

Public Document Pack



MEETING:	Planning Regulatory Board
DATE:	Tuesday, 16 April 2019
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

AGENDA

SITE VISITS:

1. Site Visit Details

Planning Application(s) No: 2018/1564

Please meet at the Town Hall for immediate departure at 11.15 a.m.

Plan Number	Site	Approx Time of Arrival
2018/1564	Demolition of existing building and erection of 41 dwellings with associated landscape works at Former Foulstone School Site, Nanny Marr Road, Darfield, Barnsley S73 9AB	11.30 a.m.

Please note: Members of Planning Regulatory Board should not become involved in discussions with neither the applicant nor local residents when on site visits.

**The remainder of the agenda will be considered at
2.00 p.m. in the Council Chamber**

2. Declarations of Interest

To receive any declarations of pecuniary or non-pecuniary interest from Members in respect of the under mentioned planning application/s which is/are subject of a site visit.

MEETING:

3. Minutes (Pages 3 - 6)

To receive the minutes of the meeting held on 19th March 2019

Planning Applications

Any planning applications which are to be the subject of individual representation(s) at the meeting will be dealt with prior to any other applications.

If you have any queries in respect of the planning applications included within this pack, or if you would like to register to speak at the meeting, please contact the Planning Department directly at developmentmanagement@barnsley.gov.uk or by telephoning (01226) 772593.

4. Former Foulstone School Site, Nanny Marr Road, Darfield, Barnsley S73 9AB - 2018/1564 - For Approval (*Pages 7 - 16*)
5. Land off Houghton Main Colliery Roundabout, Park Spring Road, Barnsley - 2018/1437 - For Approval (*Pages 17 - 32*)
6. Land at Everill Gate Lane, Wombwell, Barnsley - 2018/1353 - For Approval (*Pages 33 - 44*)
7. Land adjacent 7 Kenworthy Road, Worsbrough Common, Barnsley S70 4LW - 2019/0209 - For Approval (*Pages 45 - 52*)
8. Darfield Family Centre, School Street, Darfield, Barnsley, S73 9EU - 2018/1442 - For Approval (*Pages 53 - 56*)
9. 19 Buxton Road, Athersley South, Barnsley S71 3SR - 2019/0271 - For Approval (*Pages 57 - 60*)

Planning Appeals

10. Planning Appeals - 1st to 31st March 2019 (*Pages 61 - 64*)

To: Chair and Members of Planning Regulatory Board:-

Councillors D. Birkinshaw (Chair), Coates, M. Dyson, Franklin, Gollick, David Griffin, Hampson, Hand-Davis, Hayward, Higginbottom, Lamb, Leech, Makinson, Markham, Mitchell, Noble, Pickering, Richardson, Riggs, Saunders, Spence, Stowe, Tattersall, Wilson and R. Wraith

Matt Gladstone, Executive Director Place
David Shepherd, Service Director Regeneration and Property
Paul Castle, Service Director Environment and Transport
Joe Jenkinson, Head of Planning and Building Control
Matthew Smith, Group Leader, Development Control
Andrew Burton, Group Leader (Inner Area), Development Management
Bob Power, Senior Legal Officer (Locum)

Parish Councils

Please contact Elizabeth Barnard on email governance@barnsley.gov.uk

Monday, 8 April 2019

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 19 March 2019
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

Councillors D. Birkinshaw (Chair), Coates, M. Dyson, Hand-Davis, Higginbottom, Makinson, Mitchell, Richardson, Riggs, Saunders, Tattersall, Wilson and R. Wraith

Present at site visits: Councillors D. Birkinshaw (Chair) and Councillor Tattersall.

91. Declarations of Interest

There were no declarations of Pecuniary or Non-Pecuniary interest with regard to any items on the agenda.

92. Minutes

The minutes of the meeting held on 19th February 2019 were taken as read and signed by the Chair as a correct record.

93. Berneslai Close, Barnsley - 2017/1556 - For approval

The Head of Planning and Building Control submitted application no. 2017/1556 - Demolition of former Council office building and part new build/part conversion development of 58 apartments (including 49 retirement living apartments) together with communal facilities, landscaping, car parking and associated access at Berneslai Close, Barnsley, S70 2HL.

RESOLVED that the application be approved in accordance with Officer recommendation and subject to signing of S106 agreement.

94. Land at Talbot Road, Penistone - 2018/0466 - For approval

The Head of Planning and Building Control submitted application no. 2018/0466 - Residential development (Outline including access) at land at Talbot Road, Penistone, Sheffield, S36 9ED.

RESOLVED that the application be approved in accordance with Officer recommendation and subject to amendments to wording on Conditions 15 and 17.

95. Lane off New Road, Tankersley - 2018/1361 - For approval

The Head of Planning and Building Control submitted application no. 2018/1361 - Demolition of existing buildings and residential development of 29 no. dwellings and associated works at land off New Road, Tankersley, Barnsley, S75 3BQ

RESOLVED that the application be approved in accordance with Officer recommendation and subject to amendments to wording to Pre-Commencement Conditions and signing of S106 Agreement.

96. 321 Hough Lane, Wombwell - 2017/1440 - For approval

The Head of Planning and Building Control submitted application no. 2017/1440 - Demolition of existing buildings and redevelopment of site to provide residential development with associated infrastructure, open space and landscape provision. (Outline - all matters reserved) at 321 Hough Lane, Wombwell, Barnsley, S73 0LR

RESOLVED that the application be approved in accordance with Officer recommendation and subject to amendments to Conditions 15 and 17 and the addition of a condition requiring the reserved matters scheme to incorporate bungalows.

97. Pearson Crescent, Wombwell, 2018/0849 - For approval

The Head of Planning and Building Control submitted application no. 2018/0849 - Erection of 40 no. dwellings at land at Pearson Crescent, Wombwell, Barnsley.

RESOLVED that the application is approved in accordance with Officer recommendation and subject to signing of S106 Agreement.

98. 18 Low Cudworth Green, Cudworth - 2018/1360 - For approval

The Head of Planning and Building Control submitted a report 2018/1360 - variation of condition 2 of application 2015/0461 (Demolition of farm buildings and erection of 9 no. dwellings and access road) to allow changes to plot types and layout alterations (Revised Position for the house erected on plot 4, Retrospective) at 18 Low Cudworth Green, Cudworth, Barnsley, S72 8EF.

Mr Richard Bell addressed the Board and spoke in favour of the officer recommendation to approve the application.

Charleen Loveday and Jannine Elliker addressed the Board and spoke against the officer recommendation to approve the application.

RESOLVED that the application be granted in accordance with Officer recommendation.

99. Smithies Lane Depot, Smithies Lane, Smithies - 2019/0113 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application no. 2019/0113** (Erection of 2.4 m high security fence at Smithies Lane Depot, Smithies Lane, Smithies, Barnsley S71 1NL).

RESOLVED that the application be approved as per Officer recommendation.

100. Application for diversion and stopping up of footpaths at Pearson Crescent, Wombwell

The Assistant Director, Highways, Engineering and Transportation submitted an application to divert a non-definitive footpath running between Pearson Crescent and Wortley Avenue at Wombwell and to stop up a short length of non-definitive footpath at the corner of Pearson Crescent and Wortley Avenue.

RESOLVED that:

- (i) In exercise of statutory powers, the Council makes the proposed Public Path Order under the provisions of section 257 of the Town and Country Planning Act 1990, as shown on the plan attached to this report;
- (ii) The Executive Director of Core Services & Solicitor to the Council be authorised to publish the Order and to confirm it himself in the event of there being no objections thereto;
- (iii) In the event objections are received which cannot be resolved, the Executive Director of Core Services & Solicitor to the Council be authorised to submit the Order to the Secretary of State for confirmation and to take all necessary steps to support the Order at any public inquiry, informal hearing or written representation as necessary; and
- (iv) The Executive Director of Core Services & Solicitor to the Council be authorised to make a Definitive Map Modification Order to make the necessary changes to the Definitive Map and Statement for the area.

101. Planning Appeals - 1st February to 28th February 2019

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2018/19.

The report indicated that 6 appeals were received in February 2019. It was reported that no appeals were withdrawn or decided in February 2019. 19 appeals have been decided since 1st April 2018, 14 of which (74%) have been dismissed and 5 of which (26%) have been allowed.

Chair

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Item 4

2018/1564

Applicant: Partner Construction Ltd, C/o DPP

Description: Demolition of existing building and erection of 41 dwellings with associated and landscape works.

Site Address: Former Foulstone School Site, Nanny Marr Road, Darfield, Barnsley, S73 9AB

This application is brought before Members because the Officer recommendation is subject to a proposed S106 Agreement. 6 representations have been received from local residents.

Background

Members may recall that this site was previously the subject of an application to re-develop the whole of the former school site for a mixture of residential and retail uses:-

2014/1232 - Demolition of existing built development and construction of retail units and erection of residential development of 35no dwellings (outline – all matters reserved apart from means of access).

That particular proposal did not make it to reserved matters stage and in 2015 approval was granted for an initial phase of residential development on the northern part of the site:

2015/1490 – Erection of 40 no. residential dwellings and associated infrastructure. Approved 21/09/2016.

Since that time the Council have continued to work to secure a retailer for the site and that remains an aspiration for the section of land that has been kept out of this planning application. To reflect that aspiration the proposed residential scheme has been designed with a shared access being proposed to serve the proposed new housing development and the retained area of land to enable a retail development to still happen at a later date.

Site Description

The site is part of the vacant former Foulstone School site on Nanny Marr Road in Darfield, which closed in 2012 subsequent to the opening of Netherwood Advanced Learning Centre.

The site is an inverted 'L' shape with a broadly rectangular plot of land at the junction of Nanny Marr Road and Barnsley Road retained for a future retail development. The overall site is 1.26ha in area. There are few signs of the previous use in that all former buildings associated with the school have been cleared and part of the site redeveloped. This is with the exception of the former youth centre building in the southern part of the site off Barnsley Road, along with the perimeter walls and fences and a number of trees which are mainly located on the western (Nanny Marr Road) and southern (Barnsley Road) boundaries. There are further trees located adjacent the eastern boundary although the majority are located outside the site in Darfield Miners Welfare Park.

The surroundings of the site are predominately residential. The site also borders onto Darfield Miners Welfare Park and Darfield Conservation Area which are located to the east of the site.

The existing topography across the site is fairly uneven. However there are no significant levels differences across the site overall.

Proposed Development

The proposed development is for an additional phase of housing on the site comprising 41 houses with associated parking and gardens.

The housing mix includes 33 three bed properties and 8 two bed properties with a tenure mix of 6 market houses, 25 affordable rent and 10 shared ownership. The houses are proposed to be a mix of red and buff coloured brick with concrete tiles to the roofs. All the houses have rear gardens and parking for two cars.

Boundaries to rear gardens are demarked by close boarded fences. Along Barnsley Road the stone wall is retained and made good with a mix of close boarded fence and railings along the top.

The access is from Nanny Marr Road and is designed to be shared with a future retail development on the remaining site.

BMBC Planning History

2012/1006 – Demolition of Darfield Foulstone School (Prior Notification) – Approved 07/11/2012.

2014/1232 – Demolition of existing built development and construction of retail units and erection of residential development of up to 35 no. dwellings (Outline – All Matters Reserved apart from means of access) – Approved 06/04/2016.

2015/1490 – Erection of 40 no. residential dwellings and infrastructure – Approved 21/09/2016.

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

Local Plan

The site is allocated in the Local Plan for residential with an anticipated yield of 49 (excluding the 40 previously approved). Site specific policy HS80 expects development to:

- Respect the historic setting and group character of the adjacent Darfield Conservation Area;
- Investigate options on the southern boundary of the site on the edge of Darfield Local Centre for providing either a small scale convenience shop or an extension to Darfield Local Centre.

In addition the following Local Plan policies are relevant to this application:

SD1 Presumption in favour of sustainable development
GD1 General Development
LG2 The Location of Growth
H1 The number of homes to be built
H2 The distribution of new homes
H6 Housing mix and the efficient use of land
H7 Affordable housing
H8 Housing regeneration areas
T2 Safeguarding of Former Railway Lines
T3 New Development and Sustainable Travel
T4 New Development and Transport Safety
D1 High Quality Design and Place Making
GI1 Green Infrastructure
GS2 Green Ways and Public Rights of Way
BIO1 Biodiversity and Geodiversity
CC1 Climate Change
CC3 Flood Risk

CC4 Sustainable Drainage Systems
CC5 Water Resource Management
RE1 Low Carbon and Renewable Energy
CL1 Contaminated and Unstable Land
Poll1 Pollution Control and Protection

SPD's

- Parking
- Designing New Residential Development
- Open Space Provision on New Housing Development

Draft SPD's

- Planning Obligations
- Affordable Housing
- Sustainable Travel
- Financial Contributions for Schools
- Updated Open Space Provision on New Housing Developments

Other Guidance

South Yorkshire Residential Design Guidance

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

Affordable Housing – Strongly support the proposal.

Biodiversity Officer – No objections have been received. However an ecology report has been submitted and appropriate mitigation conditioned.

Contaminated Land – The site investigation report is accepted and no objections to the development are made subject to the remediation strategy being implemented and a validation report submitted to the council. This is proposed to be secured via condition.

Conservation and Design – No objections subject to the amended materials being conditioned and suitable boundary treatment along Barnsley Road.

Drainage – No objection subject to the drainage design as agreed being conditioned.

Education – No objections as there is sufficient capacity in the local school provision for the proposed development.

Enterprising Barnsley – No objections.

Environment Agency – No comments

Highways – No objections subject to conditions

PROW / Parks – Supportive of the new access into the Miners Park.

Regulatory Services – No objections subject to conditions.

SYMAS – No objections, the site is not affected by mining legacy issues.

Tree Officer – Does not object, subject to existing conditions.

Yorkshire Water – No objection subject to the drainage design as agreed being conditioned.

Waste – No objections

Representations

The application was advertised by individual neighbour notification letter and by site and press notices. 6 letters have been received raising the following concerns:

- The proposed does not relate well to the conservation area or the park;
- There has been limited consultation with residents in Darfield;
- The Council are pushing more housing on Darfield when they should be taking a more holistic approach to development;
- The application does not address isolation issues and limited / poor diet in Darfield caused by the lack of a local centre with a range of shops;
- The proposed land left for a retail development is not large enough;
- It would increase traffic congestion and make roads less safe;
- No access should be from Barnsley Road as there are already issues with parked cars on here;
- The site should revert back to green belt;
- It is queried whether safety at the cross roads be improved;
- There is a shortage of car parking in Darfield for residents and the shops and this site should include some parking to alleviate this. The proposed land left for a retail development is not large enough to accommodate sufficient space.

Assessment

Principle of Development

This site is allocated as a housing site (HS80) in the Local Plan where residential development is acceptable in principle. The scheme would deliver higher than the policy requirement of affordable housing with a mix of affordable rent and shared ownership properties as well as 6 market houses. This would help meet the local need for affordable residential properties in accordance with Local Plan Policy H7. The total number of dwellings is slightly below the yield assumed for this site, being 41 units not 49. However, as part of the site is retained for a possible future retail development in accordance with the aims of allocation Policy HS80 this is considered acceptable in this case.

