

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 23 July 2019
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

AGENDA

1. 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.

2. Minutes (*Pages 3 - 4*)

To receive the minutes of the meeting held on 25th June 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.

3. Westfield Farm, Royd Moor Road, Thurlstone - 2018/1445 - For Approval (*Pages 5 - 10*)

4. The Stables, Willow Bank, Wilthorpe, Barnsley - 2019/0732 - For Approval (*Pages 11 - 18*)

5. Barnsley Crematorium, Doncaster Road, Barnsley - 2019/0694 - For Approval (*Pages 19 - 22*)

6. Library at the Lightbox, 1 The Glassworks, Barnsley - 2019/0655 - For Approval (*Pages 23 - 28*)

7. Land off Bismarck Street, Worsbrough - 2019/0342 - For Approval (*Pages 29 - 38*)

Planning Appeals

8. Planning Appeals - 1st to 30th June 2019 (*Pages 39 - 42*)

Enforcement

9. Enforcement Update (*Pages 43 - 48*)

Update on Planning Enforcement Service activity for the period April to June 2019.

To: Chair and Members of Planning Regulatory Board:-

Councillors D. Birkinshaw (Chair), T. Cave, Clarke, Danforth, Eastwood, Frost, Gillis, Gollick, Greenhough, David Griffin, Hand-Davis, Hayward, Higginbottom, Leech, Makinson, Markham, McCarthy, Mitchell, Noble, Richardson, Smith, Spence, Stowe and Williams

Matt Gladstone, Executive Director Place
David Shepherd, Service Director Regeneration and Culture
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, 15 July 2019

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 25 June 2019
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

Councillors D. Birkinshaw (Chair), Danforth, Frost, Gillis, Gollick, Greenhough, David Griffin, Hayward, Leech, Makinson, Markham, Noble, Pickering, Richardson, Smith, Spence, Stowe and Williams

In attendance

10. Declarations of Interest

Councillor Hayward declared a Non-Pecuniary interest in **Planning Application No 2019/1510** – [erection of single storey side extension at 2 St Mary Ann Close, Cundy Cross, Barnsley S71 5RA] as he is the applicant.

11. Minutes

The minutes of the meeting held on 21st May 2019 were taken as read and signed by the Chair as a correct record.

12. Glebe Farm, Silkstone

The Head of Planning and Building Control submitted a report on **Planning Application No. 2019/0231** [Reserved Matters Application for the Erection of 3 dwellings and associated car parking, garages and landscaping (Outline Application ref: 2017/1164)] at land adjacent to Glebe Farm, Barnsley Road, Silkstone, Barnsley.

Mr Andrew Brown addressed the Board and spoke in favour of the Officer recommendation to approve the application.

Ms Gillian Burgess addressed the Board and spoke against the Officer recommendation to approve the application.

RESOLVED that the application be approved in accordance with the Officer recommendation and subject to conditions.

13. The Permanent Building, Church Street/Regent Street, Barnsley S70 2EH - 2019/0186 and 2019/0188 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application Nos. 2019/0186** [Conversion of first and second floor into 14 no. apartments] **and 2019/0188** [Conversion of ground floor into 11 no. apartments, an A3 unit and a commercial (A1, A2, A3 & B1a) unit, including mezzanines] at The Permanent Building, Church Street/Regent Street, Barnsley, South Yorkshire, S70 2EH.

RESOLVED that

- (i) The application(s) be approved in accordance with the Officer recommendation, subject to conditions (including S106 Agreement), and
- (ii) A condition being added to both permissions requiring a report/photographs documenting the main historical internal features of the building prior to works commencing.

14. 2 Mary Close, Cundy Cross, Barnsley S71 5RA - 2019/1510 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application No 2019/1510** – [erection of single storey side extension] at 2 St Mary Ann Close, Cundy Cross, Barnsley S71 5RA.

Councillor Hayward left the meeting at this point, having previously declared an interest in the application as he is the applicant.

RESOLVED that the application be approved in accordance with the Officer recommendation and subject to conditions.

15. 114 Wath Road, Elsecar, Barnsley S74 8JF - 2019/0473 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application No. 2019/0473** [Alterations to listed building including repair and repointing of external stonework and replacement of ground floor windows and doors] at 114 Wath Road, Elsecar, Barnsley, S74 8JF.

RESOLVED that the application be approved in accordance with the officer recommendation and subject to conditions.

16. Planning Appeals - 1st to 31st May 2019

The Head of Planning and Building Control submitted an update regarding planning appeals and 2019/20 cumulative appeal totals.

The report indicated that 3 appeals were received in May 2019, none were withdrawn and 6 were decided.

It was reported that 11 appeals have been decided since 01 April 2019, 8 of which (73%) have been dismissed and 3 of which (27%) have been allowed.

Chair

2018/1445

Applicant: Mr Robert Barraclough

Description: Erection of agricultural workers dwelling

Site Address: Westfield Farm, Royd Moor Road, Thurlstone, Sheffield, S36 7RD

Site Location and Description

Westfield Farm is located to the north east of Thurlstone. The landholdings extend to 51.8ha predominantly located to the north / northeast of Thurlstone.

The site is a small, broadly rectangular shaped, piece of land located at the entrance of the existing farm yard. Access is via the existing farm yard access. The current farm house is located to the north, on the other side of the access with various farm buildings located to the east, all contained within the existing farm yard.

There is a small field to the south providing a buffer with the residential edge of Thurlstone.

Proposed Development

The application is for a small 3 bed bungalow for use by an agricultural worker. The dwelling is for the current farmer's daughter who is the primary farm worker. Mr Barraclough is stated to be retiring but remains living in the existing farm house with his wife and grandchildren, for whom he is primary carer.

The bungalow is modest in size with the main rooms consisting of the three bedrooms, a living room, kitchen, utility and bathroom. The floorspace of the property is approximately 130 square metres

The proposed dwelling is an L shape with pitched roof. There is parking for two cars and a small garden. The curtilage is tightly drawn.

Planning History

B/91/1408/PU – Erection of agricultural building approved.

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, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan Policies

The site is allocated as in the Green Belt in the Local Plan where GB1 applies, protecting the Green Belt in accordance with National Planning Policy.

Policy GB4 allows for a permanent agricultural workers dwelling provided that:

- They support an existing agricultural activity on a well-established unit;
- There is clearly an existing functional need which relates to a full time worker;
- The unit and the agricultural activity have been established for at least 3 years and profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so;
- The functional need could not be fulfilled by another existing dwelling on the unit or in the area which is suitable and available.

Development will be expected to:

- Be of a size commensurate with the established functional need;
- Be sited directly adjacent to existing buildings wherever possible;
- Be of a standard of design and respect the character of its surroundings, in its footprint, scale and massing, elevation design and materials;
- Have no adverse effect on the amenity of local residents, the visual amenity of the area or highway safety.

Other relevant policies include:

SD1 Presumption in Favour of Sustainable Development
 GD1 General Development
 H4 Residential development on small non-allocated sites
 T4 New Development and Transport Safety
 D1 High Quality Design and Place Making
 BIO1 Biodiversity and Geodiversity
 CC4 Sustainable Drainage Systems
 Poll1 Pollution Control and Protection

SPDs

Design of Housing development

Penistone Neighbourhood Plan

BE1: Design of the built environment

NPPF

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

Consultations

Drainage – No objections

Highways – No objections subject to conditions

Pollution Control – No objections

Yorkshire Water – No response

Representations

The application has been advertised by way of a site notice and properties within the vicinity have been consulted directly in writing. No comments have been received.

Assessment

Principle of Development

The proposed development is for an agricultural workers dwelling. The planning application is supported by information including confirmation that the proposal is for a further dwelling on the farm; details of the farm holding, including land owned and land rented; details of the stocking levels (numbers of cows, sheep, pigs and poultry; and an estimate of the total man hours). In addition, further evidence has been provided by the applicant's accountants in relation to the profit and loss accounts for the business for the 3 years to April 2019 and their financial opinion of the farms viability.

The information provided shows there is existing agricultural activity on site with over 300 cattle and over 200 sheep alongside pigs and poultry forming part of the agricultural operations with barley also cultivated on the site. The planning application submitted in 1991 was for an agricultural building and involved the same applicant as this proposal which shows how well established the farm is at this location.

The applicant has provided an assessment of land held, stocking levels, and agricultural operations on site to calculate standard man hours for farm labour requirement. This is assessed in reference to the John Nix Farm Management book and shows that there is a functional need for an agricultural worker on site. The property is required for Gina Barraclough who is currently residing with her parents and their grandchildren in the main farmhouse. Mr Barraclough is said to be in poor health and retiring. Therefore, the functional need for a farm worker on site is clear.

In addition to the above, the evidence provided demonstrates that the farm business has been restructured by Gina Barraclough who has invested substantial personal funds in the business. This has resulted in the development of a pedigree herd of beef cattle which is stated to commend premium prices at auction. The financial evidence reflects this investment with the farm going from operating at a loss to being profitable in 2019.

Furthermore, the future occupier of the dwelling has been residing in the farm house with family over recent years, as the business has been restructured, and therefore in this case it is not appropriate to require a temporary dwelling in accordance with paragraph 18.12 of the Local Plan.

The applicant has not provided evidence that a suitable property is unavailable in the vicinity, however, a review of the properties currently available in neighbouring Thurlstone confirmed that no houses were available in the immediate proximity and those that are for sale in the wider area are priced above what would be affordable for a farm worker on the wage being paid by the business.

Finally the accountant has confirmed that the business is capable of acquiring the finance required to build the new dwelling.

