the proposals subject to the access, parking and manoeuvring being retained.

### Safety & Security

The proposals will be surrounded by a perimeter fence and vehicular access controlled by an automatic barrier to prevent unauthorised access. It will include lighting and CCTV for safety and security.

The boundary fence will be visually permeable to allow for natural surveillance between the car park and surrounding areas including the railway line.

### Conclusion

The principle of car park use on the site is established through previous approvals, and uses, and is in accordance with the development plan. Furthermore, the car park is a fundamental part of the wider town centre redevelopment strategy which is currently on going.

The scheme demonstrates high quality, sustainable urban design and material quality, responding positively and appropriately to policies requirements.

The proposal will improve pedestrian safety, local landscape and access to town centre and transport interchange. As the development provides for town centre visitors it will therefore not result in a significant increase in traffic movements.

As a result of the comments above, the application is recommended for approval to members.

### **Recommendation**

Give officers delegated authority to grant permission in accordance with the suggested conditions (and any others requested by consultees) on expiry of the revised consultation period unless material planning considerations are raised by a third party which have not already been considered in this report.

### **Grant subject to:-**

- 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 strictly in accordance with the plans (Nos 6740-SP(90)002, 740-SP(90)001, Tree Constraints Plan CEA 02, 6740\_DT(90)001 RevB, 6740\_DT(90)002 RevC, 6740\_DT(90) 003, 6740-SP(90)007 RevD) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**

3 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:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

**Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.**

4 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use.

**Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety, in accordance with Core Strategy Policy CSP 26.**

5 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. 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: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

6 The means of lighting shall be positioned, angled screened or baffled to prevent glare, reflection or other distraction to highway users and the level of illumination shall comply with the current recommendations of the Institution of Lighting Engineers technical report no5 "Brightness of Illuminated Advertisements".

**Reason: In the interests of highway safety, to prevent distraction to passing motorists.**

7 Surface water draining from all areas of hardstanding shall be passed through a trapped gully or series of trapped gullies, prior to being discharged into any watercourse, soakaway or surface water sewer. The gully/gullies shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the car park and shall thereafter be retained and maintained throughout the lifetime of the car park.

**Reason: To reduce the risk of pollution to the water environment.**

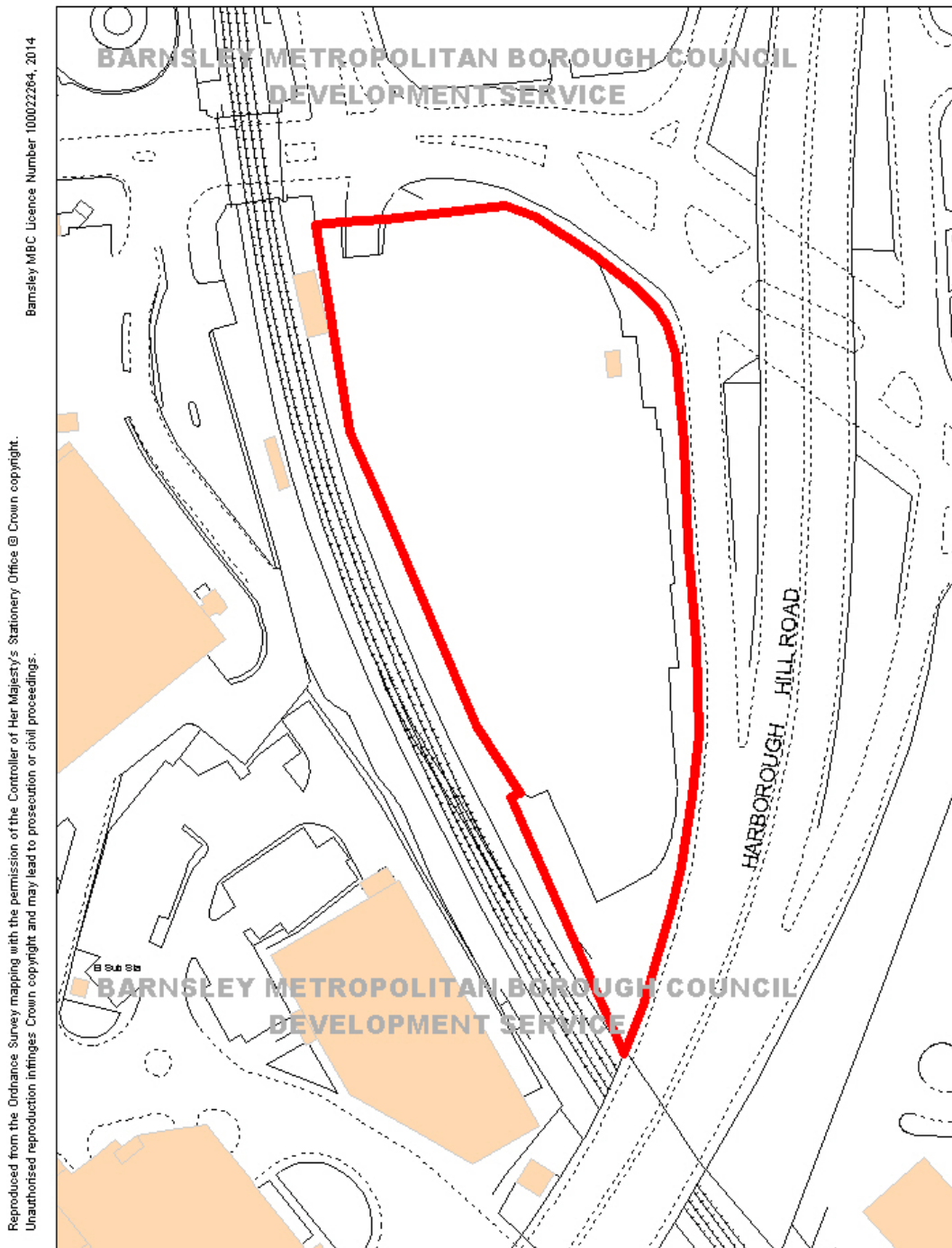
8 No development shall take place until full details of the proposed external materials for all public realm works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.**