Visual Impact

The proposed development is for 41 houses, located in an area which is residential in character. The layout has been, in part, dictated by the shape of the site and the access design which allows for a future retail scheme. The houses are set out in a liner pattern through the site with the access road running down the middle. The proposed houses back onto the adjacent Miners Park and whilst it would be preferable to maximise natural surveillance here, the space constraints of the site do not allow for houses to front onto the park. The development would create some additional overlooking of the park nonetheless and a footpath connection into the park is being re-established as part of this development, increasing connectivity between the houses and the adjacent greenspace.

The houses are relatively simple in design terms with a limited number of house types and palette of materials. Nevertheless it is not a large scheme and the applicant has amended the proposed brick and boundary treatment at the Barnsley Road end of the site, following consultation with the Conservation and Design Officer. Further, the development would bring the site back into use

increasing activity and permeability following a long period of it being undeveloped land with no access.

Some trees on site are proposed to be removed but whilst these are mature specimens they are not assessed as being of particularly high value. The indicative landscaping scheme includes a number of replacement trees within the site and along the boundary with Nanny Marr Road which will represent an enhancement on site. Therefore, subject to landscaping and tree protection measures being secured by condition the tree officer is satisfied with the proposal.

As such the proposed is acceptable in visual amenity terms and complies with Local Plan Policy D1.

Residential Amenity

The proposed has limited impact on the residential amenity of existing residents, the nearest being on the existing phase to the north of the site. However, the proposed dwellings are set side on to these, reducing any impact both in relation to overlooking and overshadowing. All other existing residential properties are located over Nanny Marr Road and Barnsley Road, reducing any impact.

The proposed development meets the internal and external amenity standards as set out in the Designing New Housing Development SPD and South Yorkshire Residential Design Guide.

The proposed is therefore acceptable in residential amenity terms and complies with Local Plan Policy D1.

Highway Safety

Highways have confirmed that the proposed is acceptable in principle and, following some minor changes to the internal road design which have been incorporated into the layout, they have not objected subject to conditions. Mitigation measures required include the relocation of a bus stop and layby.

Resident comments include a request for some parking to be provided within the site for existing residents and users of services in Darfield (including existing shops and the park). In particular, the use of the existing access from Barnsley Road has been raised. However, this access is at the edge of the development site and its retention along with a parking area would require the loss of some units (plots 26 and 27 as a minimum) which cannot be justified under current planning policy. In addition, it would affect the viability of the scheme. There are also highway safety concerns with an access on to Barnsley Road, particularly if vehicles would need to reverse onto Barnsley Road. Therefore, this facility cannot be secured as part of this application. There remains a possibility that some parking could be secured in the future on the remaining part of the site in agreement with a retail operator.

A footpath through the site, linking to the Miners Welfare Park has been agreed and part of the offsite greenspace contribution can be used to link this to the existing paths within the park. This has been agreed with Parks and PROW and would ensure a sustainable and safe route to the park and All Saints School. This is in accordance with Local Plan Policy T3, New Development and Sustainable Travel. Taking account of this and the wider benefits of the scheme which include 85% affordable housing it is accepted that the Draft Sustainable Travel SPD contribution does not need to be applied to this scheme.

Biodiversity

A Preliminary Ecological Assessment has been provided which concludes that the site is of low ecological value and its loss should not pose a constraint to development. The report recommends that the mature trees on and around the site are retained where possible as they provide foraging for birds and possible bats, albeit none were assessed as having bat roost potential.

The report make recommendations for ecological enhancements including: planting of native hedgerows, hedgehog accesses through garden fencing and bird and bat boxes. These can be secured through a suitable condition in accordance with Local Plan Policy BIO1.

Drainage/Flood Risk

The site is not in an area at high risk of flooding and a detailed drainage strategy has been provided and agreed with Yorkshire Water and the drainage authority. Foul water is to drain to an existing sewer on Barnsley Road whilst Surface Water will be via soakaways on site. This can be secured through appropriate conditions in accordance with Local Plan Policies CC3 and CC4.

Conclusion

The proposed development would deliver 41 dwellings, of which 35 are affordable as defined by the NPPF on a site that is allocated for residential development in the Local Plan. The site is located in a sustainable location and on a previously developed site. It therefore meets site specific allocation policy HS80 and would contribute towards the aims of the Local Plan being met in relation to housing growth, the location of development and regeneration. In addition the proposal excludes a section of land forming part of the old school site that would still allow for a form of retail development to come forward at a later date. The proposed scheme has been assessed against all other relevant Local Planning Policies and material considerations that have been identified in this report which include visual amenity, residential amenity and highway safety and it is judged acceptable subject to the conditions listed and the proposed S106 Agreement. Approval of the application is recommended on that basis.

Recommendation

Grant planning permission subject to conditions and the signing of a S106 Agreement (Provision of affordable housing and provision of a commuted sum towards the enhancement of off site public open space facilities at a cost of £72,539.35)

- 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 amended plans and specifications as approved unless required by any other conditions in this permission:

Proposed Site Layout 377 002 Rev P

Proposed Boundary Treatment & External Hard Landscape 377 003 Rev E

House Type F115 (377 F115-1);

House Type F114 (377 F114-1);

House Type F113 (377 F113-1);

House Type F112 (377 F112-1);

STE/19/03/04/01 (Rev A) and STE/19/03/04/02 (Rev A) Engineering Layout;

External Materials Plan 377 004 Rev D;

1500 Close Boarded Fence Details BT/ Sheet 14;

Boundary Close Boarded Fence BT/ Sheet 05;

Boundary Party Fence Details Trip Rail BT/ Sheet 19;

Reason: In the interests of the visual amenities of the locality accordance with Local Plan Policies D1, Design.

- 3 The properties shall be provided with the scheme of acoustic fencing, acoustic glazing and ventilation as detailed in sections 5, 6, 7, and 8 of the noise assessment submitted with the application reference NJD-18-0013-001R produced by NJD Environmental Associates Limited. Prior to occupation of any of the properties the applicant shall submit a report to BMBC for their approval which demonstrates that the scheme of acoustic fencing, acoustic glazing and ventilation as detailed in sections 5, 6, 7, and 8 of the noise assessment have been installed.

Reason: In the interests of residential amenity and to accord with Local Plan Policy Poll1.

- 4 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
- 5 No development other than preliminary enabling works relating to demolition, tree protection, formation of site access, setting up of site cabins/welfare facilities and the formation of foundations/piling shall take place until plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels.
Reason: To enable the impact from any changes in level to be assessed and in accordance with Local Plan Policy D1, High Quality Design and Place Making.
- 6 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 7 The Development, including any works of demolition, shall be constructed in accordance with the approved Construction Method Statements: Construction Method Statement (22/02/2019) and Construction Management Plan; Dust Action Plan (dated 02.19); Construction Noise and Vibration Management Plan v3 (dated 22/02/2019) The approved statements shall be adhered to throughout the construction period.
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4, New Development and Highway Improvement, and D1, Design.
- 8 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 9 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety, in accordance with Local Plan Policy T4.
- 10 Upon commencement of development, 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 shall be submitted to and approved in writing by the Local Planning Authority. 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 and in accordance with Local Plan Policy BIO1 Biodiversity.

- 11 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 Local Plan Policy BIO1 Biodiversity.
- 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 plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.
- 13 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:
- Tree protective barrier details
 - Tree protection plan
 - Arboricultural method statement
- Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.**
- 14 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity.
- 15 No development other than preliminary enabling works relating to demolition, tree protection, formation of site access, setting up of site cabins/welfare facilities and the formation of foundations/piling shall take place until full details of the mitigation measures identified in the Preliminary Ecological Appraisal (Brooks Ecological R-3243-01), including a timetable for their implementation, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.

- 16 Prior to the occupation of any dwelling, a validation report to certify any remedial measures highlighted within the remediation strategy (ref Dunelm D8947/RS/02) shall be submitted to and approved in writing by the Local Planning Authority. This report should include the following:
- Details of who carried out the work.
 - Details and justifications of any changes from the original Remediation Statement.
 - Records of chemical characteristics of any imported capping soils/materials. Any testing suite and threshold levels need to be agreed with the local authority, prior to any sampling being undertaken.
 - Confirmation that capping levels have been achieved
 - Laboratory and in situ test results
 - Records of any materials disposed of off site and their disposal locations.
 - Confirmation that remediation objectives have been met.
- Reason: To protect the environment and ensure the site is suitable for the proposed use in accordance with CL1 Contaminated and Unstable Land.**

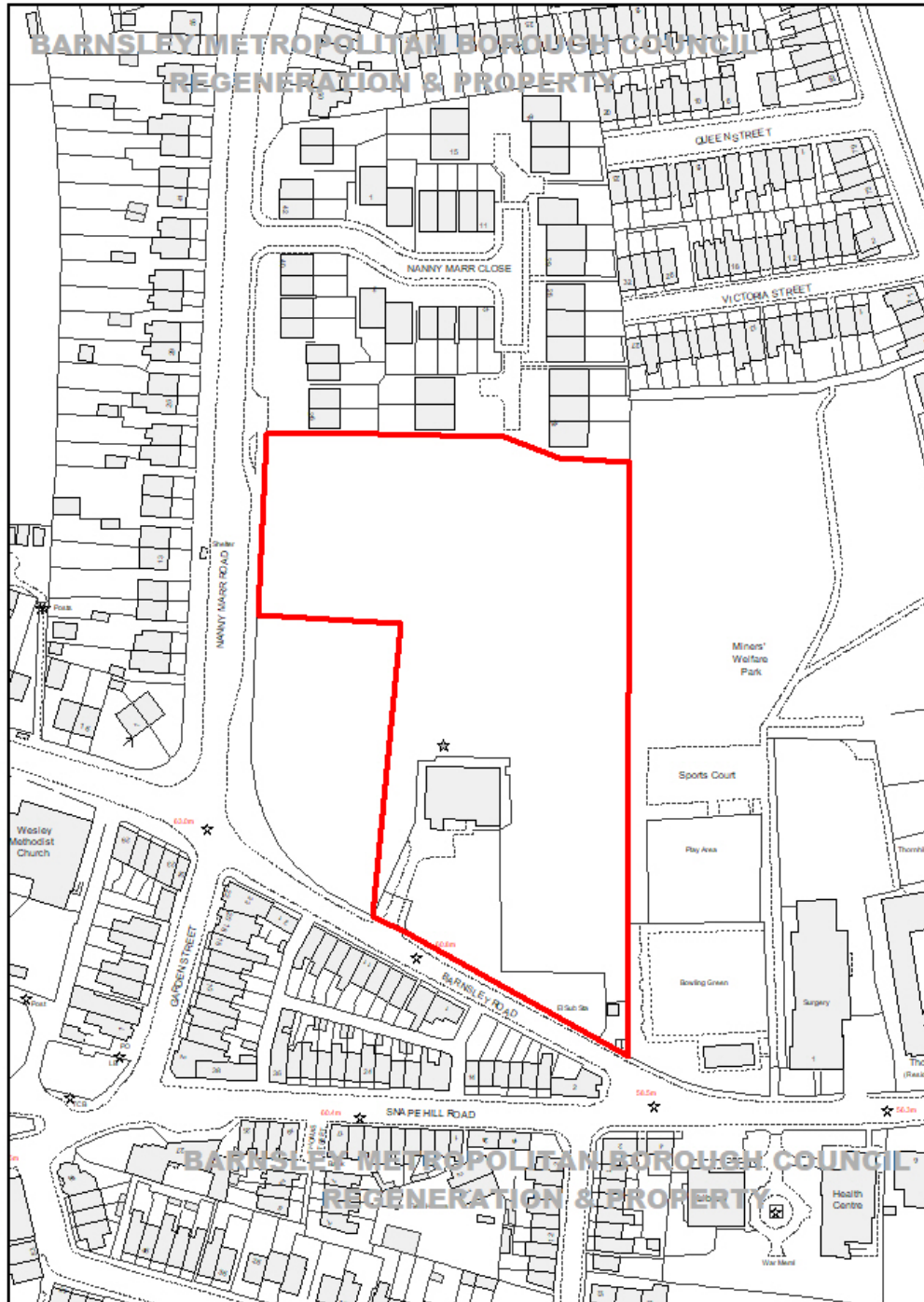
- 17 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority 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 road safety and in accordance with Local Plan Policy T4, New Development and Highway Improvement**

- 18 No development other than preliminary enabling works relating to demolition, tree protection, formation of site access, setting up of site cabins/welfare facilities and the formation of foundations/piling shall take place until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:
- Relocation of Bus Stop and Layby;
 - All redundant vehicular accesses to be reinstated;
 - Measures to prevent parking and loading;
 - Provision of or any necessary alterations to highway drainage;
 - Provision of or any necessary alterations to street lighting;
 - Any necessary resurfacing or reconstruction to the highway;

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 interest of road safety and in accordance with Local Plan Policy T4, New Development and Highway Improvement.

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BARNSELY MBC - Regeneration & Property



Scale 1: -----

2018/1437

Applicant: Peel Environmental Ltd C/o Enzygo

Description: Variation of conditions (4,17,18,19 and 20) of application 2015/0137 Erection of a Renewable Energy Park to allow for Refuse Derived Fuel (RDF) and waste wood to be used for energy recovery, to increase the capacity limit and daily traffic movements along with amended routing of delivery vehicles and to extend construction hours.

Site Address: Land off Houghton Main Colliery Roundabout, Park Spring Road, Barnsley,

The application is referred to PRB as it is classed as a large scale major development that is accompanied by an Environmental Statement. In addition the recommendation is the subject of a S106 Agreement. 37 representations have been received from local residents. Furthermore the application is objected to by Billingley and Great Houghton Parish Council's.

Background

This is a variation of the previously approved scheme (2015/0137) for a Renewable Energy Park. The approved scheme comprised a Timber Resource Recovery Centre with this amended scheme now proposing to allow for Refuse Derived Fuel (RDF), in addition to waste wood, to be used for energy recovery. This change includes an increase in the capacity limit, relating to the amount of waste proposed to be delivered to the site, and in the number of vehicle movements and delivery hours to the site.

No changes are proposed to the design and scale of the building proposed (including the stack) or the layout of the site.

The pre-commencement conditions applied to 2015/0137 have been discharged and a material start has been made to the development. In this respect the originally approved scheme for a TRRC remains in place and is capable of being implemented.

Site Description

The site is located to the west of a roundabout forming part of the A6195 Park Spring Road immediately opposite the distribution centre and adjacent a car park occupied by ASOS. The nearest residential areas are Edderthorpe, Little Houghton, Great Houghton and Middlecliff.

Approximately triangular in shape the site comprises 3ha of land which is a reduction of 1.14ha compared with the previous application. The majority of the site was previously used for mining between the 1890s and 1991 and was then the subject of open cast colliery workings between 1997 and 2001 by UK Coal. In addition a disused railway line passed along the south west boundary of the site. However, the land has since been restored and is now covered by grass and a number of scattered shrubs and trees are present on the site.

The River Dearne runs in a north-south direction to the west of the site. A banking/bund is located on the north western boundaries that form curved flood defence bunds which follow the alignment of another disused rail line.

Apart from ASOS, the associated car park and the A6195 to the east of the site, the land to the north, west and south is relatively open and remote from any residential properties. There are a few scattered farms and properties nearby, the closest being Crook Farm located approximately 0.8km to the west, Store Mill Farm located 1.5km to the north west, Tyers Hall Farm located 1.8km to the south west and a housing development located on Doncaster Road 1.8km south west of the proposed development. Levels across the site are relatively flat except for the bunding at the north-west boundary.