As such it is accepted that the proposed development complies with the first part of policy GB4.

Visual, Residential Amenity, and Highway Safety

The second part of GB4 requires the proposal to meet various design standards. In this regard the proposed bungalow is small in scale with a tightly defined curtilage, allowing for a small garden

and two parking spaces. Its floorspace is commensurate with other agricultural workers dwellings that have been allowed in the past within the borough. It is sited within the existing farm yard, close to other farm buildings and shares the same access. Proposed materials are Yorkshire stone with artificial slates which is in keeping with the farmhouse.

In terms of residential amenity, there is a small field located between the proposed dwelling and the nearest adjacent properties (other than the existing farmhouse) ensuring more than the minimum distance standards can be met with regards to protecting neighbouring amenities.

In terms of highway safety the addition of this dwelling for an agricultural worker is not considered to generate any significant traffic movements. Parking is provided next to the dwelling and the proposal will be able to utilise the existing access. Highways have raised no objections to the proposal subject to suitable conditions

The proposal is therefore considered to meet the requirements of the second part of GB4 as well as other relevant policies including GD1, T4, D1 and Poll1.

Drainage

The Council's Drainage Officer has inspected the scheme and confirmed that the details provided are sufficient to ensure that a suitable drainage system can be provided. As such no objections have been raised.

Conclusion

The proposal is to provide a permanent agricultural workers dwelling and has been assessed against Policy GB4 of the Local Plan. Sufficient information has been provided to demonstrate that the dwelling is required to support the growing business at Westfield Farm. No other dwellings are available in the immediate area and the siting, scale and design of the dwelling is commensurate with the need. Therefore the proposed is in compliance with Local Plan Policy GB4.

Permitted development rights will be removed and the dwelling will be subject to an agricultural workers occupancy condition in accordance with Local Plan Policy GB4.

The proposal has also been assessed against other relevant local and national planning policies and is considered to be in accordance with these and as such is recommended for 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 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 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policy D, High Quality Design and Place Making.

- 4 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- 5 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 enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.

Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with Local Plan Policy GB1 Protection of Green Belt.

- 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 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.

- 7 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.

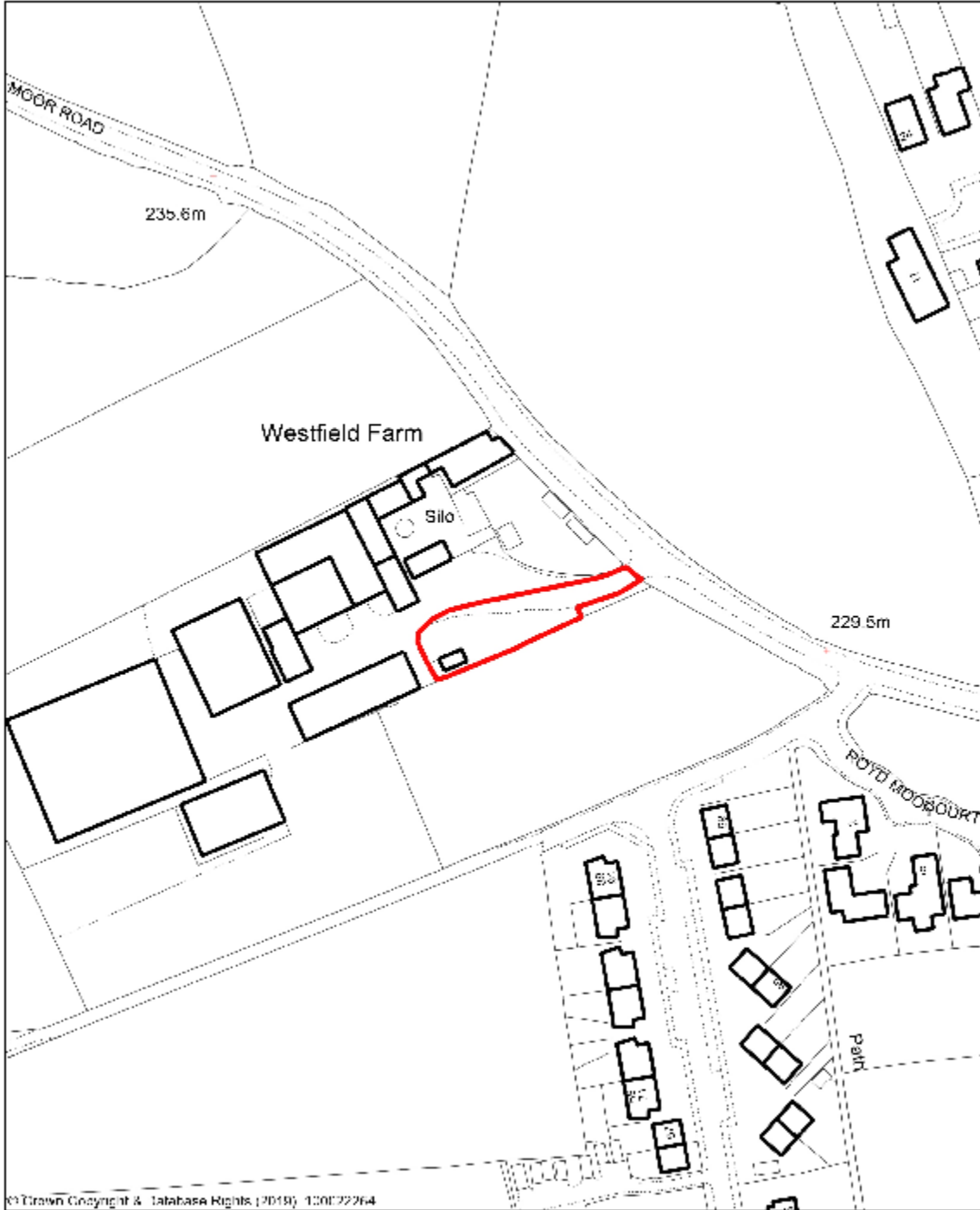
- 8 Vehicular and pedestrian gradients within the site shall not exceed 1:20 to ensure safe and adequate access.

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.

- 9 The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture or in forestry, or a widow or widower of such a person and to any resident dependants.

Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with Local Plan Policies GB1 and GB4.

PA Reference:-



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BARNSELY MBC - Regeneration & Property



Scale: 1:1250

Item 4

2019/0732

Applicant: Mr Bernard McDonough

Proposal: Siting of an additional static caravan, erection of an extension to the amenity building and amendments to the site layout approved under application 2017/0392.

Address: The Stables, Willow Bank, Woodstock Road, Barnsley, S71 1PS

No representations have been received from any members of the public

Site Location & Description

The application relates to land to the South of Willow Bank, within Wilthorpe. The site sits immediately to the South of a fishing pond and adjoins a railway embankment, the railway line being on a higher level than the site. Vehicular access to the site is gained from Woodstock Road and under the aforementioned railway line. The site is rectangular in shape and measures approximately 880m². The site is within the Green Belt as allocated in the Local Plan.

The site currently consists of a static caravan and associated shed/outbuilding, an amenity building, (which was a former stable and accommodates a kitchen dining area, laundry room and bathroom), a children's playhouse and space to park a touring caravan and several vehicles. The site is enclosed by solid boundary treatments and has vehicular access via metal gates to the West of the site

Planning History

2010/0672 – Change of use of land for the siting of a residential caravan and retention of converted stable block as a domestic amenity building – Approved for a temporary period of 5 years on 25/07/2012.

2017/0392 - Proposed permanent change of use of land for the siting of a residential caravan, shed, a children's playhouse and touring caravan and use of stable block as amenity building following expiry of limited period planning permission application reference 2010/0672.

Proposed Development

Since the approval of application 2017/0392 '*proposed permanent change of use of land for the siting of a residential caravan, shed, a children's playhouse and touring caravan and use of stable block as amenity building*' the site has been sold onto a larger traveller family who require additional accommodation on the site.

The additional accommodation includes a further static caravan (2no. in total) and an extension to the existing amenity building. The amenity building currently has an open plan lounge/kitchen area, a small prayer room and bathroom. The proposed extension would almost double the floorspace within the building allowing them to separate out and enlarge the kitchen and lounge spaces and also expand the prayer room and bathroom.

The site layout of the previously approval would also undergo modest amendments to accommodate the additional caravan and amenity building alterations. The site, as proposed, would accommodate 2no. static caravans, shed, a children's playhouse, extended amenity building and touring caravan.

Both static caravans have 3 bedrooms, one of which would be occupied by the applicant and his partner, along with their 5 children aged 12, 10, 9, 5 and 1. The second caravan would be

occupied by the applicant's extended family. The children would attend local schools and be registered to local doctors.

Policy Context

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).

The site is allocated as Green Belt within the Local Plan and therefore the following policies are relevant:

Policy GT1 'Sites for Travellers and Travelling Show people'

Policy D1 'High Quality Design and Place Making'

Policy GB1 'Protection of Green Belt'

Policy GB2 'Replacement, extension and alteration of existing buildings in the Green Belt'

Policy GD1 'General Development'

Policy T4 'New development and Transport Safety'

NPPF

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

Paragraphs of particular relevance to this application include:

143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or*
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

Planning Policy for Traveller Sites

This document sets out the Government's planning policy for traveller sites and should be read in conjunction with the NPPF.

Policy E: Traveller sites in the Green Belt

Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development.

Policy H: Determining planning applications for traveller sites

Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- the existing level of local provision and need for sites
- the availability (or lack) of alternative accommodation for the applicants
- other personal circumstances of the applicant
- that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- that they should determine applications for sites from any travellers and not just those with local connections

Consultations

Highways – Advice given at pre-application stage raised no objections.