- 9 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**
- 10 Prior to the commencement of development full details of the design and materials of the concrete wall fronting Kendray Street shall be submitted to the Local Planning Authority for approval. Thereafter the development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality in accordance with Core Strategy policy CSP 29.**
- 11 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:
- Checking of signal detection system and replacement as necessary;
  - Commissioning of the SCOOT system;
  - Any necessary signing/lining
- The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.  
**Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**
- 12 No development shall take place until 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. 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 Core Strategy Policy CSP 40, Pollution Control and Protection.**

PA reference :-

2015/0362



**BARNSELEY MBC - Development Service**

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**BARNSELY METROPOLITAN BOROUGH COUNCIL**

**PLANNING APPEALS**

**1<sup>st</sup> March 2015 to 31<sup>st</sup> March 2015**

**APPEALS RECEIVED**

The following appeals have been received during this month

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/Delegated</u>
2014/1256	Erection of 1 no. detached dwelling and detached garage. Land adjacent to 59 Weetshaw Close, Shafton, Barnsley, S72 8PZ	Written Representation	Delegated
2014/0482	Erection of 4no. detached dwellings. Land adj Millstones, Oxspring, Barnsley, S36 8WZ	Informal Hearing	Delegated
2013/1329	Demolition of existing shed and erection of dwelling, detached garages and associated landscaping Cat Hill Hall Mews, Cat Hill Lane, Hoylandswaine, Sheffield	Written Representation	Committee
2014/0496	Erection of 1 no. dwellinghouse Land adjacent 4 The Walk, Birdwell, Barnsley	Written Representation	Delegated
2014/1454	Change of use of storage caravan to residential use including associated works Grange Farm, 67A Grange Road, Royston, Barnsley	Written Representation	Committee
2012/1080	Residential development (Outline) Land opposite 4-18 Station Road, Worsbrough Dale, Barnsley	Written Representation	Delegated
2014/1160	Erection of detached dwelling with detached double garage (Outline) Thurlstone House, Towngate, Thurlstone, Sheffield	Written Representation	Delegated

**APPEALS WITHDRAWN**

0 appeals were withdrawn in the month of March 2015.

**APPEALS DECIDED 0 in March 2015**

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>

**18 Appeals decided since April 2014**

**2 Appeals allowed since April 2014**

**89.9% of all appeals dismissed since April 2014**