In addition to the above a segment of the site contains a rectangular shaped building which houses a mine gas electrical power station building. This is located in a position to the south of the roundabout

and is accessed off the same spur off the roundabout that would provide access to the proposed development.

Proposed Development

The proposed development is for a Renewable Energy Park (REP) where energy is recovered from Refuse Derived Fuel (RDF) and waste timber.

RDF is a category of feedstock recognised by DEFRA which is produced from residual mixed waste which is left over once recyclates have been removed. In addition the applicant has sought to retain the ability to utilise waste wood products recovered from commercial and industrial sources after the removal of other valuable recyclable materials as feedstock. Other wood-derived fuels such as paper products may also be used in the process.

The development of the site would create energy generation facilities with the potential to generate 22 megawatts (MW) of electricity and heat per annum for the grid or other appropriate off takers in the area (equivalent to the annual domestic energy needs of 51,000 homes).

The change in fuel has been necessitated by commercial factors influencing the availability and performance of waste wood. Because RDF has a lower and more variable calorific value than waste wood there is a need to run more feedstock through the facility i.e. an increase from 150,000 tonnes per annum of biomass to 260,000 tonnes per annum (condition 4).

The increased quantum of feedstock required triggers a need to increase the number of vehicles and delivery hours to the site, both of which are currently restricted by conditions 19 and 20.

In addition the application is classed to be Environmental Impact Assessment development under schedule 1 of the regulations. Accordingly the original application was accompanied by an Environmental Statement (ES). An updated ES has been submitted with this application covering following topics:-

- Background, Introduction and Context;
- Site Description;
- S73 Amendments to Conditions on 2015/0137 (Description of Development);
- Planning History and Policy Context;
- Need and Alternatives;
- Transport Assessment;
- Hydrology, Flood Risk and SUDS;
- Air Quality, Odour and Human Health;
- Landscape and Visual Amenity Assessment;
- Noise and Vibration Assessment;
- Ecology and Nature Conservation Assessment;
- Hydrogeology and Ground Conditions Assessment;
- Archaeology and Cultural Heritage Assessments;
- Climate Change
- Socio-Economic Impact Assessment;
- Other Amenity Issues;
- Cumulative Impacts and
- Summary

The application states that there will be no change to the design of the building and the way energy is generated i.e. through the gasification of waste to create steam which drives the turbine. The RDF would arrive at the facility on a just in time basis in large enclosed vehicles. The thermal treatment process would work with odour control measures to ensure that odours are contained and destroyed. All waste handling activities would take place indoors.

The operation of the facility described would require an Environmental Permit issued by the Environment Agency. That permit would contain conditions that require site operations to be compliant with the emissions limits set in the Industrial Emissions Directive. The permit would also require the operator to apply Best Available Techniques in carrying out activities at the site. Those

techniques include noise management, odour management, energy efficiency and resource efficiency.

It is stated that the development would provide 20 equivalent full time jobs once operational and 200 jobs during the construction phase.

The applicant has also confirmed that a non-waste related use is being sought on the land where it was previously proposed to construct the Anaerobic Digestion Plant.

BMBC Planning History

B/79/3937/HR – Storage on land to the north of colliery and to deposit colliery waste in disused railway cutting. Decision: Grant planning permission with conditions 15/02/1980.

B/96/0208/HR – Extraction of coal by open cast. Redevelopment of site and restore to agricultural, woodland etc. Decision: Grant planning permission with conditions 29/11/1996.

B/96/0728/HR - Application for outline planning permission for use of land for industrial/employment uses B1, B2 and B8. Decision: Grant planning permission with conditions 18/12/1996.

B/99/1064/HR – Application for renewal of outline planning permission B/96/0728/HR for use of land for industrial/employment uses B1, B2 and B8. Decision: Outline planning permission granted with conditions 07/02/1999.

B/03/0726/HR – Application for the modification of condition 1 of outline planning permission B/99/1064/HR. Decision: Approved 09/09/2003.

B/05/1114/HR – Mine gas extraction borehole, ancillary apparatus, mine gas extraction and electrical power station. Granted planning permission with conditions 19/08/2005.

2008/1426 – Erection of 19 industrial units with associated external works and landscaping. Decision: Planning permission granted with conditions 08/12/2008.

2011/1443 - Erection of 19 industrial units with associated external works and landscaping (extension of time limit of planning permission 2008/1426. Decision: Planning permission granted with conditions 22/02/2012.

2014/0559 - Erection of a Renewable Energy Park comprising of a Timber Resource Recovery Centre and Anaerobic Digestion facility. Decision: Refused permission 26/11/2014.

2015/0137 - Development of a Renewable Energy Park comprising a Timber Resource Recovery Centre (TRRC) and associated infrastructure on land off Houghton Main Colliery Roundabout, Park Spring Road, Little Houghton, Barnsley – Approved 29/06/2015.

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

Local Plan

The site is allocated in the Local Plan for employment use. Site specific policy ES22 expects development to:

- Consider the potential impact on the nearby Edderthorpe Ings Local Wildlife Site and include appropriate mitigation where necessary;
- Retain the marshy grassland areas. Where these cannot be retained, suitable wetland features should be incorporated into the development as replacement habitat;
- Provide off site road safety enhancements; and
- Avoid locating built development in parts of the site within flood zone 2 and 3.

In addition the following Local Plan polices are relevant to this application:

SD1 Presumption in favour of sustainable development
 GD1 General Development
 LG2 The Location of Growth
 E1 Providing Strategic Employment Locations
 E2 The Distribution of New Employment Sites
 E3 Uses on Employment Land
 T2 Safeguarding of Former Railway Lines
 T3 New Development and Sustainable Travel
 T4 New Development and Transport Safety
 D1 High Quality Design and Place Making
 GI1 Green Infrastructure
 GS2 Green Ways and Public Rights of Way
 BIO1 Biodiversity and Geodiversity
 Policy CC1 Climate Change
 Policy CC3 Flood Risk
 Policy CC4 Sustainable Drainage Systems
 Policy CC5 Water Resource Management
 RE1 Low Carbon and Renewable Energy
 CL1 Contaminated and Unstable Land
 Poll1 Pollution Control and Protection

Barnsley, Doncaster and Rotherham Joint Waste Plan

Adopted March 2012 the Joint Waste Plan (JWP) forms part of each borough's development plan. The JWP is the detailed planning strategy for providing waste management facilities across Barnsley, Doncaster and Rotherham over the period to 2026.

The relevant policies are:-

Policy WCS1: Barnsley, Doncaster and Rotherham's Overall Strategy for achieving sustainable Waste Management

Policy WCS4: Waste Management proposals on non-allocated sites

Policy WCS6: General Considerations for all Waste Management Proposals

Policy WCS7: Managing Waste in all development

SPD's

- Parking

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.

Paragraphs of particular relevance to this application include:

151 - To help increase the use and supply of renewable and low carbon energy and heat, plans should:

- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);
- b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and
- c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.

155 - In determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

154 - When determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

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

180 & 181 – Pollution and Air Quality Impacts

Planning Practice Guidance

Paragraph 001 - Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking.

Paragraph 003: providing opportunities for renewable and low carbon energy technologies and decentralised energy and heating are examples of mitigating climate change through reducing emissions.

National Planning Policy for Waste

The DCLG published the National Planning Policy for Waste (NPPW) in October 2014. The NPPW replaces PPS10 and is to be read in conjunction with the NPPF and the National Waste Management Plan (published as the Waste Management Plan for England in December 2013).

Paragraph 5 of the NPPF referred to national waste planning policy as being published as part of the National Waste Management Plan for England. However, the Waste Management Plan for England (WMPE), when published in December 2013, did not contain land use planning policies, but referred to forthcoming National Planning Policy for Waste, then in draft form, now published. To all intents

and purposes, national planning policy for waste is contained within the new NPPW which replaces PPS10. The NPPF is to be taken into account where it is relevant.

Given that the NPPF, NPPW and WMPE are to be read in conjunction, what the WMPE says about waste management technologies is relevant in planning policy terms. On page 13, the WMPE says the following about other recovery:

The Government supports efficient energy recovery from residual waste – of materials which cannot be reused or recycled – to deliver environmental benefits, reduce carbon impact and provide economic opportunities.

In 2012/13, 22.6 million tonnes of household waste were generated in England. 43.2% was recycled, composted or reused with the remaining disposed of in other ways (largely landfill). The WMPE (page 20) confirms that the UK exports refuse derived fuel (RDF) mainly to northern continental Europe and Scandinavia for energy recovery. Exports of RDF have increased significantly in recent years in response to the rising costs of landfill in the UK. Exports of wood/biomass for energy recovery are not included within the RDF data. Exports of RDF have risen from zero in 2009 to 13,258 tonnes in 2010 and 887,465 tonnes in 2012.

The WMPE also provides support for the development of other recovery facilities to secure energy recovery from residual waste. Again, the WMPE indicates the significant waste stream arising in the commercial, industrial, construction and demolition waste sectors and the need to reduce waste to landfill. Developing UK capacity to secure energy recovery from this waste stream can deliver renewable energy and low carbon energy generation benefits, which the Government is seeking to encourage.

The NPPW provides national policy on the development of Local Plans which identify the need for waste management facilities, identify suitable sites and areas, and on determining planning applications.

The NPPW paragraph 7 sets out policy to assist waste planning authorities in the determination of planning applications. There are six key parts to the policy:

1. Applicants only need to demonstrate market need for a proposed facility if it conflicts with the Local Plan of the area.
2. Proposals for waste management facilities should demonstrate that they do not 'cut across' and undermine local plan objectives with regard to the movement of waste up the waste hierarchy.
3. Waste planning authorities are asked to consider the likely impact on the local environment and on amenity against the following criteria set out in Appendix B of the NPPW:-
 - a. Protection of water quality and resources and flood risk management
 - b. Land stability
 - c. Landscape and visual impacts
 - d. Nature Conservation
 - e. Conserving the Historic Environment
 - f. Traffic and Access
 - g. Air emissions, including dust
 - h. Odours
 - i. Vermin and birds
 - j. Noise, light and vibration
 - k. Litter
 - l. Potential land use conflict
4. Waste Planning Authorities should ensure that waste management facilities are well-designed so that they contribute to the character and quality of the area in which they are located.
5. Waste Planning Authorities should concern themselves with the planning aspects of proposals and should not concern themselves with the control of processes which are a matter for pollution control

authorities. Waste Planning Authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

Consultations

Air Quality Officer – initial queries on the Air Quality Assessment have been addressed by the applicant and the Air Quality Officer has confirmed they do not have any objections.

Biodiversity Officer – No objections subject to a condition.

Billingley Parish Council – Object to the application based upon the following reasons:-

- The increase in feedstock because of the impact on the amenity of the area and road safety.
- Increased odour associated with RDF.
- Manvers is supposed to take all the waste produced in the area. It is queried where the waste material would be sourced from on that basis.
- Increased impact for only 2mw additional power.
- Significant increase in traffic and associated impacts.

Brierley Town Council – No comments

Coal Authority – No specific comments to make.

Contaminated Land – Confirmed no comments or concerns.

Doncaster Metropolitan Borough Council – No Objections in terms of the highways impact, raised a concern about Air Quality and the impact on the Hickleton AWMA.

Drainage – Do not have any comments or conditions.

Enterprising Barnsley – No objections subject to no impact on existing employers and sufficient highway capacity to support existing businesses

Environment Agency – Do not object to the development. However, the applicant is advised they will need to apply for a variation to their Environmental Permit under the Environmental Permitting (England and Wales) Regulations. It should also be noted that all previous conditions imposed by the EA are carried forward should this application be granted.

Natural England – No comments.

Network Rail – No comments

Highways – No objections

Little Houghton Parish Council – No comments have been received.

Great Houghton Parish Council – Confirmed the same objections based upon the following reasons:-

- Harm to visual amenity/local landscape – TRRC building 30m in height, stack 45m. ASOS only 18m.
- Highway safety – the number of HGV movements proposed per day and concerns that local roads passing through the village might be used, contrary to any restrictions that may be imposed. Additional concerns are expressed regarding the enforceability of any conditions and about an increase in Co2 emissions.
- Odour and emissions- Out of date concerns have been re-supplied which relate to when a previous version of the proposal contained an Anaerobic Digestion Plant.

PROW – No objections.

Regulatory Services – Initial concerns now addressed through so minor changes to the wording of conditions.

Rotherham Metropolitan Borough Council – No Objections

Tree Officer – Does not object subject to existing conditions being retained.

SYAS – No comments

SYMAS – No comments

SYPTTE – No comments

South Yorkshire Police ALO – No comments

Waste Management – Possess a level of concern about increased traffic on the network delaying waste vehicles accessing the Manvers site.

Yorkshire Water – No comments

Representations

The application was advertised by individual neighbour notification letter and by site and press notices. 37 letters have been received from members of the public. In summary the main concerns received in the objections are summarised as follows:-

Traffic – the increase in traffic on road that are already congested and dangerous and the increased in air pollution from vehicles. The reports are also misleading as the A1 and M1 are further away than claimed.

Air Quality – concerns about the impact on air quality and human health as a result of emissions from burning waste, including Dioxins and Furans.

Odour – the change in fuel will mean more odours, there are already complaints about the smell from the Manvers plant. The smell will also attract and insect infestation.

Need – the applicant has not demonstrated need for the proposed and will have a dampening effect on recycling in the area.

Litter – concerns that there will be litter both from the lorries delivering the waste and the plant.

Employment benefit does not directly benefit residents who will be impacted by the proposed.

The plant employs not more people and generates very limited additional power but has an increased impact on roads and the environment.

Environment – impact on the adjacent RSPB site.

2 letters of support:

One letter supports that there will be environmental benefits to the proposal but requests speed control to be considered on Park Spring Avenue and that some measures are put in place to control off road motorbikes and tipping in the area.

On resident currently takes plastic to a SCC waste facility as it is not recycled in BMBC and support this application if it stops this type of waste going to landfill.

Assessment

Principle of Development

The existing planning permission has established that it was acceptable to build a Timber Waste Recovery Plant (TRRC) on the site that was capable of processing 150,000 tonnes of material per annum. This new application is therefore only about considering the implications of the proposed changes rather than re-visiting the principle of allowing the development of a waste into energy development facility.

The Barnsley, Doncaster and Rotherham Joint Waste Plan was adopted in March 2012 and sets out the overall approach to managing waste across the three Boroughs for the next 15 years. The plan explains that the volume of waste is increasing in spite of efforts to reduce and recycle and that if present trends continue, Barnsley, Doncaster and Rotherham face a significant shortfall of suitable recycling and treatment capacity over the next 15 years. The result is that new waste management facilities need to be built across the three boroughs to address the capacity shortfall and meet government targets. If these targets are not met, the three local councils will face heavy financial penalties (e.g. a higher rate of landfill tax) and fines from this process would ultimately be passed onto the local taxpayer.

The overall strategy for achieving sustainable waste management is set out in policy WCS1. This states that provision will be made to maintain, improve and expand the network of waste management facilities throughout Barnsley, Doncaster and Rotherham to achieve sustainable waste management across all waste streams.

To facilitate proposals to address the identified municipal, commercial and industrial waste management capacity gap:

- A) existing strategic waste management facilities are safeguarded to maximise their efficiency;
- B) three sites are allocated for new strategic waste management facilities (and a fourth site is reserved); and
- C) new or replacement smaller-scale facilities will be supported where these are required to serve local catchment areas and communities.