Representations

Letters have been sent to 11no. neighbouring residents, a site notice erected and a press notice put in the Barnsley Chronicle. No letters of objection have been received as a result.

Assessment

Principle and Impact on the Openness and Visual Amenity of the Green Belt

The NPPF states that the construction of new buildings in the Green Belt is inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Planning Policy for Travellers sites also mirrors the comments in the NPPF.

However, paragraph 145 of the NPPF goes onto set out a number of exceptions to the above, these include *'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'* and *'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development'*.

Local Plan policy GB2 'Replacement, extension and alteration of existing buildings in the Green Belt' mirrors the NPPF and states 'provided it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, we will allow the following development...extensions or alterations of a building where the total size of the proposed and previous extensions does not exceed the size of the original building.

In this case, the site has already been developed and established for the siting of caravans and associated structures. It lies adjacent to the built up area of Wilthorpe, within Urban Barnsley, and adjoins residential development, a commercial fishing pond and railway embankment which sits above the height of the structures on the site. There are public footpaths and small roads within close proximity to the site; therefore, the site is visible from some public vantage points. The site is not visible, however, from the South, given the position of the railway embankment, and, when viewed from the north of the railway, the site and associated structures are viewed against the steep railway embankment itself.

As such, the impact of the additional modest caravan on the openness of the Green Belt is not significant, given the location of the railway embankment and neighbouring structures, as well as the site being positioned within Urban Barnsley and adjoining an established urban area. The application also proposes an extension to the existing amenity building. NPPF paragraph 145 supports the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The proposed extension would fall short of 100% of the existing floor space. It is acknowledged that the ridge height would increase, however, the building sits to the Eastern part of the site viewed against the railway embankment, mature vegetation and neighbouring buildings, as such, it would not have a greater impact on the openness of the Green Belt.

Furthermore, the site is enclosed by a well maintained timber fence and wall which screens the caravans and associated buildings from surrounding views. As such, the caravans and outbuildings on the site are considered to sit comfortably within this urban fringe setting and there is little adverse impact on the visual amenity of the Green Belt.

Given the above the proposal is considered to accord with the provisions of paragraph 145 of the NPPF and Local Plan Policy GB2 and would not be considered as inappropriate development. As such very special circumstances are not required to be put forward in this instance.

Other Principal Issues

It should be noted that the site has been subject to previous planning applications, as set out in the planning history section above. As such, there is an established permanent traveller use on the site with permission for associated caravans and buildings. The previous application was

approved under the Core Strategy and saved UDP policies but had regard for the emerging Local Plan policies. The relevant Planning Board report concluded *'the site is unusually well integrated into the built up area and into its social structure and generally accords with Core Strategy Policy CS18 and has now been established for a considerable time period of in excess of 9 years'*.

Furthermore, the site accords with Local Plan policy GT1 'Sites for Travellers and Travelling Show people' as the site is on the edge of Wilthorpe within Urban Barnsley and therefore has good access to facilities. It is not in an area of high flood risk or affected by contamination and has adequate vehicular and pedestrian access from the highway. It would also provide a good safe living environment with appropriate standards of residential amenity with the ability to be developed in accordance with the CLG Gypsy and Traveller Site Design Guide (May 2008).

Policy GT1 goes on to state 'self-sought provision will be positively considered where it accords with this policy and other relevant policies within the Local Plan. This application will focus on whether the additional caravan and extension of the amenity building accords with the relevant policies, under the headings set out below;

General Need

Barnsley's Gypsy and Traveller and Travelling Showpeople Accommodation Needs Assessment (GTNA) 2015 identifies a five year requirement of 15 pitches between 2014/15 and 2018/19. A further annualised requirement of 1.83 pitches can be applied to this figure to account for household formation.

An emergency stopping place was created within the borough to help better management of, and reduce the frequency of illegal and unauthorised encampments, which are symptomatic of the current shortfall. However, this facility is currently closed.

Since the approval of the permanent permission on the site the local Plan has been adopted and allocated 2no. sites, in addition to the existing sites, within the borough. These include TS1 'Land North of Industry Road Carlton' for upto 11 pitches and TS2 'Burntwood Cottages extension, Brierley' for 8 pitches. However, it is not likely they will be available in the short term and this proposal would utilise an existing established Traveller site.

As outlined above, Local Plan policy GT1 states self-sought provision will be positively considered where it accords with this policy and other relevant policies in the Local Plan.

Visual Amenity

This has been assessed in detail earlier on in this report but the extended amenity building and additional caravan would be in keeping with the existing use of the site for Travellers. Given the site is well enclosed, the structures on the site are screened from a number of vantage points. As such the proposal is not considered to be detrimental to the visual amenities of the site or its surroundings.

Residential Amenity

The site does adjoin an urban area and neighbours several residential properties, however, the site is separated from the majority of the properties by the railway line immediately to the South of the site. The neighbouring properties to the North of the railway line are generally larger dwellings which are set within farms or large gardens, as such, there are reasonable separation distances.

Furthermore, the addition of an extra family on the site would not increase noise and disturbance, through vehicular movements and residential activity, to an unreasonable degree.

The previous approval had a condition restricting the number of caravans on the site and also prohibiting commercial activities on site, these conditions will be carried over to this permission.

Highway Safety

It is not considered that the addition of the extra caravan and extended amenity block would result in a significant increase in traffic movements from and to the site. Sufficient area remains within the site for vehicles to manoeuvre to enter and exit the site in forward gear. Highways have raised no objections and it is not considered that the proposal would have a detrimental impact on highway safety.

Conclusions

It is concluded that the site is well integrated into the built up area and into its social structure and generally accords with Local Plan policy GT1, especially as the site has now been established for a considerable time period of in excess of 10 years.

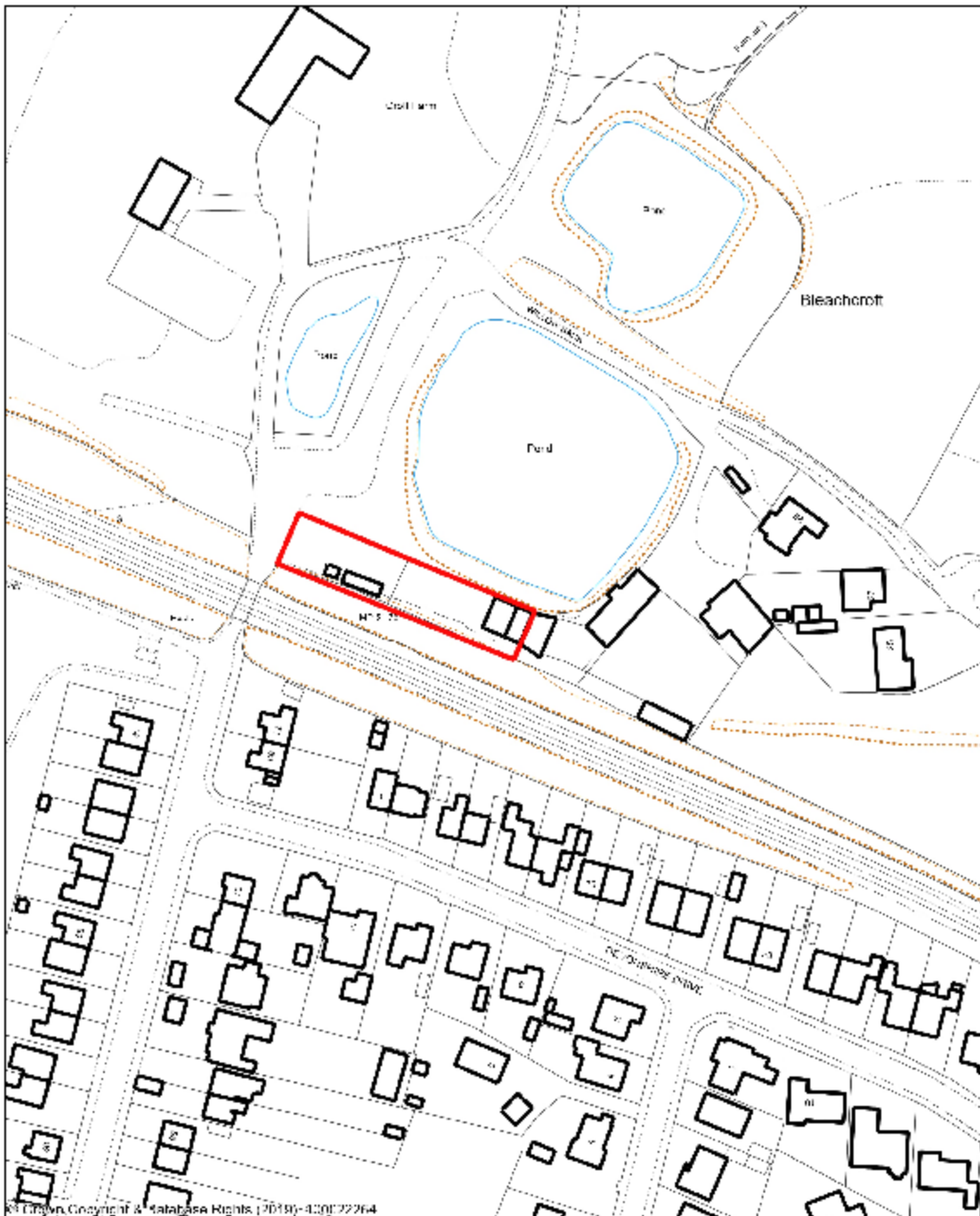
The additional static caravan and extension to the existing amenity building are considered exceptions under paragraph 145 of the NPPF and accord with the NPPF and Local Plan policy GB2 in that the openness of the Green Belt would be maintained.

Recommendation

Grant planning permission with 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 (Nos MPM001-001, MPM001-003 & MPM001-004) 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 No more than 3 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than two shall be static caravans) shall be stationed on the site at any time.
Reason: In the interests of the visual amenities of the Green Belt and in accordance with Local Plan policy GB1 & GB2 and the NPPF.
- 4 No commercial or industrial activities shall take place on the land, including the storage of materials, and no vehicles above 3.5 tons in weight shall be parked on the site.
Reason: In the interests of the residential amenities of nearby residents and the visual amenity of the Green Belt, in accordance with Local Plan policies GB1, GB2, D1 and GD1.

PA Reference:-



BARNSELY MBC - Regeneration & Property

Scale: 1:1250



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Item 5

2019/0694

Applicant: BMBC Bereavement Services

Description: Erection of a single storey extension to provide memorial display showroom

Location: Barnsley Crematorium, Doncaster Road, Barnsley, S71 5EH

No objections received

Site Location and Description

Barnsley Crematorium is located off a busy dual carriage way linking Barnsley and Doncaster. Access to the site consists of a one way system; the entrance is from Doncaster Road to the north and the exit is via a small single track road to the West.

The main office accommodation is situated within the buildings fronting onto Doncaster Road, the gable fronted pitched roof buildings flank the access road and form a prominent entrance to the site. The buildings are set back from the highway and separated from it by a grass verge which is surrounded by a low level brick wall.

The main building is constructed from buff brick with stone quoins and benefits from a single storey flat roof side extension and a white UPVC porch style extension on the front elevation

Proposed Development

The applicant seeks permission for the erection of a single storey extension to the existing office accommodation associated with Barnsley Crematorium to provide a showroom to be able to display memorials currently situated outside.

The proposed extension is to project 3.5m from the front elevation and extend 7.9m along it, in-filling the existing gap between the original building and the flat roof extension.

The extension is to be clad from Cedral Fibre cement cedar cladding in Light Oak.

The existing UPVC conservatory is to be demolished to allow for the proposed extension.

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, 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 as Urban Fabric within the Local Plan Proposals Maps and is also identified on the Green Space Register as part of the wider area occupied by the Cemetery. Therefore the following policies are relevant:

- Policy T4 New development and Transport Safety
- Policy GD1 General Development

- Policy D1 High Quality Design and Place Making
- Policy GS1 Green Space
- Policy SD1 Presumption in favour of Sustainable Development

Consultations

Highways – No objection
Drainage – No objection
Ward Councillors – No comments

Representations

A site notice was posted adjacent to the site and notification letters sent to surrounding properties; no comments have been received

Assessment

Principle of Development

The site forms part of the wider area of the Crematorium which is designated as on the Greenspace Register. Under Policy GS1 proposals that result in the loss of green space or land that was last used as green space will not normally be allowed unless an assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough. However, Policy GS1 also describes Green Spaces as “green open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks”. In this case the area the subject to this application is to the front of the crematorium offices and gatehouse and is currently laid to paving forming a hard forecourt and entrance area to the building. As such it is not considered that the proposal would see the loss of a ‘green open area’ and therefore the loss of the green space would be acceptable and given that the area is paved, there would be no requirement for compensation payment as the area is not considered to be functioning as a green space. The principle of the development is therefore considered to be in accordance with Local plan Policy GS1.

In addition to the above, proposals for development are considered acceptable where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents, highway safety, or the visual amenities of the site. These are assessed in detail in the remainder of the report.

Visual Amenity

The building is set back from the highway and whilst the proposal is located on the front elevation, it would not form a dominant feature within the street scene as it is set back from the highway, subservient to the host building, and does not project closer to the highway than the existing property.

It is acknowledged that the proposed external materials do not match those used in the construction of the original building, however the light oak Cedral fibre cement cladding harmonises with the warm oak tones of the buff brick and the inclusion of the proposed modern contemporary feature contrasts against the original building allowing the history of the original building to be easily read.

Residential Amenity

The closest residential properties are located to the west of the site, some 30 meters from the site. Given that the proposed extension is located within the building line of the original building it is considered that the proposed works are unlikely to give rise to any reduction in amenities currently enjoyed by neighbouring residents.

Highway Safety

Highways have raised no objection to the proposal which is a relatively small scale extension to enable the relocation of a display showroom from elsewhere within the site and there is no change to access or parking arrangements which remain suitable for purpose. It is therefore considered that the proposed extension complies with Local Plan Policy T4

Recommendation

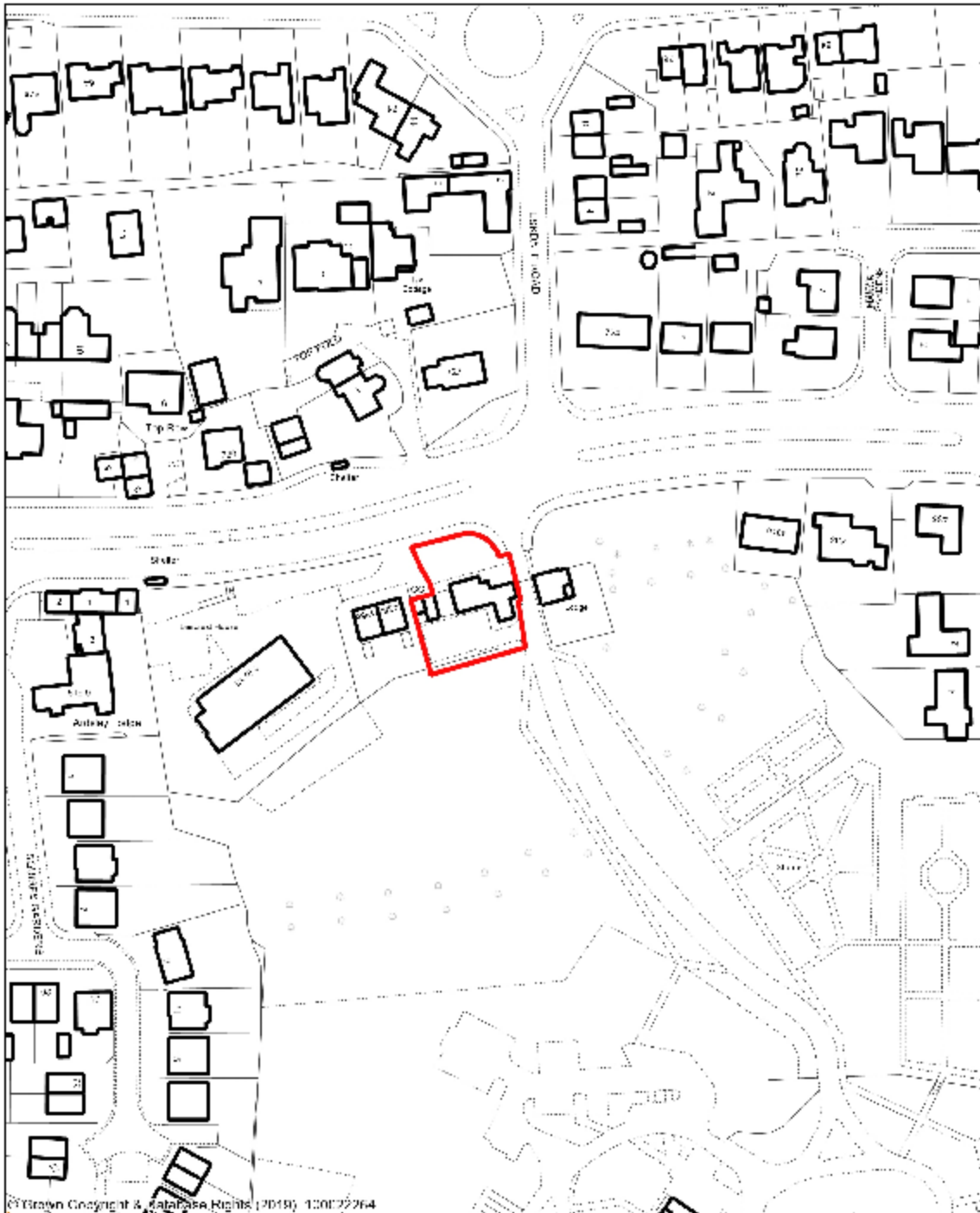
Grant subject to conditions:-

- 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-XX-P-00-DR-A-100, NPS-XX-PL-00-DR-A-201-P4, NPS-XX-P-GF-000-DR-A-300-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 specified on plan NPS-XX-P-GF-000-DR-A-300-P1.
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.

PA Reference:-



BARNSELY MBC - Regeneration & Property



Scale: 1:1250

Item 6

2019/0655

Applicant: Mr David Shepherd (BMBC)

Proposal: Display of illuminated signage above entrance canopy (retrospective)

Address: Library at the Light Box, 1 The Glass Works, Barnsley, S70 1GW

Background

There have been a larger number of applications on the site in the last few years, the most relevant of these to this application are:

2017/0135 – Proposed refurbishment and extension of Metropolitan Centre containing a mixture of markets, retail, food and drink (A1 ,A3, A4), and leisure (D2) uses - Reserved matters of outline planning permission 2015/0549 (access, appearance, layout and scale, excluding landscaping) – Deemed Planning Permission Granted

2019/0469 – Installation of 1 no. internally illuminated fascia sign, 1 no. internally illuminated & positioned light box sign and 1 no. internally illuminated menu board. – Approved with Conditions – The application was submitted by Lounges Ltd who occupy the A3 unit neighbouring the library within the Lightbox building and therefore was decided under delegated authority.