The proposed variation of condition application changes the type of waste proposed to be used for energy recovery at the Houghton Main site from waste timber to RDF. It also increases the amount of waste to be received from 150,000 tonnes per annum to 260,000 tonnes per annum. Potentially therefore the development would contribute towards addressing the capacity gap from these sources.

Other relevant criteria of WCS1 are that:-

- Large scale waste management proposals will be directed towards the strategic site allocations where possible (*i.e. The policy does not require strategic waste developments to take place only on those sites*)
- Innovative waste technologies will be allowed and promoted where these support the vision and aims of the Joint Waste Plan.
- Proposals will be supported which enable Barnsley, Doncaster and Rotherham's waste to be managed locally, whilst allowing waste to be imported or exported where this represents the most sustainable option.
- Priority will be given to waste proposals, which maximise the reuse of vacant or underused brownfield land, particularly within established employment areas and which provide opportunities for co-location and priority areas for regeneration.
- Waste proposals will be directed towards accessible locations with good transport links, particularly in and around urban areas.

Currently unrecyclable waste from Doncaster, Rotherham and Barnsley is taken to the waste facility at Manvers where it is processed. Any remaining recyclable and biodegradable material is extracted through the mechanical biological treatment of the waste with the biodegradable material either composted or put through the anaerobic digestion process. The remaining waste is turned into RDF and is currently exported to the power station at Ferrybridge in West Yorkshire. This process has diverted circa 95% of waste from landfill.

In addition to the above the Waste Plan includes positive framework to facilitate the development of waste management on sites not allocated in the Joint Waste Plan (policy WCS4). This states that proposals for waste development will be permitted on such non-allocated sites provided that proposals:-

- 1) do not significantly adversely affect the character or amenity of the site or surrounding area;
- 2) contribute towards the aims of sustainable waste management in line with the waste hierarchy;
- 3) do not undermine the provision of waste development on strategic sites set out under policy WCS3;
- 4) prioritise the reuse of vacant or underused brownfield land, where possible; and
- 5) facilitate quicker and better quality reclamation, and do not prevent the timely reclamation of the site (where applicable).

The types of location where waste proposals may be acceptable in principle include land designated for employment and industrial purposes. The site falls into this category given Local Plan allocation.

Notwithstanding it is also necessary to consider the proposal against the other criteria of policies WCS4, WCS1 and WCS6 of the Joint Waste Plan, the Local Plan and National Planning Policy in the form of the National Planning Policy Framework, National Waste planning policies and the Planning Practice Guidance for Developments for Renewable Energy and Low Carbon Developments.

Renewable energy generation and whether the proposals constitute sustainable waste management

Waste management practices are governed by European and national legislation. The key principle relating to waste management is the 'waste hierarchy' which sets out a range of options for managing waste. The European Waste Framework Directive sets a target that, by 2020, the UK must recycle 50% of its household waste and re-use, recycle and recover 70% of its non-hazardous construction and demolition waste. Under the Landfill Directive the UK must ensure that no more than a third of its biodegradable waste is sent to landfill by 2020.

The proposed development would constitute a move up the waste hierarchy by managing and recovering energy from material that would otherwise either be disposed to landfill or, as is currently the case, exported outside of the borough.

The proposals would generate circa 22MW of electricity per annum from the processing of the waste which is a significant amount (approximately 51,000 homes). This is consistent with the previously approved scheme, the only change being the feedstock and is a consideration that needs to be afforded great weight given that the National Planning Policy Framework and RE1 express support for the use and supply of renewable and local carbon energy, including biomass if the impacts can be made acceptable and does not require the need for renewable energy developments to be demonstrated.

The proposed source of the waste is also another important consideration in that the relevant legislation and planning policies favour the construction of waste management facilities located near to the sources of the waste. The applicant has not provided a specific source for the RDF in their application, but it should be noted that the Manvers waste facility currently exports RDF outside of the borough to Ferrybridge (circa 20miles) and is tied in to a long term contract on this basis. As the proposed would be 6 miles from the Manvers waste facility it is arguable that the development would comply with Policy WCS1 allowing waste to be managed locally and sustainably. This is notwithstanding that Manvers only deals with household waste and there will be other sources of waste in the borough.

In addition to the great weight attributed to the renewable energy generation. Substantial weight is afforded to the fact the scheme accords with relevant national and local waste policies relating to the waste hierarchy and provision of additional capacity. It is therefore necessary to balance the impacts of the proposal against these identified benefits, accepting that no changes are proposed to the external appearance of the building. This considered in detail within the following sections of the report.

Air Quality

To assess the impacts of the operation of the development, an updated Air Quality Assessment has been undertaken to ascertain the locality's baseline conditions, establish the level of dust, odour and air quality impacts the proposed development may have on sensitive receptors (such as residential properties and the ASOS building) and identify ways to mitigate any impacts.

The change in fuel from timber to RDF has necessitated an emissions abatement system to ensure that all emissions to air are maintained below the regulated emission limit. This system is stated as being likely to include:

- a Flue Gas Treatment (FGT) system based on using lime or sodium bicarbonate, activated carbon and filtration;
- a two-stage filtration system with either Electrostatic Precipitation (ESP) or cyclones, used prior to fabric filters; and
- a Selective Non-Catalytic Reduction (SNCR) system using proven technology.

In addition it is likely that the energy center will operate a Continuous Emissions Monitoring System (CEMS) to ensure that the emissions from the stack are continually measured and reported.

The Air Quality Assessment has been based on worst case emissions (i.e. higher than likely) and concluded that the operational impacts of the proposed gasification plant on human health and ecosystems would be insignificant and that this would also be the case in terms of the operational impacts of the traffic movements associated with the development.

The assessment has been considered by Pollution Control Officers in Regulatory Services. Regulatory Services state that the development would require an Environmental Permit from the Environment Agency. The Environmental Permit would contain conditions that regulate what occurs on the site. The permit would include strict emission limits from the process stack taken from the Industrial Emissions Directive (IED) and other conditions that require the use of the Best Available Techniques (BAT) to prevent pollution. It is their view that there are no grounds to object to the application based on the operating parameters supplied in the report which is based on a worst case scenario (i.e. higher emissions than allowable under the EA permit) and indicates that emissions from the plant and associated traffic would be insignificant in relation to human health and also insignificant for locally designated ecological sites.

In addition the consultation response from the Environment Agency confirms no objections to the amended scheme, subject to the appropriate permit being obtained.

Queries have been raised regarding the potential impact of the increased deliveries on the nearby Hickleton AQMA, however the increase in HGV movements (9 per day) is less than the threshold for determining when an Air Quality Assessment would be required (25 per day).

Regulatory Services have also clarified that there should not be any issues with dust or odour during the operational phase given that all material brought to the site would be in sealed packages and stored within the building. Further, a dust management plan has been agreed for during the construction phase given that the Air Quality assessment has identified this to be a potential issue.

Noise

An updated Noise and Vibration Assessment was submitted with the original application and an update provided with this variation application. This assesses the potential for noise impacts which may result from the construction and operation of the proposed development on sensitive 'receptors' such as nearby residential properties.

The proposed development would be operational in some capacity for 24 hours per day, 365 day per year. HGV movements would take place between the hours of 07:00 to 19:00 Monday to Friday and as part of this application it is sought to increase Saturday delivers from 07:00 to 13:00 to 08.00 to 18.00.

In addition, the construction hours are sought to be extended from 08.00 - 13.00 to 08.00 -18.00 on Saturdays.

The assessment has concluded that noise from the facility would not be an issue to surrounding area. This is based upon the assumptions in the noise assessment which include constructing the building out of specific cladding materials. This would ensure that there would be no increase in existing background noise levels at the nearest sensitive receptors to the site and applying suitable acoustic or design measures that would be sufficient to reduce the predicted noise of the ACC fans.

The assessment does identify that the effects of noise would potentially be significant during the construction phase. Therefore the construction management plan agreed is required to limit the effects.

Regulatory Services have resolved not to object to the application based upon this issue on residential amenity grounds, subject to conditions being imposed to ensure that the recommendations outlined in the noise assessment are adhered to.

Highway Safety

The updated Transport Assessment has been reviewed by highways in the context of Local Plan Policy T4 'New Development and Highway Improvement' and the NPPF.

The development would be staffed by 25 equivalent full time posts and is anticipated to generate 78 heavy vehicle trips per day which is an increase from the 60 approved in the previous application. To mitigate this delivery hours are increased to be between the hours of 07:00 to 19:00 Monday to Friday and 08:00 to 18:00 on Saturdays and Sundays. Deliveries would be in accordance with the approved lorry routing and management plan, limiting the number of deliveries during peak hours when the main strategic roads in the area are most congested, such as Cathill and Broomhill roundabouts. This mitigates the impact on the highway network and has been included in the conditions.

Highways initially queried the information provided and a further technical note has been submitted clarifying the overall impact on the highway. This has concluded that subject to the delivery hours being extended the impact on the highway is acceptable. This position also takes account the fact that the site is allocated for development and the planning history of the site.

Notwithstanding the fact the highways impact is insufficient to warrant a refusal on transport grounds, there will still be a minor adverse impact and accordingly this is attributed modest harm that weighs against the proposal.

Biodiversity

The main criteria for assessing the application is BIO1 'Geodiversity and Biodiversity'. The application is supported by a chapter in the Environmental Statement on biodiversity, a Preliminary Ecological Assessment (2014 and updated in 2016), Phase II Habitat Surveys (2014) and a Construction Ecological Management Plan (2017). These have been assessed by the Council's Biodiversity Officer who has confirmed no objection.

Mitigation and enhancement measures are set out in the Construction Ecological Management Plan (2017) along with a timetable for their implementation as required by condition 23 and 13 of the original planning application (2015/0137). This has been agreed through the previous discharge of condition application process and ensures that the development would not have any significant impacts upon ecological receptors. A committed sum of £50,000 to spend in the Dearne Valley Nature Improvement Area was also agreed previously and would need to be carried across via a new S106 Agreement.

In addition, the applicant has agreed to update the great-crested newt surveys prior to any further construction works being commenced on site. This is because the current surveys are over two years old. A condition has been added to secure these.

Drainage/Flood Risk

The site is located near to the River Dearne. Furthermore, an ordinary watercourse is 100m to the north of the northern perimeter of the site. Therefore flood risk is an important consideration. A Flood Risk Assessment (FRA) and Drainage Strategy were submitted with the original application. Since then the detailed design and layout of the drainage scheme for the site has been agreed through the discharge of condition application.

The EA, Yorkshire Water (YW) and the Councils Drainage Officers have all been consulted on the amendments proposed in this application and have not objected.

Other matters

As there is no change to the layout there would be no additional impact on footpaths, archaeology or the adjacent safeguarded railway line.

Conclusion

This is a variation of condition application primarily to allow the approved energy plant to utilise RDF as a fuel source. Whilst the change to RDF has implications on the highway network (related to an increase in deliveries) and residential amenity (related to air quality) the application has demonstrated that this can be adequately mitigated. Therefore, allowing for the precedent set by the existing planning permission on the site, the allocation of this land for employment, the benefits associated with the scheme in terms of waste management in the Borough and the extra benefits in relation to the amount of electricity that would be generated (22MW instead of 20MW), it is recommended that the application is approved.

Recommendation

Grant planning permission subject to conditions and signing of a S106 Agreement (£50,000 to spend in the Dearne Valley Nature Improvement Area as a form of biodiversity mitigation and enhancement)

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

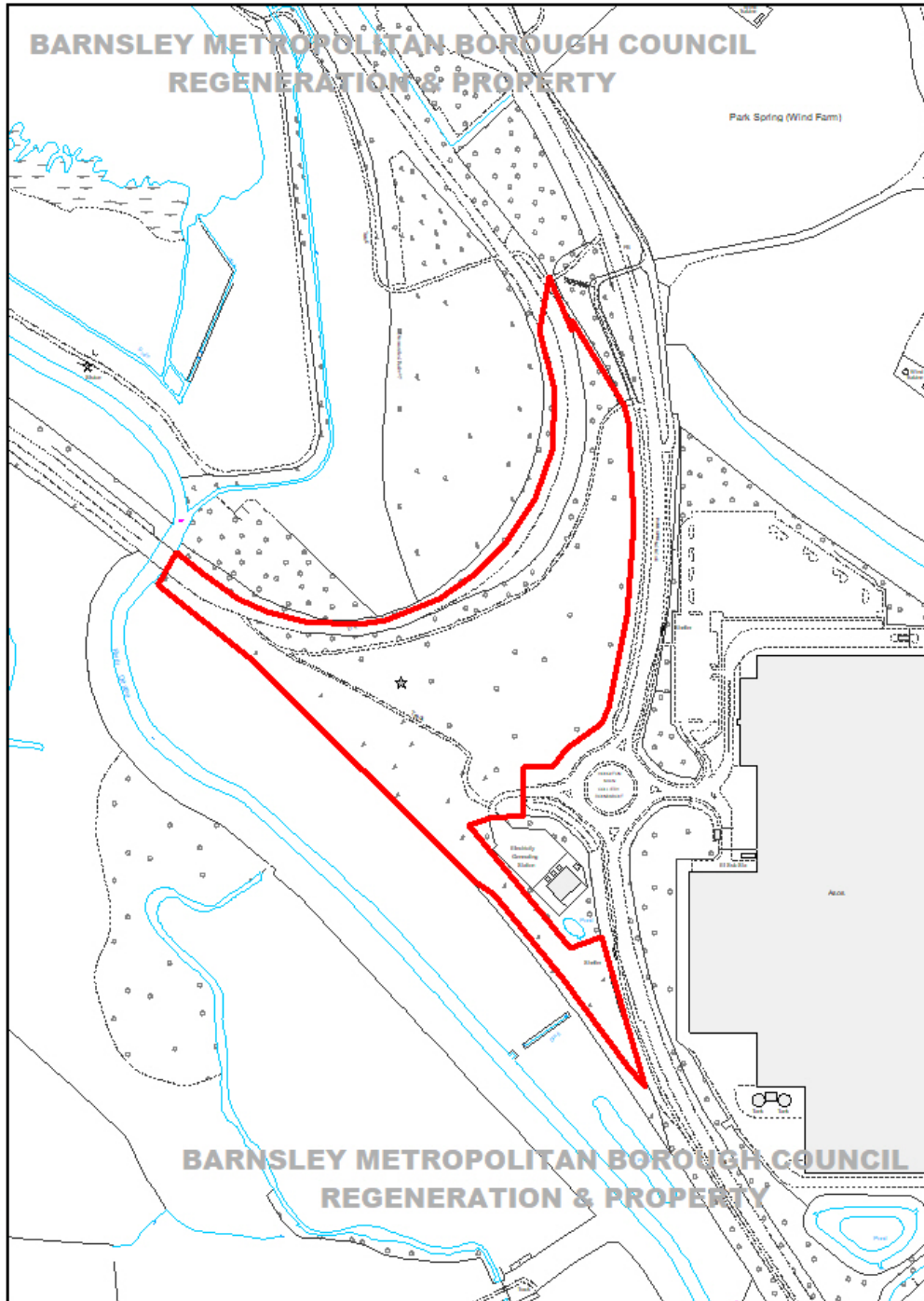
PL 001 Site Analysis 1302_PL001
PL 002 Site Location Plan 1302_PL002
PL 003 Proposed Site Layout 1302_PL003
PL 004 Proposed Roof Plan 1302_PL004
PL 005 Proposed Site Elevations 1302_PL005
PL 006 Proposed TRRC Process Building Elevations 1 1302_PL006
PL 007 Proposed TRRC Process Building Elevations 2 1302_PL007
PL 008 Proposed TRRC Process Building Elevations 3 1302_PL008
PL 009 Proposed AD Process Building Elevations 1302_PL009
PL 010 Proposed ACC Elevations 1 1302_PL010
PL 011 Proposed ACC Elevations 2 1302_PL011
PL 012 Proposed AD Weighbridge Kiosk Elevations 1302_PL012
PL 013 Site Sections 1302_PL013
CRM.066.006.D.107 P03 Finished Levels
CRM.066.006.D.108 P01 Finished Levels
Schedule of Facing Materials (03 October 2017)
CRM.066.006.EC.R.001 Construction Environmental Management Plan
CRM.066.006.L.D.004.C Planting Details (Sheet 1 of 2) Rev C
CRM.066.006.L.D.005.C Planting Details (Sheet 2 of 2) Rev C
CRM.066.006.L.R.002 Landscape Management Plan
Approved lighting details (LIAS Design Notes and Luminaire Schedule 0400061921 DWG 00 and DWG01).

Reason: In the interests of the visual amenities of the locality and in accordance with

- Local Plan Policy D1, Design.**
- 2 The development hereby approved shall be carried out strictly in accordance with the recommendations of the following reports in the Environmental Statement (CRM.066.004 and CRM.066.007.PL.R.002.I3(updated)) and Planning Application as approved unless required by any other conditions in this permission
Reason: In order to define the permission for the avoidance of doubt.
- 3 The approved Timber/Waste Resource Recovery Centre (TRRC) plant shall only be used for the reception, handling, recycling, treatment and transfer of waste up to a maximum of 260,000 tonnes per annum.
Reason: To enable the Local Planning Authority to exercise control over any development within the site which could be detrimental to the amenities of the area and in the interests of road safety in accordance with Local Plan Policy Poll1.
- 4 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 Local Plan Policy T4.
- 5 The approved Construction Method Statement (CRM.66.006.GE.R.001, CRM.066.006.PL.R.002 and CRM.066.006.R.TR.002) shall be adhered to throughout the construction period.
Reason: In the interest of highway safety, in accordance with Local Plan Policy T4.
- 6 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 Local Plan Policy T4.
- 7 Prior to the occupation of the development a draft 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. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.
Reason: In the interest of promoting use of public transport, in accordance with Local Plan Policy T3.
- 8 No part of the development shall be brought into use until the approved drainage scheme (CRM.066.006 104 P02 - Drainage Layout) has been fully implemented and the scheme shall be retained throughout the life of the development.
Reason: To ensure proper drainage of the area, in accordance with Local Plan Policy CC4.
- 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 others of similar size and species.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan Policy D1.
- 10 No development or other operations shall take place except in complete accordance with the approved Arboricultural Impact Assessment and tree protection plan (CRM.066.006.AR.R.001.A)
Reason: In the interests of the visual amenities of the locality, in accordance with

- Local Plan Policy D1.**
- 11 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials which are audible at the monitoring locations M01 to M07 detailed in the noise report supporting Application No. 2015/0137 shall only take place between the hours of 0800 to 1800 Monday to Friday and 0800 to 1600 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Pol1.
- 12 Once operational, the level of noise emitted from the site shall not exceed the existing background noise levels (LA0 +0db) as measured at the monitoring locations M01 to M07 detailed in the noise report supporting this application. Once the plant is fully commissioned and operational the applicant shall submit a report demonstrating that the site facility is operational within the limits defined within this condition. In the event that the noise level from the development is above the stated levels then the applicant shall submit a mitigation scheme for the written approval of the Local Planning Authority in order to identify measures to reduce the noise of the development to within acceptable levels. The approved scheme shall then be implemented. In the event that the noise level from the development cannot be brought to within acceptable levels, as defined above, the development shall not continue to operate without the written consent of the Local Authority.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.
- 13 Deliveries with the transfer of waste to and from the site shall only take place between the hours of 07:00 to 19:00 Monday to Friday, and between 08:00 to 18:00 on Saturday and Sunday. All deliveries are to take place in accordance with the details of the submitted lorry routing and management plan.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.
- 14 Delivery movements associated with the transfer of waste to and from the site shall not exceed 78 per day (39 in and 39 out) between Monday to Friday and shall not exceed 66 per day (33 in and 33 out) on Saturday and Sunday.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Poll1.
- 15 There shall be no outdoor storage of waste.
Reason: In the interest of visual and residential amenity in accordance with Local Plan Policy Poll1.
- 16 All waste transported to and from the site shall be transported to the site in vehicles that are fully enclosed.
Reason: In the interest of visual and residential amenity in accordance with Local Plan Policy Poll1.
- 17 An updated great-crested newt survey shall be carried out and the results of this further surveying along with any additional mitigation required is to be submitted to and approved in writing by the LPA before any further construction work is carried out in relation to the approved development.
Reason: In accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

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BARNESLEY MBC - Regeneration & Property



Scale 1: -----

Item 6

2018/1353

Applicant: Everill Gate Properties Ltd.

Description: Development of the site for employment uses within use classes B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) and associated access, parking and circulation areas and infrastructure.

Site Address: Land at Everill Gate Lane, Wombwell, Barnsley

The application is referred to PRB as it classed as a large scale major development that would exceed 5,000 sq.m of building floorspace. 4 objections have been received from local residents.

Background

Planning permission was previously granted by the Council for a similar development under applications 2006/0064 (Outline) and 2009/0189 (Reserved Matters). However this has since expired despite the extension of time that was granted to implement the planning permission under application 2012/1120.

Site Description

The site is a vacant parcel of land located south east of Wombwell, at the junction of Everill Gate Lane and Valley Way. It forms a gap in a line of existing employment uses to the east of Valley Way; Dearne Valley Parkway is easily accessible to the south east, providing access to the wider motorway network. To the rear are open fields, whilst opposite (over Valley Way) is largely residential.

It is a greenfield site, approximately 3.6ha, broadly diamond in shape and relatively flat. To the south west is a disused canal and to the north the Trans Pennine Trail (a former rail-line) borders the site. Valley Way to the west is at a higher level.

There are a number of existing trees and hedges running along the north and east boundary, which provide a buffer to the road. At present there is no physical access to the site, due to the existing hedge line and a gradual embankment, which rises from the centre of the sites northern boundary up to a bridge over the disused railway.

Proposed Development

The proposed development is for two blocks of starter units comprising 10 units which range from 139m² to 278m² in floor area. Two large single units are also proposed being 3,066m² and 9,197m² in floor area. Heights range from 9.5m to the eaves (starter units) to circa 12/14m (larger units).

Access is taken from Everill Gate Lane, via a new T-junction with a pedestrian route also allowed off Valley Way. Junction improvements are proposed at the Everill Gate Lane / Valley Way junction.

A total of 254 car parking spaces are to be provided of which 12 are for disabled users. 48 cycle parking spaces and 13 motorcycle parking spaces are also proposed.

The units are all modern industrial buildings, with a mix of metal and timber cladding and glazing. Roller shutter service doors are proposed for all units alongside pedestrian accesses with canopies over.

It is proposed to phase the development with the starter units and smaller of the two single units (totalling 5,103m²) in phase 1. The larger industrial building (9,197m²) is proposed as phase 2.

A Transport Assessment has been provided with the application setting out the trip generation, type of vehicles and routing of traffic associated with the development. A phased approach to highway improvements has been proposed, reflecting phases nature of the development.

Planning History

2006/0064 - Development of B1, B2 and B8 (Industry, Storage and Distribution) units with access road (Outline) – Approved 08/03/2006.

2009/0189 - Development of B1,B2 and B8 (industry, storage and distribution) units with access road (Reserved Matters) – Approved 01/02/2010.

2012/1120 - Development of B1,B2 and B8 (industry, storage and distribution) units with access road (Reserved Matters) (2009/0189 Extension of Time Limit) – Approved 04/01/2013.

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

Local Plan

The site is allocated in the Local Plan for employment use. Site specific policy ES20 expects development to:

- Provide off site pedestrian and vehicular infrastructure improvements.
- Consider the potential impact on the nearby Broom Hill Flash Nature Reserve Local Wildlife site and include appropriate mitigation where necessary; and
- Retain the mature oak on the sites northern boundary and hawthorn hedgerow on the south-eastern boundary.

An archaeology assessment of the site is also required.

In addition the following Local Plan polices are relevant to this application:

SD1 Presumption in favour of sustainable development

GD1 General Development

LG2 The Location of Growth

E1 Providing Strategic Employment Locations

E2 The Distribution of New Employment Sites

E3 Uses on Employment Land

T2 Safeguarding of Former Railway Lines

T3 New Development and Sustainable Travel

T4 New Development and Transport Safety

D1 High Quality Design and Place Making

GI1 Green Infrastructure

GS2 Green Ways and Public Rights of Way

BIO1 Biodiversity and Geodiversity

Policy CC1 Climate Change

Policy CC3 Flood Risk

Policy CC4 Sustainable Drainage Systems

Policy CC5 Water Resource Management

RE1 Low Carbon and Renewable Energy

CL1 Contaminated and Unstable Land

Poll1 Pollution Control and Protection

SPD's

- Residential Amenity and the Siting of Buildings
- Parking

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.

Paragraphs of particular relevance to this application include:

80-82 – Building a strong, competitive economy through: setting out a clear vision and strategy to encourage sustainable economic growth, seeking to address potential barriers to investment and being flexible.

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

180 & 181 – Pollution and Air Quality Impacts

Other Guidance

Government Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System (August 2015): Provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It complements the national planning policy in the National Planning Policy Framework and the Planning Practice Guidance.

Consultations

Air Quality Officer – The proposed development is adjacent to the A633 Valley Road. Whilst not an air quality management area (AQMA), this road is detailed within the Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance, where mitigation of air quality impact is recommended. An assessment shall therefore be undertaken in accordance with the council's guidance and subsequent mitigation proposed. This can be the subject of a pre-commencement condition.

Biodiversity Officer – Amphibian surveys are required and additional mitigation and enhancements are needed on the site.

Contaminated Land – No objections have been received.

Drainage – No objections subject to conditions.

Enterprising Barnsley – Enterprising Barnsley have been working with the developer over a number of months and fully support the application and development of speculative units that are much needed to generate economic growth in the borough.

Environment Agency – No objections have been received.

Highways – No objection in principle, however, the phasing of highway improvements is not acceptable for highway safety reasons. Proposed conditions 9 and 12 are insisted upon therefore in lieu of the highway mitigation works proposed by the applicant.

PROW – The Trans Pennine Trail runs adjacent to the north eastern boundary of the site. The plans show a 10 metre landscape buffer along this boundary, consistent with the 2006 planning permission for this site which specified a minimum 10m buffer as a condition, in order to protect the character of the Trail (2006/0064 condition 14). The retention of this buffer should be conditioned again.

Regulatory Services – No objections subject to a number of conditions restricting noise levels on the site.

Rotherham Metropolitan Borough Council – Having looked at the proposal RMBC have no comments to make given the distance to the Authorities boundary and the scale of the development.

Tree Officer – Does not object, subject to existing conditions.

SYAS – No objections have been received.

South Yorkshire Police ALO – No objections have been received.

Yorkshire Water – Further investigation and assessment is required before the drainage strategy for the site can be agreed. The current approach does not adhere to sustainable drainage principles. However, this can be secured through conditions.

Representations

The application was advertised by individual neighbour notification letter and by site and press notices. Four letters have been received raising the following concerns:

- Loss of a view and overbearing impact of the larger industrial unit on the boundary of residential properties;
- Noise disturbance associated with the proposed uses and large vehicles;
- Potential traffic cutting through the village of Broomhill (an existing issue likely to be exacerbated by the proposed) and the need for measures to ensure against this as well as traffic calming;
- Can the junction at Everill Gate and Valley Way be made a left turn only as traffic turning right will lead to traffic backing up to the roundabout;
- There are structural concerns with Everill Gate Bridge;
- The proposed development will have a negative visual impact on the approach to the nature reserve; and
- The need for the development is questioned.

Assessment

Principle of Development

Planning law is that decisions should be taken in accordance with the Development Plan unless material considerations indicate otherwise. The current Development Plan consists of the adopted Local Plan for Barnsley and the Barnsley, Rotherham and Doncaster Joint Waste Plan. This site is allocated as an employment site (ES20) in the Local Plan where employment development is acceptable in principle in accordance with policy E3 'Uses on employment sites'.

Visual Impact

The proposed scheme is for an employment development of 4 individual buildings (12 units) with associated car parking and access. The design of the units is consistent with this type of development, being large industrial sheds with limited glazing. A variety of cladding is proposed including different metals and timber, breaking up the elevations. Small canopies are also provided

giving some shelter at the pedestrian entrances and creating some depth to the elevations. The scale and design of the development will not appear out of place, which is already characterised by the employment developments on either side of the site. The plans have therefore been assessed to be acceptable having regard to D1 High Quality Design and Place Making. However a condition is required to ensure that the development is suitably landscaped.

Residential amenity

There are two residential properties to the south east of the site, along the boundary with the larger of the industrial sheds proposed. However, whilst the proposed will be undeniably visible from the rear of these properties, it is more than 50m away (measured at the closest point). The two houses are not orientated not to face the building directly and would comply with the 25 degree rule set out in the Residential Amenity and the Siting of Buildings SPD in that the height of the building would be lower than a 25 degree line drawn from the centre point of the lowest windows. In addition the development would lie to the north of the houses and so would not interfere with the path of the sun, not resulting in overshadowing as a consequence. In addition it is proposed to insist upon the same 10m wide landscaping buffer behind the elevation of the building facing the two houses that formed part of the plans approved within the previous applications. Allowing for the orientation of the houses and the wider environment, which is industrial in nature, the impact is acceptable in this instance.

A noise assessment has been provided, however, it is limited by the fact that the future occupiers are not known. As such, and taking account of the potential noise sensitive receptors in the surrounding area, a number of noise limiting conditions have been agreed with the applicant.

Highway Safety

The site has been the subject of similar previous applications which were subsequently granted planning permission. There are, therefore, no objections in principle to the proposed development in a highway context. However the submitted Transport Assessment and highway junction improvements, including the phasing of highway mitigation measures at the junction of Valley Way and Everill Gate Lane, are not acceptable due to the risk to road safety. The tracking shows that vehicles encroach onto the opposing carriageway, to the detriment of the free and safe flow of other traffic on the highway. In addition, there is insufficient evidence to warrant the reduction in the speed limit on Valley Way. The internal site layout is also quite restricted and some vehicular manoeuvres would be difficult if indiscriminate parking occurs. That would have to be controlled by the owners/management of the development and be insisted upon.

A Road Safety Audit has been provided, however, the suggested solution is to reduce the speed limit which is not currently supported by the Police. Therefore, in conclusion, subject to an additional requirement for measures to prevent parking on Everill Gate Lane, the proposed development is only acceptable in highways terms if the same highway conditions, and thereby the same junction improvements, are carried forward from previous approvals.