Site Location & Description

The application relates to Barnsley's new central library located within the Lightbox building – a part of the Barnsley Town Centre Glass Works redevelopment. The library occupies most of the building where it stretches northward towards Eldon Street and Kendray Street while also facing east toward May Day Green. The building itself is formed predominantly of vertically orientated glazing framed by champagne coloured aluminium heads and jambs. The Lightbox's main entranceway is located in a central position and is endowed with a canopy that is shared with the neighbouring unit.

Proposed Development

The applicant is seeking permission for the installation of new signage that has been erected in 1no location upon the canopy above the main entrance to the Lightbox. The sign is to be internally illuminated by LED and will state 'Library @ The Lighbox' over two lines of individual lettering in Norwester font at a height of between 230mm to 460mm. The overall height of the signage is 0.69m by 2.68m in width at a depth of 0.05m. The colour of the font is white and black with the signage's background and side wall coloured to match the champagne frame of the Lightbox.

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).

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.

TC1 – Town Centres - All retail and town centre developments will be expected to be appropriate to the scale, role, function and character of the centres in which they are proposed.

TC2 – Primary and Secondary Shopping Frontages - Proposals for retail (A1-A5) uses will be allowed on Primary and Secondary Shopping frontages in Barnsley Town Centre and the District Centres.

BTC1 – The Daytime and Evening Economies - We will work with developers and operators to diversify the daytime and evening economies (particularly early evening) Preference will be given to pubs, clubs, restaurants, cafés and night time entertainment uses.

BTC12 – The Markets Area District - We will allow shops, offices, leisure developments, and food and drink uses within the Markets District.

SPDs

Advertisements

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 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 124 (general design considerations) and paragraph 130, which state 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

Ward Councillors – No comments received

Conservation Officer – No objections

Urban Design – No objections

Civic Trust - Support

Representations

Neighbour notification letters were sent to neighbouring properties and a site notice was erected adjacent to the development; no comments have been received.

Assessment

Principle of Development

The site is located within the Markets Area of the Town Centre. The advertisement relates to a D1 use upon a secondary shopping frontage in line with the requirements of Local Plan Policies TC1, TC2, BTC1 and BTC12 as the unit and its signage scheme are found to cater for the daytime use that will ensure the vibrancy, vitality and viability of the town centre. Subsequently, consent will be granted where the development is found to be appropriate in scale and respectful of the character of the area. Signage should not adversely impact the amenity of local residents/occupants/businesses or undermine highway safety.

Residential Amenity

The site is located within an established commercial town centre area, with no residential properties in close proximity that face the building. As such, it is anticipated that there will be no detrimental effect from the new signage for local residents and it will not be prejudicial to the amenity of surrounding units in line with the requirements of the SPD Advertisements and Local Plan policies GD1 and D1.

Visual Amenity

The sign proposed is of a high quality appearance and is sympathetically sized in relation to the site entrance and host building. Indeed the sign is proportionate to the height and width of the canopy upon which it will be situated - as such it is likely to give rise to an image of quality, confidence and permanence. The illuminated lettering upon the canopy is within the 100mm maximum depth recommended within the SPD while the colour of the signage is neutral and should contribute to the Lightbox's modern and bold appearance.

As such the development is considered to be in line with Local Plan Policies GD1 and D1 as they are appropriate to the scale, role, function and character of the Lightbox and the surrounding area.

Highway Safety

The sign faces onto the pedestrianised area of May Day Green. Surrounding roads used predominantly by vehicular traffic are sufficient distance away not to be detrimentally affected but a condition is recommended to ensure the brightness of the sign complies with the recommended guidelines to ensure highway safety is not compromised.

Conclusion

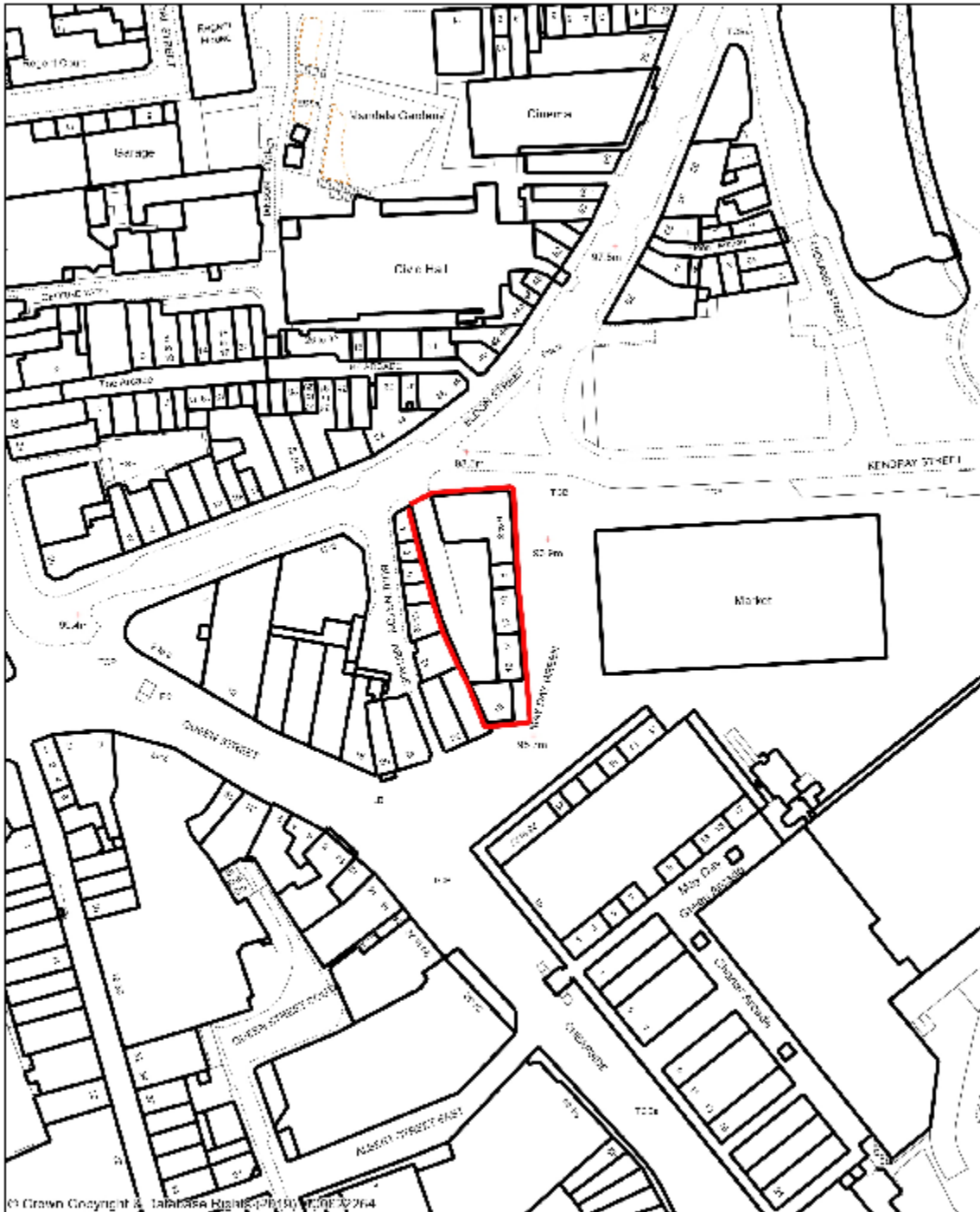
The proposed sign is a high quality addition to the new library and will advertise the central role of education and learning within the new town centre development thereby helping to improve access to learning resources in the Borough.

Recommendation

Grant subject to conditions:-

1. The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.
Plan Nos.
Canopy Signage Details - BBTC_IBI_LR__A_G251_DT_15 Rev C6
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.
2. The means of lighting shall be positioned, angled, screened or baffled to prevent glare, reflection or other distraction to highway users and the level of illumination shall comply with the current recommendations of the Institution of Lighting Engineers' technical report no:5 "Brightness of Illuminated Advertisements".
Reason: in the interests of highway safety in line with Local Plan Policy T4 - New Development and Transport Safety.

PA Reference:-



BARNSELY MBC - Regeneration & Property



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2019/0342

Applicant: Mr M Miller

Description: Erection of 5 no dwellings.

Site Address: Land off Bismarck Street, Worsborough Common, Barnsley, S70 4NA

Site Location and Description

The application relates to a currently vacant site which is roughly 'L' shape and mainly laid to grass. The site measures circa 0.28 Hectares and the area of the site north of Bismarck Street lies within the Warren Quarry Lane Greens Space. The site is accessed from Bismarck Street which contains terraced houses to the north and a pair of semis to the south. The immediate area is predominantly residential in nature with semi-detached properties to the east and south, with Highstone nursing home to the southeast. There are some trees to the southern boundary of the site.

The site falls gradually from Bismarck Street in the west, towards the east, and falls from south to north. However, the northeast corner falls quite steeply and immediately north of the northern boundary the land falls steeply providing an open view overlooking the Warren Quarry Lane Green Space. Part of Bismarck Street in this location is not adopted highway.