Biodiversity

The site allocation policy ES20 requires that consideration is given to the potential impact on the nearby Broom Hill Flash Nature Reserve Local Wildlife Site (LWS) and appropriate mitigation identified if necessary. In addition, Local Plan Policy BIO1 'Geodiversity and Biodiversity' applies. The application is supported by a Preliminary Ecological Assessment (PEA) (September 2018) which assesses the sites suitability as habitat and any evidence of protected species. Data has been secured relating to habitats in the wider area (including the Broom Hill Flash Nature Reserve) and protected species records.

Some mitigation and enhancement measures are set out at sections 7 and 8 of the report including further reptile surveys, appropriate lighting to minimise disturbance for bats and appropriate landscaping.

The Council's Ecology Officer has reviewed the PEA and is concerned that no amphibian surveys have been undertaken / recommended. The report acknowledges that there are water bodies 80m and 270m from the site but concludes that as they are separated from the site by a minor road and

the disused railway line / cycle track (TPT) the site is hostile for amphibians. No reference is made to the disused canal along the western boundary and as this can contain water, it is the Council's view that amphibian surveys are required. These surveys should be required prior to planning permission being granted, however, Circular 06/2005 does allow for species specific surveys to be the subject of a pre-commencement condition in exceptional circumstance. The proposed development is reliant on grant funding the application for which is time sensitive and subject to planning permission being granted. Therefore, in this circumstance (and taking account of the fact that reptile surveys are also required pre-commencement) it has been agreed that the surveys can be subject to a pre-commencement condition.

In addition to the reptile and amphibian surveys being completed further mitigation and enhancements to biodiversity and habitat are required. This can be secured through appropriate condition and the requirement for a detailed landscaping scheme.

Archaeology

An Archaeological Desk Based Assessment has been provided with the planning application. This concludes that the site has historically been used for agriculture limiting the possibility for there to be agricultural remains; however, a geophysical survey would provide certainty in this regard. This can be secured through a suitably worded condition.

Trees/Forestry

The site is generally unconstrained by trees, however there are many located on and just outside the boundary of the site. Generally these trees can be fully protected and are to be retained during the proposed development as demonstrated in the arboricultural information submitted. The hedgerow on the boundary with Everill Gate Lane is to be removed for the access as are the trees labelled group 9 at the junction with Everill Gate Lane and Valley Way for road improvements. Whilst this is regrettable the arboricultural documents make it clear that there is scope for replacement planting of both the hedge when works are completed and the woodland area when the junction and road improvements have been made. Given the scope for replacement planting there is no objection to the proposal subject to the installation of the protection measures and compliance with the arboricultural documentation and a landscaping scheme detailing the new planting.

Drainage/Flood Risk

The Flood Risk statement attached shows outline proposals for the drainage of this site, with the application stating foul to "Mains" and surface water to "Mains". The site is crossed by a 675mm Combined Sewer which the developer has shown on plans, with an appropriate easement (secured long term through appropriate condition).

Yorkshire Water has confirmed that the outline drainage strategy is not acceptable and further investigation is required into the use of suds on the site, in particular the potential to discharge some surface water into the disused canal. This can be secured through appropriate conditions in accordance with Local Plan Policies CC3 and CC4.

Air Quality

Local Plan Policy Poll1 requires development to demonstrate that it is not likely to result, directly or indirectly in an increase in air, surface or groundwater, noise, smell, dust vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or people.

The proposed development is adjacent to the A633 Valley Road. Whilst not an air quality management area (AQMA), this road is detailed within the Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance, where mitigation of air quality impact is recommended. An assessment should therefore be undertaken in accordance with the council's guidance and subsequent mitigation proposed. As no assessment has been provided, and allowing for the applicant's time constraints, a suitable pre-commencement condition is to be applied.

Conclusion

The proposed development is similar to a previously approved scheme in this location and the site is allocated on the Local Plan for employment use (site specific policy ES20). As such the development is acceptable in principle in accordance with policy E3 'Uses on employment sites'..

There are some outstanding matters to be resolved in relation to the detail of this scheme, including the need for further ecological survey work. In normal circumstances this would be dealt with prior to permission being granted. However, as the scheme requires additional grant funding to enable a viable development and this is time sensitive and allowing for the fact that the principle of development has been agreed, it is recommended that approval is granted subject to pre-commencement conditions in this case. This would enable the benefits of the scheme, i.e. investment in speculative units and the resultant economic growth, to be realised.

The plans have been assessed to be acceptable having regard to D1 High Quality Design and Place Making. However a condition is required to ensure that the development is suitably landscaped. In addition the effects of the development on residential amenity are judged to be acceptable taking into account the separation distances from the nearest properties, orientation and the conditions that are proposed to restrict noise levels from the development having regard the Residential Amenity and the Siting of Buildings SPD.

In addition the assessment has concluded that the development is only acceptable if it is built in two phases and if it is subject to the same mitigation works that were approved under the previous planning permission in lieu of the highway mitigation works proposed by the applicant. The required works are listed as follows which forms condition 8 of the Officer recommendation.

- a) Provision of right turn lane on Valley Way;
- b) Provision of central pedestrian islands associated with right turn;
- c) Provision of merge/diverge lanes;
- d) Provision of splitter island at Everill Gate Lane junction to enforce left turn in/left turn out;
- e) Provision of 1m level area between back edge of footway and top of embankment;
- f) Provision of 2m footways on Valley Way to connect with existing and on Everill Gate Lane to include entire site frontage;
- g) Provision of all necessary signing and lining;
- h) Provision and any necessary alteration to street lighting;
- i) Provision and any necessary alteration to drainage;
- j) Provision of tactile paving;
- k) Resurfacing/reconstruction of all areas of carriageway/footway as dictated by the works;
- l) Provision of 2 bus stops and shelters.

Recommendation

Grant planning permission subject to conditions:-

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

- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved:

AJ/18-23/03 Site Plan
AJ/18-23/01 C Phase 1 Site Plan
AJ/18-23/02 C Phase 2 Site Plan
9837-112 Proposed Block D GA Plan
9837-107 Block B GA Plan
9837-106 Block A GA Plan
9837-113 Proposed Block D Elevations
9837-109 Proposed Block Elevations
9837-108 Proposed Block A Elevations
9837-111 Proposed Block C Elevations
9837-110 Block C-GAs

unless required by any other conditions in this permission.

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

- 3 Prior to commencement of development amphibian surveys must be carried out on site and appropriate mitigation measures, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

- 4 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey and additional enhancements, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

- 5 Prior to commencement of development, details of proposals to mitigate the air quality impact of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of minimising the impact of the proposal on air quality and in accordance with Local Plan Policy Poll1.

- 6 Prior to any construction being undertaken the applicant shall submit to the LPA, for approval, a noise management plan which details how noise will be controlled during the construction stage of the site. The noise management plan should be based on the provisions provided in BS 5228-1 2009. Once approved the applicant shall strictly adhere to the plan.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.

- 7 Prior to the commencement of the development details of the provision of an on site water supply or water storage facility along with other dust suppression measures as required shall be submitted to and approved in writing by the LPA. The approved details shall be put in place from the start of the construction period and shall be adhered to for the duration of the construction period

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.

- 8 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development being brought into use. Such works shall comprise of: -
- a) Provision of right turn lane on Valley Way;
 - b) Provision of central pedestrian islands associated with right turn;
 - c) Provision of merge/diverge lanes;
 - d) Provision of splitter island at Everill Gate Lane junction to enforce left turn in/left turn out;
 - e) out;
 - f) Provision of 1m level area between back edge of footway and top of embankment;
 - g) Provision of 2m footways on Valley Way to connect with existing and on Everill Gate
 - h) Lane to include entire site frontage;
 - i) Provision of all necessary signing and lining;
 - j) Provision and any necessary alteration to street lighting;
 - k) Provision and any necessary alteration to drainage;
 - l) Provision of tactile paving;
 - m) Resurfacing/reconstruction of all areas of carriageway/footway as dictated by the works;
 - n) Provision of 2 bus stops and shelters.
- Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 9 The phasing of the development shall be in accordance with the Transport Statement (Section 4, Via Solutions, September 2018). This excludes off site highway works which are the subject of a separate condition.
- Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 10 Development shall not commence until a Travel Plan has been submitted, including monitoring, and approved by the Local Planning Authority and shall be implemented within 3 months of the development being brought into use
- Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 11 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 Local Plan Policy T4 New Development and Transport Safety.**
- 12 No development shall take place unless and until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, 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 unless otherwise agreed in writing with the Local Planning Authority.
- To ensure the proper drainage of the area in accordance with Local Plan Policies CC3 and CC4.**
- 13 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- Reason: In order to ensure compliance Policy I1 in the Local Plan and in accordance with paragraphs 112 of the National Planning Policy Framework 2018.**

- 14 Upon Commencement of development a plan indicating the position of boundary treatments to be erected shall be submitted to and approved in writing by the Local Planning Authority . The boundary treatment shall be completed before the development is occupied. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and the amenities of the locality and to accord with Local Plan Policy D1, Design.
- 15 A minimum 10 metre wide landscaping strip shall be provided along the boundary with the Trans Pennine Trail and along the boundary with 77 and 79 Wath Road.
Reason: To safeguard the Trans Pennine Trail and the amenities of neighbouring residents.
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no obstruction including landscape features , temporary stockpiling of materials and changes in ground level shall be located over or within 5 metres either side of the centre line of the public sewer i.e. a protected strip width of 10 metres, that crosses the site . If the required stand -off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.
Reason: In order to allow sufficient access for maintenance and repair work at all times in accordance with Local Plan Policies CC3 and CC4.
- 17 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.
- 18 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 1300 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.
- 19 The noise rating level (as calculated using BS4142:2014) emitted from the site operations, service yard operations and any fixed plant shall not exceed 46dB LAeq 15mins between 0700 and 2300, as measured at the boundary of the nearest neighbouring property.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.
- 20 The noise rating level (as calculated using BS4142:2014) emitted from the site operations, service yard operations and any fixed plant shall not exceed 36dB LAeq 15mins between 2300 and 0700, as measured at the boundary of the nearest neighbouring property.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.
- 21 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

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

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

23 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

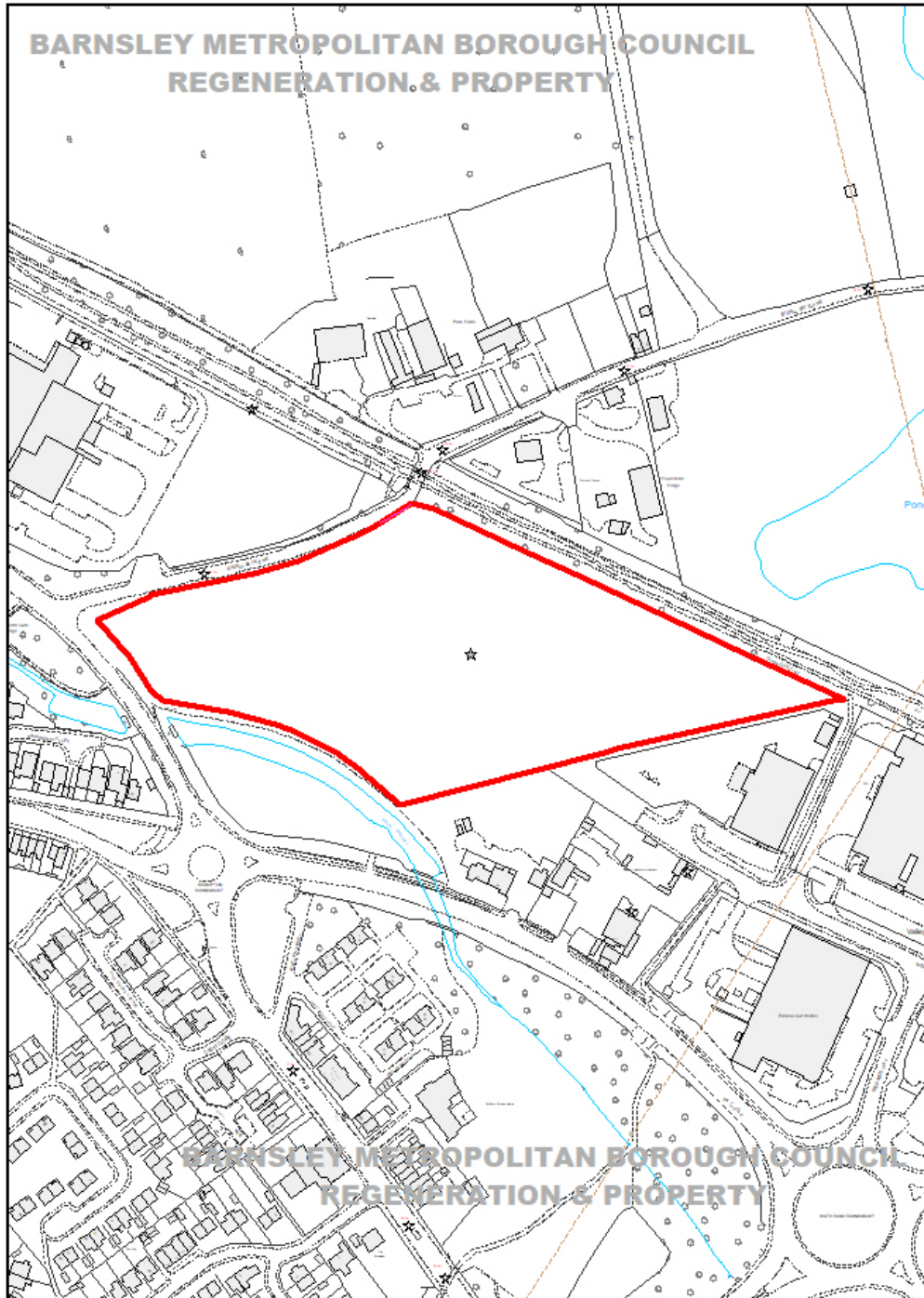
Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Local Plan Policy HE6.

24 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.
- Wheel washing facilities

Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4 New Development and Transport Safety and Local Plan Policy D1 High Quality Design and Place Making.

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BARNESLEY MBC - Regeneration & Property



Scale 1: -----

2019/0209

Applicant: Barnsley MBC, C/o NPS Barnsley

Description: Erection of 3no two storey dwellings and associated works (2no. 2 bed semi-detached and 1no. 3 bed detached).

Site Address: Land adjacent 7 Kenworthy Road, Worsbrough Common, Barnsley, S70 4LW

The application is referred to PRB as the Housing Growth Service within the Council are the applicants. No representations have been received.

Site Description

The application relates to a rectangular piece of land on Kenworthy Road measuring approximately 550m². The site is a vacant plot which previously contained residential properties. Its topography follows the form of the street which gradually slopes downhill from east to west. The site's appearance is unkempt with it being covered in overgrown grass which has captured litter deposited nearby. Green palisade fencing constitutes the sites western and southern boundaries while the eastern boundary is composed of a line of immature shrubbery and broken fencing. The surrounding area is wholly residential with semi-detached bungalows directly opposite and adjacent of the site to the north and west. To the south, rear curtilages extend behind the rear of the proposal site which belong to the two storey terraced properties on Highstone Road uphill to the east.