Background

2017/0798 Residential development of up to 11 dwellings (Outline with All Matters Reserved)
Approved 20/10/2017

2017/1533 Outline application for the erection of 1 no dwelling house – approved 23/01/2018

2018/0437 Erection of dwelling house (Reserved Matters of Outline planning permission
2017/1533) Approved 1/6/18

Proposed Development

This full application seeks permission to erect 5 no. dwellings, comprising 1 no detached and 2 no. pairs of semidetached. Plots 1-4 would have private amenity space to the side, due to the site constraints, and 2 car parking spaces each, whilst plot 5 (detached) has a double detached garage. A vehicular access to the remainder of Warren Quarry Lane is provided for Council vehicles to access the site for grounds maintenance etc. The dwelling types are as follows:

Type A - Detached, 5 bed, two and a half stories with central porch, two front dormers and rear flat roof sun room. Detached double garage with store.

Type B – Semi-detached two stories, 3 bedroom property.

Type C – Semi-detached single storey, 3 bedroom property.

Parking comprises 2 no parking spaces to each dwelling with additional garage space to plot 5, all have generous gardens.

Materials are proposed to be of natural coursed stone walling with grey concrete interlocking roof tiles landscape scheme accompanies the proposal.

Policy Context

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 in the year 2000) and the Core Strategy (adopted in 2011).

The site is in a Coal Authority Coal Mining Referral Area and is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

- Policy H1 The Number of New Homes to be Built
- Policy H3 Uses on Allocated Housing Sites
- Policy H6 Housing Mix and Efficient Use of Land
- Policy H7 Affordable Housing
- Policy T3 New Development and Sustainable Travel
- Policy T4 New development and Transport Safety
- Policy SD1 Presumption in favour of Sustainable Development
- Policy LG2 The Location of Growth
- Policy GD1 General Development
- Policy D1 High Quality Design and Place Making.
- Policy Poll1 Pollution Control and Protection
- Policy GS1 Green Space
- Policy BIO1 Biodiversity and Geodiversity
- Policy CC2 Sustainable Design and Construction
- Policy CC4 Sustainable Drainage System (SuDS)
- Policy RE1 Low Carbon and Renewable Energy
- Policy I1 Infrastructure and Planning Obligations

SPD's/PAN's

The adopted SPD's/PAN's relevant to this application are as follows:

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

Other

South Yorkshire Residential Design Guide

NPPF

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

Paragraphs of particular relevance to this application include:

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

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

Para 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 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.

Para 124 - The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Consultations

Yorkshire Water – No comments required

Highways – No objections subject to conditions

SYMAS – No objections subject to a condition

The Coal Authority – No objections subject to a condition

Forestry Officer – No objections subject to conditions

Biodiversity Officer - No objections subject to condition to implement the mitigation in the submitted ecology report

Drainage – No objections subject to conditions

Ward Councillors – No comments received

Representations

The application was advertised by site notice and neighbour notification letter. Two representations have been received: one queried how this new development will affect the access road for Imperial Street, on checking it is clear that the application would not affect the buildings on Imperial Street. The second resident had concerns that the site will be accessed from Highstone View, which would cause increased congestion and highway safety issues. However, the application proposes access from Bismarck Street only and does not propose access from Highstone View.

Assessment

Principle of Development

Outline planning permission has been granted for residential development of this site in 2017 (2017/0798). Although this current application is not a reserved matters submission the outline permission is still live and as such has established the principle of residential development at this site.

The site is allocated as Urban Fabric in the Local Plan and part of the site is also allocated as Green Space on the Green Space Register.

All new dwellings proposed must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

Green Space

Part of the site (the area which lies north of Bismarck Street) is allocated in the Local Plan as Warren Quarry Lane Green Space and policy GS1 is therefore applicable. However, an assessment of the site indicates that the land does not appear to be currently functioning as green space and does not offer any positive green space attributes. Therefore in this instance it is deemed that a reduced compensation figure of £4,149.60 would be acceptable compared with the full amount that would usually be sought by the adopted Supplementary Planning Document (SPD) Open Space Provision on New Housing Developments. This position also takes into account of the fact that the site already benefits from outline planning permission making it an option for the applicant to submit an application for the approval of reserved matters as an alternative to continuing with the current planning application. This would be payable through a S106 legal agreement.

Design / Visual Amenity

There are a mix of property styles and ages within the immediate area, including two storey terraced and semi-detached properties with a detached (though unoccupied) property immediately adjacent. As such, there is no particular architectural style to follow.

The proposed dwellings are relatively simple in design and take a number of design cues from the properties within the surrounding area, in order to harmonise and sit comfortably within the street scene. It is acknowledged that the detached dwelling incorporates front dormers which are not common within the immediate area but they are relatively small, pitched roof additions and sit within the roof plane, in accordance with the SPD. Furthermore, the plot is set back from the highway and would not be readily visible within the street scene.

Each dwelling would incorporate 2no. off street parking spaces. These would be to the side of the dwelling for plots 1 and 2 so as not to create a car dominated street scene/frontage. It also allows the amount of hardstanding to the front of the dwellings to be reduced and provides space for soft landscaping. In addition, the driveways to the side allow for bin and recycling containers to be stored away from the street scene and public vantage points.

Residential Amenity

Given the slope of the site, plot 5 would be at a higher level than the other plots. The front elevation of this property would face the front elevation of Plot 4. The SPD on designing new housing development states that "Where front elevations face a road the dwellings should be an appropriate distance apart. The Council will accept a minimum of 12m where the dwellings are

of the same storey and it will achieve a streetscape that reflects local character.” In this case the properties are a two and a half storey to a single storey so the distance has been increased from the minimum of 12m to 17m.

The proposed windows of plot 5 would be in excess of 10m from the rear boundary of the properties to the South, in accordance with adopted SPD ‘Designing New Housing Development’. The proposed windows and raised deck would be in excess of 21m from the main rear elevation of the properties to the south, again in accordance with the SPD. The gardens to plots 1-4 are mainly to the side of the dwellings due to the shape of the site, however they overlook greenspace rather than other residential dwellings. The eastern elevation of plot 1 and the western elevation of plot 4 both exceed minimum distance requirements from neighbouring dwellings and in addition plot 1 does not have any side facing windows to first floor. Plot 4 has only a secondary bedroom window and hall window facing the neighbouring dwelling. As a result, the residential amenity levels of existing and proposed residents would be maintained to a reasonable degree, in accordance with the adopted SPD and Local Plan policy GD1.

The internal space standards generally accord with the South Yorkshire Residential Design Guide and many of the rooms are generous in size for all three house types which all exceed minimum floor areas.

Externally, the gardens are generous in size, and although the gardens to plots 1-4 are to the side of the dwellings, screening is proposed which will maintain residential amenity for both existing and proposed residents. The occupants would also benefit from long distance views overlooking the green space.

Overall the proposal accords with Policy D1 and GD1 and would provide a good level of residential amenity for existing and proposed residents in a small attractive development.

Housing Mix

Although only a small development of 5 dwellings, a mix of house types is proposed comprising large detached, two storey semi-detached and detached bungalows, Overall the proposal is considered to comply with Local Plan policy H6

Highways Safety

The applicant proposes 2no. parking spaces per dwelling which is in line with SPD ‘Parking’ and a construction method statement has been submitted with the application. As the 5 dwellings proposed will, together with the existing dwellings which access Bismarck Street at this point, exceed the threshold required for an unadopted highway, it is proposed to extend the adopted highway further along Bismarck Street.

Highways DM have been consulted on the application and raised no objections subject to conditions.

Coal Mining

The application site falls within the defined Development High Risk Area and the Coal Authority and the South Yorkshire Mining Advisory Service confirm that a report has been submitted, and that mine entries potentially located within the site and shallow mine workings pose a risk to both public safety and the stability of the proposed development. Consequently, the Coal Authority and SYMAS require further intrusive site investigation works to be undertaken in order to establish the exact situation regarding them. A condition is proposed.

Trees

The trees on and adjacent to this site are generally relatively small and of poor quality and as such the Forestry Officer has no issues with the proposed tree removals or the scheme in general.

Some trees are to be retained as part of the scheme and as such these will require protecting during the works in addition to the requirement for suitable new planting as part of the landscaping scheme. There are therefore no objection subject to conditions from an arboricultural perspective.

Ecology

An Ecology Survey has been submitted in support of the proposal. Whilst the Biodiversity Office is supportive in principle to the mitigation measures, he considers that it would be appropriate to attach a condition requiring further details on wildlife improvement which are suggested in the ecology report.

Conclusions

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the proposal which provides a small scheme of mixed dwellings within a sustainable location. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

Recommendation

Approve subject to conditions and subject to a S106 legal agreement for the payment of £4,149.60 compensation for loss of Green Space.

- 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:

903-02 REV A rec'd 17/06/2019 site and location layout

903-02A highway adoption proposal received 17/6/2019

903-07 Type A Elevations

903-06 Type A Layout

903-12 Type A detached garage

903-13 REV A Type B Layout

903-04 REV B plan amended plan rec'd 30/5/19 drainage layout

903-14 Type B elevations

903-18 Type C working drawings

903-01 site survey

903-03 External Works Layout amended plan received 17/6/2019

Construction Method Statement dated March 2019

Preliminary Ecological Appraisal dated April 2019 by Absolute Ecology

Arboricultural report and Impact Assessment by AWA Consultants

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

- 3 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- 4 Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In order to ensure compliance with Local Plan Policy I1.
- 5 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
- 6 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.
- 7 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.
- 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 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 10 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.
- 11 No development shall take place until:
- (a) Full foul and surface water drainage details, including a scheme to reduce surface

water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

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

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

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

Reason: To ensure proper drainage of the area in accordance with Local Plan Policy POLL1 Pollution Control and Protection.