Proposed Development

The applicant seeks permission to erect 3no, two storey dwellings in the form of a detached and a pair of semi-detached properties. The semi-detached dwellings are to consist of an open plan kitchen/living/dining area and WC on the ground floor with two double bedrooms and a bathroom at the first floor. The detached dwelling is composed of a combined kitchen/dining room, a separate living room and a WC on the ground floor with two double bedrooms, a single bedroom and a main bathroom at the first floor. The properties would be faced with brick and render with decorative artstone sills and lintels surrounding grey/anthracite uPVC windows and black composite doors; the detached dwelling will also include a bay window. All the properties are designed with contemporary pitched rooves and their side windows exclusively serve hallways or bathrooms and provide no outlook for habitable rooms. A retaining wall will separate the detached dwellings from the semi-detached properties to account for the 0.87m level difference created by the site slope.

In terms of external amenity, 2no off-road parking spaces are to serve each dwelling and will be constructed of Herringbone block paving. Each property is afforded a small grassed area in front of each property enclosed from the highway by a composite of ball-top metal fencing and low-level brick walling. The curtilages will be separated and bounded by a 1.8m close-boarded timber fence and the rear gardens would be provided with a grass lawn as well as a small patio.

Site History

2013/1392 – Erection of 3no dwellings (1 pair of semis and 1no detached) – Approved subject to conditions 09/04/2013.

Policy Context

Planning decisions 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.

Local Plan

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

Designation: Urban Fabric

Relevant Local Plan policies include:

GD1 – General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1 – High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

T4 – New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

H4 – Residential Development on Small Non-Allocated Sites – Proposals for residential development on sites below 0.4HA will be allowed where the proposal complies with other relevant policies in the plan.

H8 – Housing Regeneration Areas – In lower value housing sub markets a range of housing market regeneration programmes will be supported aimed at the renewal of poor housing and the revitalisation of neighbourhoods and communities. South Barnsley and Worsbrough is considered a lower value sub market and support may include encouraging sustainable housing growth to support creation of an overall balanced housing market as well as addressing the density and mix of housing types and tenures.

CL1 – Contaminated and Unstable Land – Where future users or occupiers of a development would be affected by stability issues proposals must be accompanied by a report which shows that investigations have been carried out to work out the nature and extent of the stability issues and the possible effect they may have on the development and its future users. Dependent on the results of the report, a set of detailed measures should be provided to allow the development to go ahead safely by addressing land stability issues resulting from former coal mining activities.

Supplementary Planning Documents

Designing New Housing Development

South Yorkshire Residential Design Guide (SYRDG)

'Parking' provides parking requirements for all types of development.

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, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 58 (general design considerations) and paragraph 64, which states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

Consultations

Highways DC – No objections, conditions recommended.

Yorkshire Water – No comments have been received at the time of writing.

Highways Drainage – No objection. Satisfied that the details provided can be checked in line with the building regulations.

SYMAS – No objection subject to inclusion of Coal Authority standing advice on decision notice.

Coal Authority – No objection based upon supporting site investigation report. Further detailed considerations may be required of ground conditions and/or foundation design as a part of any subsequent building regulations. On the basis of the response from SYMAS and the TCA Local Plan Policy CL1 is considered satisfied.

Representations

The application was advertised by way of a site notice and consultation letters which were sent to properties adjacent to the proposal site. No formal representations have been received.

Assessment

Principle of Development

The site is allocated as Urban Fabric within the Local Plan Policies map. Urban fabric is a designation which acknowledges that land is located within the urban boundary. Within such areas new development is acceptable in principle where it complies with the predominant use of the area and where the proposed use would not compromise or lower the amenity of uses within the locality.

The site is located within Worsbrough Common and thus falls under Local Plan Policy H8 relating to *Housing Regeneration Areas*. On the basis of the surrounding unit types, those being bungalows, terraces and semi-detached dwellings, the inclusion of a detached unit within the proposal will aid the housing mix, density and overall sub market of this established urban area.

The development pertains to the erection of 3no dwellings on an infill site in a residential area which previously accommodated residential dwellings. As such the proposal is deemed concordant with Local Plan Policy H4 *Residential Development on Small Non-Allocated Sites* subject to its compliance with other relevant planning policies outlined above and discussed below.

Consequently the development is recommended to members as acceptable in principle subject to the visual, amenity and highways assessments below which seek to evaluate the new dwellings in terms of ensuring that their living conditions and overall standards of residential amenity are at an acceptable level for both existing local residents and future occupants, particularly in respect to levels of mutual privacy. Additionally, development should only be granted where the proposal would maintain visual amenity and not create traffic problems or highways safety issues.

Residential Amenity

The case officer acknowledges that the proposed dwellings would be two storeys, built at a higher level and positioned to the east and south of existing single storey properties. However, the westernmost dwelling of the proposed development has a side-to-side separation distance of at least

6m to the neighbouring bungalow at 7 Kenworthy Road. This degree of separation would minimise overbearance occurring at 7 Kenworthy Road.

For the bungalows at nos 5 and 7, the level of overshadowing would be restricted to the morning hours due to the proposed dwelling's being sited to the south east of their curtilages where existing light levels are expected to be retained through the rest of the day. Nos 10-16 would be affected by light loss across their front elevations and gardens as they are located directly to the north of the development site. However the loss incurred is likely to be negligible due to the distance created by the highway of Kenworthy Road which separates the existing and proposed dwellings by approximately 20m. Likewise the detached dwelling is to be located at least 10m downhill to the west of the terraced properties upon Highstone Road and amenity loss is unlikely to occur through this vector.

As mentioned previously, the development's side windows do not serve habitable rooms and are subsequently unlikely to contribute to loss of privacy for surrounding dwelling's or their curtilages. Overall the separation distances to surrounding dwellings is ample and in line with the recommendations within the SPD – Designing New Housing Development. However this is not the case in terms of distances within and across the rear curtilages of the proposed and existing properties. This is because the distance between the proposals rear elevations and their rear boundaries fall short of the recommended 10m set out within the SPD and overlooking can occur to the curtilages spanning from Highstone Road. Nevertheless, views from the proposed rear ground floor windows would be mitigated by boundary treatment and the garden areas that the windows would face (i.e. not immediately adjacent to the rear elevations of the neighbouring properties) extend approximately 10m or more further east toward Highstone Road away from the proposal site. Nevertheless the SPD is a form of guidance and it is considered that the established residential principle of the site overrides the requirement for a prescribed garden length in this instance as the width of the gardens provides more than the 50sqm and 60sqm minimum outlined for two and three bedroom properties respectively. Given the generous garden sizes, boundary treatment and the size of the adjacent rear curtilages on Highstone Road, it is judged that overlooking of neighbouring curtilages would not be to an unreasonable degree if the three dwellings are approved.

With regards to the amenity of the proposal's future residents, all the proposed rooms exceed the internal spacing standards set out for 2 bedroomed properties in the South Yorkshire Residential Design Guide [SYRDG]. The single bedroom within the three bedroom detached dwelling is 1sqm below the minimum stipulated within the SYRD. As with the SPD, the SYRDG is a form of guidance and as the double bedrooms within that property exceed the 12sqm requirement by several square meters, it is not considered that space standards are unduly restrained within the dwelling to warrant a refusal as the compound floorspace is adequate to offer a satisfactory level of living space. Overall the internal and external layout of the proposal is sufficient and the residential amenity of future occupants is deemed to be at an acceptable level. Meanwhile the Design and Access Statement outlines the wide range of amenity spaces and services on offer near to the plot of land including a football pitch opposite Highstone Road as well as Worsbrough Common Primary School approximately 250m away.

It is therefore recommended to members that the application is in line with Local Plan Policy GD1 in terms of overshadowing, overbearance and privacy for existing residents and future occupants due to the adequate separation distances and layout created by and within the design of the proposal.

Visual Amenity

The existing properties on Kenworthy Road are of a traditional mid 20th century construction whereas the proposed dwellings would have a relatively modern appearance with a mixed palette of materials including red bricks and render elevations and artstone sills and lintels. Similarly, the predominant roof form of properties in the vicinity is hipped while the design of the proposed dwellings is pitched. Irrespective of these differences, the proposal would maintain and improve street enclosure via the inclusion of railings and low level brick walls to contribute to the aesthetic of the streetscene along Kenworthy Road. It should also be recognised that the site is currently overgrown and strewn with litter and that its build out will repurpose this vacant space to a useful function while also improving the character of the area and would help meet the Council meet identified housing needs.

The proposed dwellings are simple, attractive and maintain the street pattern. As such, the proposed scheme would not be out of character with the area or be detrimental to the visual amenity of the streetscene. In any case, the design and materials aid in adding interest to the build and the scheme is not trying to recreate, or be a pastiche of, the style within the existing streetscene. The proposal is recommended to members as in line with the SPD – Designing New Housing Development and Local Plan Policy D1.

Highways

Each property is indicated as accommodating two off road parking space which meets the criteria for a 3 bedroom property and exceeds the criteria for two bedroom properties, as set out in SPD 'Parking'. The proposed parking spaces have been indicated in a supporting statement to measure 10m in length by 3m in width in line with the recommended spacing standards set out in the South Yorkshire Residential Design Guide.

As indicated in the Design and Access Statement, the number 44 bus stop is located outside the plot on Kenworthy Road and a further two bus stops for the 43 and 44 bus routes are located on Highstone Road. These give convenient access to Barnsley Interchange and connecting bus and rail services.

To conclude, the impact of the development will maintain existing highway safety and amenity, in accordance with Local Plan Policy T4.

Summary

It is recommended to members that the proposal is granted permission as it would provide an attractive infill development that would ensure living conditions and overall standards of residential amenity are provided and maintained to an acceptable level both for new residents and those living within the locality, particularly in respect of levels of mutual privacy, light and overbearance. In addition, the proposal would maintain visual amenity and not create traffic issues, in accordance with Local Plan Policies GD1, D1, T4, H4, H8 and CLC1.

Officer Recommendation to Board:

Grant subject to condition:-

- 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 and specifications as approved unless required by any other conditions in this permission.

Plan Nos -

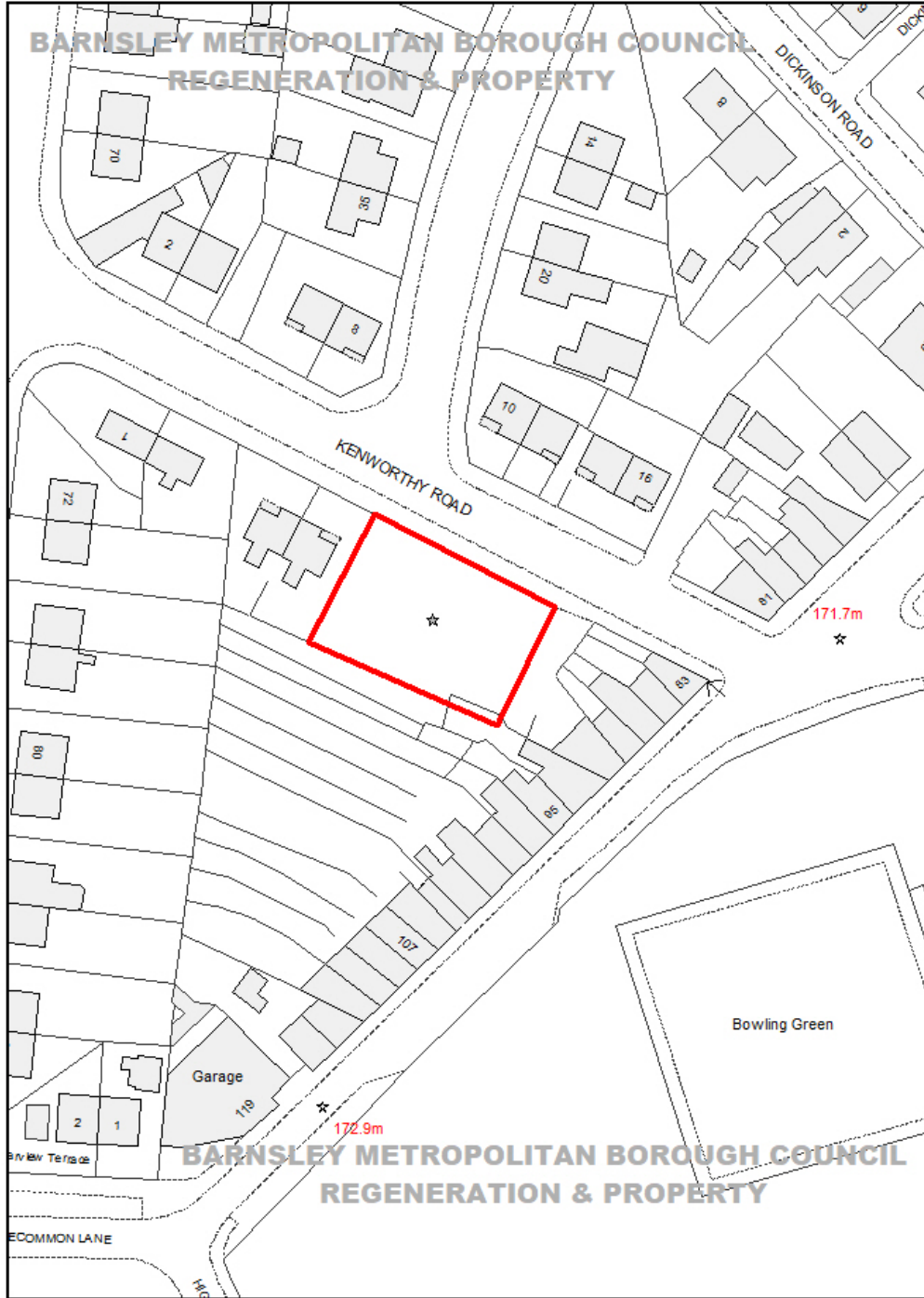
- Site Plan, Site Render & Street Scene - NPS-AA-PL-XX -A-Zz_70_60_M-020
- Proposed 3 Bed Detached Floor Plans and Elevations - NPS-AA-PL-XX -A-Zz_70_60_M-040
- Proposed Coloured 3 Bed Detached Elevations, Roof Plan & Sections - NPS-AA-PL-XX -A-Zz_70_60_M-041
- Proposed 2 Bed Semi-Detached Plans and Elevations - NPS-BB-PL-XX -A-Zz_70_60_M-042
- Proposed 2 Bed Semi-Detached Elevations, Roof Plan & Sections- NPS-BB-PL-XX -A-Zz_70_60_M-043

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

- 3 Sightlines, having the dimensions 2.4m x site frontage, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway.
Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 4 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.
- 5 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 are provided in the interests of highway safety and the free and safe flow of traffic, and in accordance with Local Plan Policy T4 – New Development and Transport Safety.
- 6 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 600m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 7 Vehicular and pedestrian gradients within the site shall not exceed 1:20 to ensure safe and adequate access.
Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety.
- 8 Any gates must be hung so as to open inwards into the site and not out onto the public highway, in the interests of highway safety.
Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety.
- 9 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use, in the interests of road safety.
Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety.
- 10 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 and the scheme shall be retained throughout the life of the development.
Reason: To ensure proper drainage of the area, in accordance with Local Plan Policy I1.
- 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

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BARNSELY MBC - Regeneration & Property



Scale 1: -----

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Item 8

2018/1442

Applicant: Darfield Family Centre, Barnsley MBC, C/o NPS Barnsley

Description: Single storey extension to building

Site Address: Darfield Family Centre, School Street, Darfield, Barnsley, S73 9EU

This is being brought to PRB as it is a Council application. No representations have been received.