- 12 The site is located in a Coal Authority coal mining referral area due to the probable presence of shallow coal and mine adits. The land could therefore potentially be at risk from mining legacy risks such as ground instability and fugitive gas migration. Site investigations must therefore be undertaken as advised by a suitably qualified engineer to ascertain the depth and condition of the shallow coal seams and mine adits. The investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication 32 "Construction over abandoned mine workings" where applicable. A report undertaken by a suitably qualified engineer detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner"

Reason: Land stability NPPF sections 178 a,b,c.179 and 170 e & f

- 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

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 Vehicular and pedestrian gradients within the site shall not exceed 1:20 to ensure safe and adequate access.

Reason: In the interests of vehicle and pedestrian safety in accordance with Local Plan Policy T4.

- 16 On commencement of the development a scheme shall be submitted for the written approval of the Local Planning Authority. The scheme shall provide details including but not limited to the size, materials, design, location and timing of insertion of the bird boxes and hedgehog street as set out in the Preliminary Ecological Appraisal (Absolute Ecology,

April 2019 s5.13 s5.16). Once approved the mitigation measures shall be implemented in full for the duration of the development.

Reason: In the interests of biodiversity and in accordance with Local Plan Policy BIO1.

- 17 No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the LPA.

Reason: In interest of highway safety; to ensure a satisfactory appearance to the highway infrastructure serving the approved development; and to safeguard the users of the highway in accordance with Local Plan Policy T4

- 18 No development shall be commenced until a completion plan has been submitted to and approved in writing by the LPA. Before any dwelling is first occupied the streets, paths shall be constructed to binder course surfacing level from the dwelling to adjoining public highway in accordance with the details approved in writing by the LPA in consultation with the LHA.

Reason: To ensure satisfactory development of the site and that the adoptable streets serving the approved development are completed and maintained to the approved standard, and in the interests of highway safety in accordance with Local Plan Policy T4.

- 19 Prior to the first occupation of the development hereby permitted the proposed access, on-site car and cycle parking, garages, and turning shall be laid out and constructed in accordance with the approved plan and retained thereafter for these purposes.

Reason: To ensure the permanent availability of the pedestrian, vehicle, parking and manoeuvring areas in the interests of highway safety in accordance with Local Plan Policy T4.

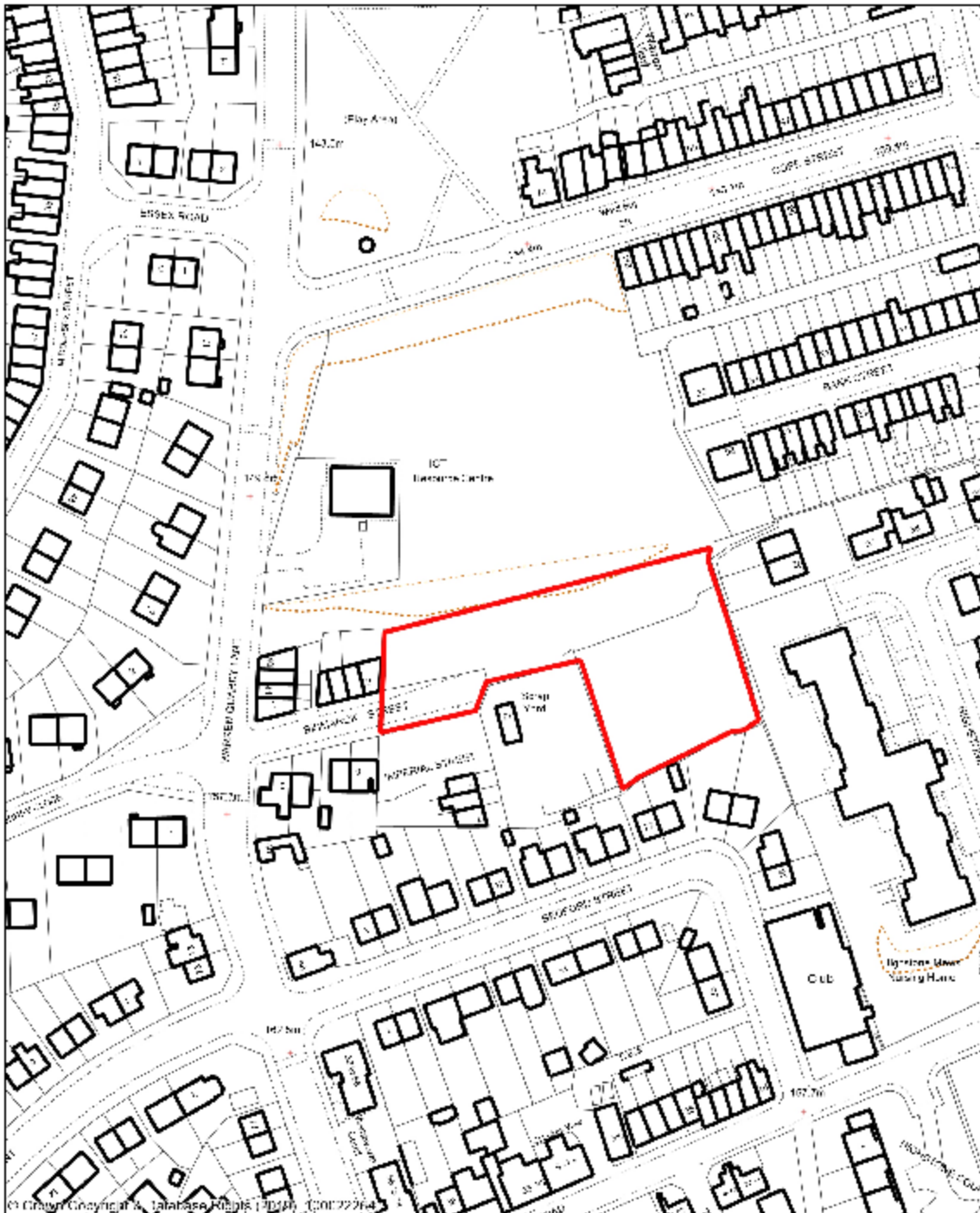
- 20 The Construction Method Statement (both written statement and plan drawing) supplied with the application shall be strictly adhered to throughout the entire construction period.

Reason: In the interest of road safety and in accordance with Local Plan Policy T4.

- 21 Any gates must be hung so as to open inwards into the site.

Reason: In the interest of road safety and in accordance with Local Plan Policy T4.

PA Reference:-



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BARNSELY MBC - Regeneration & Property

Scale: 1:1250

Item 8

BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

01 June to 30 June 2019

APPEALS RECEIVED

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
2018/1359	Change of use of domestic swimming pool to private hire swimming pool and associated car parking provision. 433 Rotherham Road, Monk Bretton, Barnsley, S71 1UX.	Written Representations	Delegated
2018/1405	Erection of single storey rear and two storey side extensions to dwelling. 28 Northgate, Old Town, Barnsley, S75 2QH	Written Representations	Delegated
2019/0059	Detached garage to front garden. 48A Wakefield Road, Staincross, Barnsley, S75 6JY	Written Representations	Delegated
2019/0221	Proposed Change of Use of Land to allow the stationing of caravans for residential occupation with associated facilities. Connor House, 4A Cliff Lane, Brierley, Barnsley, S72 9HR	Written Representations	Delegated
2019/0242	Change of use of agricultural land into domestic curtilage and formation of new vehicular access and associated parking area 4 Church View Cottages, Sheffield Road, Wortley, Sheffield, S35 7DB	Written Representations	Delegated
2019/0314	Extension to garage roof height and provision of associated roof lights to create first floor accommodation to be used as games room 27 Spruce Avenue, Royston, Barnsley, South Yorkshire, S71 4JL	Written Representations	Delegated
2019/0467	Removal of Condition 4 (relating to permitted development rights) on planning application 2012/0144 (Erection of 1 no. Farm Workers dwelling and formation of 2 no. associated car parking spaces). Martins Nest Farm, Grime Lane, Whitley Common, Barnsley, HD9 7TG	Written Representations	Delegated

APPEALS WITHDRAWN

0 appeals were withdrawn in June 2019 however 1 appeal was out of time

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2018/1405	Erection of single storey rear and two storey side extensions to dwelling 28 Northgate, Old Town, Barnsley, S75 2QH	Out of Time	Delegated

APPEALS DECIDED

1 appeal was decided in June 2019

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2018/1486	Removal of condition 13 (Scheme of highway mitigation works) from outline planning permission 2018/0665 - Development of approximately 5 dwellings and associated infrastructure (all matters reserved apart from means of access) Land North of Keresforth Road, Dodworth, Barnsley	Allowed <ul style="list-style-type: none"> Both applications for costs – Refused 	Delegated

2019/2020 Cumulative Appeal Totals

- 12 appeals have been decided since 01 April 2019
- 8 appeals (67%) have been dismissed since 01 April 2019
- 4 appeals (33%) have been allowed since 01 April 2019