Site Description

The site is located on the corner of School Street and Shroggs Head Close in Darfield. The Family Centre is a single storey modern brick building with a mix of low mono pitched and standard pitched roofs. There is a 4 space car park located at the front of the building and bin store, which is bounded by a metal mesh fence. Currently a metal container occupies one of the parking spaces. The building, which is accessed from Shroggs Head Close, is at a lower level than the road on Church Street. On Church Street there is a stone wall and metal gate and a large mature sycamore tree. The site is adjacent to a cricket field which contains other mature trees including a mature plane tree, which overhangs the site.

Proposed Development

This proposal comprises a single storey office extension next to the car park fronting School Street. It projects about 5.5m and is about 4.8m wide. There would be a standard pitched roof with the ridge aligning with the existing roof.

This is required as there is currently inadequate space for meetings with parents. There is also need for additional storage and administration.

The application is supported by a tree report.

Previous Planning History

2010/0131 – Erection of two single storey extensions and refurbishment works. Permission granted 06/07/2010.

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 includes the Local Plan. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Local Plan

The site is shown as Urban Fabric on the Local Plan. The following policies are relevant

I2 Education Facilities and Community Uses
T4 New Development and Transport Safety
D1 Design
BIO1 Biodiversity and Geodiversity
Poll1 Pollution Control and Protection

SPDs/SPGs

Parking

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.

Consultations

Highways-After concerns were expressed with the initial plans the amended plans are acceptable.

Highways Drainage-no objections

Trees-no objections

Representations

None received

Assessment

Principle of Development

The extension of an existing community facility would comply with Local Plan policy I2 Education Facilities and Community Uses.

Residential Amenity

The nearest houses are located on Shroggs Head Close to the north, however, there is ample separation given that the extension is only single storey. There would be no adverse impact on any nearby residential occupiers.

Visual Amenity

The site is at a lower level compared to School Street and there is also a stone wall and mature tree to screen the extension. Whilst it would be more visible from the houses on Shroggs Head Close the extension would be in keeping with the building and would not cause any undue harm to the character and appearance of the area.

The main concern in visual terms would be if there was any impact on the mature tree on the road frontage. The tree survey provided demonstrates that the proposed works take place on the very edge of the theoretical rooting areas of the trees, however due to hard surfacing covering much of the area the rooting activity in the area where the extension is proposed will be limited. The construction of the extension should therefore be feasible without detriment to the trees. It will however be necessary to protect as much of the trees rooting areas as possible during the works and as such a tree protection plan and protective fencing details will be required. Providing satisfactory protection measures are put forward in order to satisfy the proposed conditions there is no objection from an arboricultural perspective.

Highway Safety

Initial concerns were expressed relating to the impact of the extension on the already constrained parking and circulation areas. There are only 4 marked out spaces but there is room to park about 5 cars at the front of the building. The parking area is used for staff with no parking for visitors (who are mostly from the local area and do not need to drive). The extension would have impacted on the area available for parking.

A revised plan (NPS-DR-A-(00)-020 Rev P4) has been amended to show a smaller extension proposed, to enable vehicles to carefully negotiate the gap between the parking bay and the new building. This is sufficient to overcome the initial concerns expressed by Highways.

Conclusion

In summary the proposal is acceptable in land use policy terms having regard to policy I2 Educational and Community Facilities, GD1 and in relation to other material considerations including visual and residential amenity, highways considerations and trees having regard to Local Plan policy GD1 'General Development'. Accordingly the Officer recommendation is one of approval.

Recommendation

Grant subject to conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans NPS-DR-A-(00)-020-P4 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 Local Plan Policy D1 High Quality Design and Place Making.
- 3 The external materials shall match those used in the existing building.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 4 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

The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Local Plan policy BI01 Biodiversity and Geodiversity.

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BARNESLEY MBC - Regeneration & Property



Scale 1: -----

2019/0271

Applicant: Berneslai Homes, C/o NPS Barnsley

Description: Erection of single storey extension to rear/side of dwelling and provision of associated disabled access ramps.

Site Address: 19 Buxton Road, Athersley South, Barnsley, S71 3SR

The application is referred to PRB at Berneslai Homes are the applicants. No representations have been received.

Site Description

The application relates to a two storey semi-detached dwelling located close to the junction of Buxton Road and Bakewell Road in Athersley South. The property is of a red brick construction with a concrete tiled hipped roof.

To the rear of the dwelling is an existing single storey flat roofed extension and a modestly sized garden. To the front/side is a private driveway which provides off-street parking. The surrounding area is characterised by other semi-detached dwellings that are of a similar design and material construction.

Proposed Development

The applicant is seeking permission for the erection of a new single storey extension to the rear/side of the dwelling to replace an old out of date flat roof extension. The extension would have a rearward projection of 4.9m and would project along the rear elevation by 5.7m, extending out from the side elevation by 1.7m. The extension would have a lean-to roof with eaves of 2.3m and a ridge height of 3.8m. Matching brickwork and roof materials are proposed.

3 accessibility ramps would be provided. The proposed access ramps would be located at the front of the property leading to the main front door and to the front and rear of the new extension. The ramp to the front door would be 3.8m in length and the ramp to the front of the extension would be 5.4m long. Another ramp would also be installed leading to the rear of the dwelling and would measure 3.7m in length.

Policy Context

Local Plan Allocation – Urban Fabric

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise and the recently revised NPPF does not change the statutory status of the development plan as the starting point for decision making.

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

Local Plan Policies

Local Plan Policy D1 – High Quality Design and Place Making supersedes Core Strategy Policy CSP 29 and sets out the overarching design principles for the borough. Policy D1 States that development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

Supplementary Planning Documents

Supplementary Planning Document (SPD) - House Extensions sets out the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations. The general principles are that proposals for should:

- I. Be of a scale and design which harmonises with the existing building
- II. Not adversely affect the amenity of neighbouring properties
- III. Maintain the character of the street scene and
- IV. Not interfere with highway safety.

SPD – House Extensions states that to combat the problems of loss of light, as well as loss of privacy and outlook, the size and projection of rear extensions need to be strictly controlled. Single storey extensions to the rear semi-detached dwellings an extension should not project more than 4m and again, the eaves height should not exceed 2.5m where the extension would project beyond 3m. These policies are considered to reflect the policies set out in the revised NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

Representations

Notification letters were sent to surrounding properties. No comments or representations were received.

Assessment

Principle of Development

The site is allocated as Urban Fabric in the adopted Local Plan. As such extensions and alterations to a domestic property are acceptable in principle provided that they remain subsidiary to the host dwelling, are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties.

Extensions to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and on highway safety.

Residential Amenity

Extensions to dwellings are considered on the basis of overshadowing, loss of privacy and outlook. The sideways projection of a two storey side extension should not exceed more than two thirds the width of the original dwelling.

The proposed extension is located to the West of the adjoining dwelling and the extension will be set 3.7m from the boundary between the two properties. The rearward projection of the extension is not considered to be excessive and the roof pitch means that it is unlikely there will be any increase in overshadowing that would have a detrimental effect the private amenity space to the rear of neighbouring properties. As such, the proposed extension is considered acceptable.

Obscure glazing is proposed in the bathroom window that faces no.19 and so overlooking would not be an issue.

The provision of modestly sized ramps to the front, side and rear of the property is highly unlikely to have any significant impact on the amenity of neighbouring properties and so are considered acceptable.

Visual Amenity

Part of the extension projects beyond the side elevation of the dwelling and so would be visible from the highway. As the extension is single storey and the most visible part is set well back from the highway it would not have a detrimental effect on the visual character of the surrounding area.

The extension has been designed to harmonise with the original dwelling in terms of materials, detailing and design. Therefore, in this instance, the proposal is considered acceptable in terms of visual amenity and in compliance with Local Plan Policy D1 and SPD – House Extensions. The proposed ramps are modest in size and matching materials are proposed. As such, it is unlikely to have a significant effect on the visual character of the area and so is considered to be acceptable.

Conclusion

Proposals to extend residential properties located within the urban fabric of the Borough are acceptable in principle. In this case the extension has been assessed to be of a suitable design to harmonise with the original dwelling and is therefore suitable in visual amenity terms. Furthermore it would not give rise to any adverse impacts that would harm the amenity of the residents of adjacent dwellings. The application is recommended for approval accordingly.

Recommendation

Approve subject to conditions:-

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

- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Project No. 19-1-1078, Drawing Nos. NPS-XX-PL-GF-A-Zz_70_60_X-011 Rev. P1 and NPS-XX-PL-GF-A-Zz_70_60_X-040 Rev. P1) 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 Local Plan Policy D1 High Quality Design and Place Making.

- 3 The external materials shall match those used in the existing building.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

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BARNESLEY MBC - Regeneration & Property



Scale 1: -----

BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

01 March to 31 March 2019

APPEALS RECEIVED

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
2018/0831	Change of use of café to hot food takeaway 14 High Street, Hoyland, Barnsley, S74 9AB	Written representation	Committee
2018/1337	Erection of stone built detached summer house to side of dwelling Black Moor Farm, Black Moor, Snowden Hill, Barnsley, S36 8YR	Written representation	Delegated
2018/1379	Erection of detached double garage. 32 Honeywell Place, Barnsley, S71 1QB	Written representation	Delegated

APPEALS WITHDRAWN

0 appeals were withdrawn in March 2019

APPEALS DECIDED

7 appeals were decided in March 2019

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2018/1018	Conversion of garage into 1no dwellinghouse 16 Moorland Avenue, Barnsley, S70 6PQ	Dismissed	Delegated
2018/0888	Erection of 1no dwelling (Outline with all matters reserved apart from means of access) Rear of 7 - 29 May Terrace, Barnsley, S70 6HS	Dismissed	Committee
2018/0706	Proposed demolition of stables and erection of 1no dwelling. Land at Bar Lane, Mapplewell, Barnsley, S75 6DQ	Dismissed	Delegated
2018/0300	Erection of 1 no. detached dwellinghouse (Outline). Land adjacent Broadacres, Keresforth Hall Drive, Barnsley, S70 6NH	Dismissed	Delegated
2017/1366	Erection of 3 no. dwellings and alterations to access (Outline with access, layout and scale under consideration at this stage) Flouch Inn, Whams Road, Hazelhead, Sheffield, S36 4HH	Dismissed	Delegated
2014/1136	Erection of 1 no. dwelling with detached garage. (Amended Plans). Land adjacent 197 Brierley Road, Grimethorpe, Barnsley, S72 7AW	Allowed	Delegated
2018/0029	Removal of condition 5 (Public Open Space) of 2016/0288 as varied by application 2017/0206 - Residential development (Outline) Land at Sandygate Lane, Stairfoot, Barnsley, S71 5AW	Allowed	Delegated

2018/2019 Cumulative Appeal Totals

- 26 appeals have been decided since 01 April 2018
- 19 appeals (73%) have been dismissed since 01 April 2018
- 7 appeals (27%) have been allowed since 01 April 2018

	Audit	Details	Decision	Committee / Delegated
1	2018/0524	Formation of new driveway and vehicular access. 131 Goldthorpe Green, Goldthorpe, Rotherham, S63 9EL	Dismissed	Delegated
2	2017/1342	Erection of detached double garage to dwelling. Rowethby, 41 Intake Lane, Gawber, Barnsley, S75 2HX	Allowed	Delegated
3	2017/0245	Erection of 1 no. detached dwellinghouse. Upper Belle Clive Farm, Hartcliff Road, Cubley, Barnsley, S36 9FE	Dismissed	Delegated
4	2017/1054	Variation of condition 1 of planning permission 2016/0169 to enable plot substitutions on plots 10 and 11 to dormer bungalow, change of house types on plots 12 and 13 and removal of condition 12 (surface water run off rate reduction amount) - Development of 12 dwellings in total (amendment to planning permission 2016/0169) Land at Wentworth Street, Birdwell, Barnsley, S70 5UN	Allowed	Delegated
5	2017/0721	Residential Development (outline) Land at Lakeside View, Huddersfield Road, Penistone, Barnsley	Dismissed	Delegated
6	2017/0088	Residential development of 21 dwellings (Outline including means of access) Land South of New Smithy Avenue, Thurlstone, Barnsley, S36 9QZ	Allowed	Committee
7	2017/0118	Erection of rear extension to retail unit and conversion of upper floor to single unit of accommodation 29-31 New Street, Barnsley, S70 1RZ	Dismissed	Delegated
8	2017/1196	Retention of beer garden and new car parking spaces to rear of public house (amended details to application 2015/1162) The Cross Inn, 7 Summer Lane, Royston, Barnsley, S71 4SE	Allowed	Committee
9	2017/1285	Erection of 3 no. commercial units - Use classes A1 (Retail), A2 (Professional Services), and B1a (Offices) Land Bmbc Asset ID E00045, Milton Road, Hoyland, Barnsley, S74 9BN	Dismissed	Delegated
10	2017/0800	Erection of 1 no. holiday villa Windy Bank Hall, Hill Top Farm, Hill Top Lane, Green Moor, Sheffield, S35 7DQ	Dismissed	Delegated
11	2017/0898	Formation of car park and associated access/egress Land to the north of Old Mill Lane, Old Mill Lane, Barnsley	Dismissed	Delegated
12	2017/1587	Change of use from agricultural building to dwellinghouse (C3) (Prior Notification - Change of Use) Agricultural Building, Land at Low Mill Lane, Off Fall Head Lane, Silkstone, Barnsley, S75 4LB	Dismissed	Delegated
13	2018/0462	Erection of first floor side extension to dwelling 60 Manchester Road, Thurlstone, Sheffield, S36 9QT	Dismissed	Delegated
14	2018/0616	Erection of single storey outbuilding to form residential annex (Resubmission)	Dismissed	Delegated

		4 Burton Crescent, Monk Bretton, Barnsley, S71 2QD		
15	2016/0180	Sub-division and change of use of building into 11no. workshops to provide flexible leisure/employment uses 26 Doncaster Road, Barnsley, South Yorkshire, S70 1TL	Dismissed	Delegated
16	2017/0638	Residential development of 97 no. dwelling houses with garages, parking spaces and public open space and associated roads and sewers Land off Lowfield Road, Bolton Upon Dearne, Rotherham, S63 8JF	Dismissed	Committee
17	2018/0157	Erection of detached double garage South Grove House, South Grove Drive, Hoyland, Barnsley, S74 9DY	Allowed	Delegated
18	2018/0647	Variation of condition 2 of application 2017/0607 (granted at appeal under reference APP/R4408/W/17/3182593) to allow the hours of the car wash to be amended to 09:00 to 18:00 hours Monday to Saturday, and 09:00 to 17:00 hours on Sunday and Bank Holidays Former petrol filling station, Pontefract Road, Cudworth, Barnsley, S72 8AY	Dismissed	Delegated
19	2018/0738	Proposed extension to link Leapings Cottage and outbuildings Leapings Cottage, Leapings Lane, Thurlstone, Sheffield, S36 9QP	Dismissed	Delegated
20	2014/1136	Erection of 1 no. dwelling with detached garage. (Amended Plans). Land adjacent 197 Brierley Road, Grimethorpe, Barnsley, S72 7AW	Allowed	Delegated
21	2018/0029	Removal of condition 5 (Public Open Space) of 2016/0288 as varied by application 2017/0206 - Residential development (Outline) Land at Sandygate Lane, Stairfoot, Barnsley, S71 5AW	Allowed	Delegated
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