	<u>Audit</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
1	2017/0994	Conversion of first and second floors in 27 residential apartments Hoyland Town Hall, High Street, Hoyland, Barnsley, S74 9AD	Dismissed	Delegated
2	2017/1463	Removal of condition 4 (Highway Improvement Works) of previously approved application 2014/1573 - Change of use from working mens club (D2) to a church (D1) Seventh Day Adventist Church, Doncaster Road, Kendray, Barnsley, S70 3HA	Allowed	Delegated
3	2018/0245	Erection of detached garage with store above and erection of boundary fencing and demolition of existing garage. 7 Burntwood Close, Thurnscoe, Rotherham, S63 0QQ	Allowed	Delegated
4	2018/0481	Erection of 1 no. detached dormer bungalow with side attached garage Land adjacent 1 Woodland View, Silkstone Common, Barnsley, S75 4SA	Dismissed	Delegated
5	2018/1374	Erection of brick outbuilding to the rear of dwelling (retrospective) 21 Kings Court, Wombwell, Barnsley, S73 0FB	Dismissed	Delegated
6	2017/1675	Erection of 8 field shelters/stables (Retrospective) Land at Edderthorpe Lane, Priest Croft Lane, Darfield, Barnsley	Allowed	Delegated
7	2018/0946	Change of use of existing ground floor shop unit (Use class A1) and first and second floor office accommodation (Use class B1) to 8 bedroom house of multiple occupation (Sui Generis Use Class) 12 - 14 Eldon Street North, Barnsley, S71 1LG	Dismissed	Delegated
8	2018/1046	Erection of detached dwelling Land at Broomhill View, Bolton Upon Dearne, S63 8LB	Dismissed	Delegated
9	2018/1080	Erection of 2 detached bungalows Land to the Rear of 116 Churchfield Lane, Kexbrough, Barnsley, S75 5DN	Dismissed	Delegated
10	2018/1208	Erection of a timber single storey granny annexe for ancillary residential use associated with the dwelling	Dismissed	Delegated

		8 Orchard Close, Keresforth Hall Road, Kingstone, Barnsley, S70 6NF		
11	2018/1337	Erection of stone built detached summer house to side of dwelling. Black Moor Farm, Black Moor, Snowden Hill, Barnsley, S36 8YR	Dismissed	Delegated
12	2018/1486	Removal of condition 13 (Scheme of highway mitigation works) from outline planning permission 2018/0665 - Development of approximately 5 dwellings and associated infrastructure (all matters reserved apart from means of access) Land North of Keresforth Road, Dodworth, Barnsley	Allowed	Delegated

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Item 9

Planning Enforcement Report to Planning Regulatory Board

Quarter 1 April 2019 – June 2019 Inclusive

Introduction

This report is to provide elected members with an update on Planning Enforcement service activity covering the Quarter 1 Period of this reporting year 2019/2020 (April - June 2019). The report includes a breakdown of the requests for service received and includes details of key actions and enforcement case outcomes during the quarter.

Overall number of Planning Enforcement service requests Quarter 1:

April 2019	29
May 2019	36
June 2019	44

Total number of requests for service Quarter 1 2019/2020 **109**

	Cases Received	Investigated/Resolved	Under Consideration
Quarter 1 2019/2020	109	57	52

Commentary

The service has introduced a triage system to assess and prioritise complaints in order of the seriousness of the harm being caused so that the resources of the service can be deployed most effectively. This approach has included filtering out low priority cases at an early stage to allow officers to invest time and resources resolving more difficult or complex cases. It has also enabled complaints where no breach of planning control has been identified (i.e. neighbour disputes or civil matters) to be resolved at the earliest point of contact.

The majority of cases received by the service are resolved through negotiation and contact with the parties concerned, some cases are also low level or considered technical breaches of planning control where formal action would not be appropriate. Cases can take several weeks to resolve as they may require interventions by the Council and work with a variety of stakeholders including the submission of retrospective planning applications to be considered. Our service policy also seeks to negotiate first with those concerned to allow cases to be resolved at the earliest stage wherever possible.

The service will also take swift and robust enforcement action to address breaches of planning control which are harmful and unacceptable. This can include ceasing works on site through the service of stop notices or preventing activities taking place at certain times of the day.

Summary of Case Activity

(a) Issuing of Formal Notices

<u>Case Reference & Location</u>	<u>Breach of Planning Control</u>	<u>Details of Service/Appeal</u>
2018\ENQ\00558 37 Armroyd Lane, Elsecar, Barnsley, S74 8ET	The unauthorised vehicular access over the verge without a dropped kerb onto the Land.	Enforcement Notice issued 20 th June 2019. Effective: 20 th July 2019 Time period for compliance one month (20 th August 2019)
2018\ENQ\00622 36 Shepherd Lane, Thurnscoe, Rotherham, S63 0JS	The material change of use of land to a mixed use as residential dwelling house and base for motor vehicle sales.	Enforcement Notice issued 25 th June 2019. Effective: 31 st July 2019 Time period for compliance one month (31 st August 2019)
2018\ENQ\00675 121 Houghton Road, Thurnscoe, Rotherham, S63 0NJ	The installation of a commercial extraction flue at the takeaway	Enforcement Notice issued 24 th June 2019 requiring the removal of the commercial extractor flue to the side of the premises. Effective: 24 th July 2019 Time period for compliance one month (24 th August 2019).
2019\ENQ\00508 102 Sackville Street, Barnsley, S70 2BX	Deviation from approved plans For the conversion of the existing garage to a bungalow	Breach of condition notice issued 21 st June 2019 Compliance Period 28 days

<p>2018\ENQ\00724</p> <p>Jet Petrol Station, Turnpike Garage, Wakefield Road, Staincross, Barnsley, S75 6LB</p>	<p>Non-compliance with approved conditions late night use of Car Wash</p>	<p>Breach of condition notice issued 13th June 2019</p> <p>Period for compliance 28 days</p> <p>The car wash shall only be in use between the hours of 0800 to 2200 on any day.</p>
<p>2019\ENQ\00125</p> <p>Land adjacent Green Lane Farm, Tankersley Lane, Barnsley, S74 0DT</p>	<p>The material change of use of land for the storage onto Green Belt land along with the accumulation of glass and rubbish, including fuel containers</p>	<p>Enforcement Notice issued 26th June 2019 requiring removal of the container units and accumulated rubbish and materials stored on site.</p> <p>Effective: 28th July 2019</p> <p>Time period for compliance: One month (28th August 2019)</p>
<p>2019\ENQ\00060</p> <p>Aries Motors Engineers, Unit 9, Metro Trading Centre, Barugh Green Road, Barugh Green, Barnsley, S75 1JT</p>	<p>Non-compliance with the permitted hours of operations between the hours of 0800 - 1800 on weekdays, 0900 a.m. to 1800 on Saturdays, and at no time on Sundays or Bank Holidays</p>	<p>Breach of Condition Notice issued requiring compliance with the permitted hours of operation.</p> <p>Notice issued 20th June 2019</p> <p>Time period for compliance: 28 days</p>
<p>2019\ENQ\000492</p> <p>35 George Street, Goldthorpe, Rotherham, S63 9AY</p>	<p>Non-compliance with the approved plans and conditions 2016/0060 relating to the erection of a pair of semi-detached dwellings</p>	<p>Enforcement Notice issued 7th June 2019 requiring demolition of the buildings and removal of the materials, foundations, rubble and waste.</p> <p>Effective 9th July 2019</p> <p>Time period for compliance</p> <p>Two months (9th September 2019).</p>

(b) Legal action

<u>Case Reference & Location</u>	<u>Case Details</u>	<u>Prosecution Status</u>
BMBC vs Gleeson Homes PLC Residential Developments: 1.Elwood, Lundwood, Barnsley, S71 2.Blyth Street, Wombwell, S73	Failure to comply with conditions associated with surface finishing of shared surfaces and private drives for vehicle manoeuvring Breach of Condition Notices issued February 2018, not complied with.	Barnsley Magistrates Court – Guilty Plea made Fined £1900 per offence (failure to comply with notice) totalling £3800 BMBC costs of £3848, victim surcharge of £170, totalling £7818
Worsbrough Wood, Worsbrough Road, Barnsley, S70	Non-compliance with enforcement notice relating to formation of unauthorised access points into woodland.	Injunctive proceedings are being sought to prevent further works to TPO trees and the use of the access points covered by the enforcement notice

(c) Enforcement Appeals

<u>Case Reference & Location</u>	<u>Breach of Planning Control</u>	<u>Appeal Decision</u>
Cliffe Lane, Brierley, Barnsley, S72 9HR	Laying of Hardstanding's, walls and block paving for the formation of caravan bays	Appeal received, awaiting start letter from the Planning Inspectorate. Enforcement Notice and stop notice issued 25 th January 2019
Sandybridge Lane, Shafton, Barnsley, S72	Change of use of land for residential occupation of caravans and base for recovery business	Appeal received, awaiting start letter from the Planning Inspectorate. Enforcement Notice and stop notice issued 25 th January 2019

Land adjacent Junction 38 of M1/A637 Huddersfield Road, Haigh, Barnsley, S75 4DE	Change of use of vacant land to base for a highway contractor, road and maintenance depot.	Appeal received, awaiting start letter from the Planning Inspectorate. Appeal to be determined by Public Inquiry 1 st October 2019
35 George Street, Goldthorpe, Rotherham, S63 9AY	Development not in accordance with the approved plans and conditions granted by the Council.	Appeal received, awaiting start letter from the Planning Inspectorate. Enforcement Notice issued 7 th June 2019

Timescales for Determination of Appeals

The Planning Inspectorate is taking on average 41 weeks to determine enforcement appeals by written representation and longer for matters considered under the informal hearing and public inquiry procedure. These delays are leading to frustration for complainants, the Council and those wishing to appeal enforcement notices. The Planning Inspectorate has advised us they are working to improve this performance by recruiting additional planning inspectors to deal with appeals.

Conclusion

The service continues to build on numbers of formal enforcement actions and interventions where appropriate. Cases continue to be assessed in terms of the severity of harm taking place and are prioritised accordingly. There are a number of ongoing cases with formal and legal actions being prepared which will be issued in due course with the details relayed to elected members in future planning enforcement case updates. Please contact the service through the details provided below should you wish to make further enquires in respect of specific cases.

Email: Planningenforcement@barnsley.gov.uk

Customer Services 01226 773555

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