

Public Document Pack



MEETING:	Planning Regulatory Board
DATE:	Tuesday, 19 November 2019
TIME:	11.30 am (Site visit) 2.00 pm (Meeting)
VENUE:	Council Chamber, Town Hall, Barnsley

AGENDA

SITE VISITS:

1. Site Visit Details

Planning Application(s) No: 2018/0380

Please meet at the Town Hall for immediate departure at 11.30 a.m.

Plan Number	Site	Approx Time of Arrival
2018/0380	Planning application for the erection of 1 residential dwelling and associated infrastructure (Amended plans) at land to the rear of The Greenland Cottage, High Hoyland Lane, High Hoyland, Barnsley	11.50 a.m.

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

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

2. Declarations of Interest

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

MEETING:

3. Minutes (Pages 3 - 6)

To receive the minutes of the meeting held on 22nd October 2019

Planning Applications

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

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

4. The Greenland Cottage, High Hoyland Lane, High Hoyland - 2018/0380 - For Approval (*Pages 7 - 22*)
5. Barnsley District General Hospital - 2019/1070 - For Approval (*Pages 23 - 34*)
6. Jumble Lane Level Crossing, Kendray Street/Midland Street/Market Gate - 2019/1192 - For Approval (*Pages 35 - 48*)

Planning Appeals

7. Planning Appeals - 1st to 31st October (*Pages 49 - 52*)

To: Chair and Members of Planning Regulatory Board:-

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

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, 11 November 2019

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 22 October 2019
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

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

39. Declarations of Interest

Councillor Hand-Davis informed the Board that his name had inadvertently become associated with a request to refuse **Planning Application No 2018/0380** [Erection of a single residential dwelling and associated infrastructure] at land to the rear of Greenland Cottage, High Hoyland Lane, High Hoyland, Barnsley. He informed the Board that he had not made such a declaration and he had therefore not predetermined this application.

40. Minutes

The minutes of the meeting held on 24th September 2019 were taken as read and signed by the Chair as a correct record.

41. Land east of Cote Lane, Thurgoland, Barnsley S35 7AB - 2019/0377 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2019/0377** [Residential development of 27 units] at land to the East of Cote Lane, Thurgoland.

Ms T Fletcher addressed the Board and spoke in favour of the Officer recommendation to approve the application.

Cllr Robert Blythe (Chair of Thurgoland Parish Council) 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 completion of a S106 Agreement covering the matters set out in the Officer report.

42. Former Goldthorpe Primary School site, High Street, Goldthorpe, Rotherham, S63 9NQ - 2019/0518 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2019/0518** [Erection of a 1,394 sq. m (gross) retail unit (Use Class A1) with access, car parking, hard and soft landscaping, trolley bays, electricity substation and associated works] at former Goldthorpe Primary School Site, High Street, Goldthorpe, Rotherham S63 9NQ.

RESOLVED that the application be approved in accordance with the Officer recommendation, subject to the completion of a S106 Agreement to secure the 2 hours free parking arrangement and to acquire confirmation that the EV charging points are fully operational post installation. In addition, Highways are requested to investigate whether the existing bus layby length needs extending.

43. Land to the rear of The Greenland Cottage, High Hoyland Lane, High Hoyland, Barnsley - 2018/0380 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2019/0380** [Erection of 1 residential dwelling and associated infrastructure] at land to the rear of the Greenland Cottage, High Hoyland Lane, High Hoyland, Barnsley.

Mr Paul Butler addressed the Board and spoke in favour of the Officer recommendation to approve the application.

Mr Marcus Dacre addressed the Board and spoke against the Officer recommendation to approve the application.

RESOLVED that the application be deferred pending a site visit.

44. The Hawthorns, Keresforth Hall Road, Kingstone, Barnsley S70 6NG - 2019/0712 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2019/0712** [Change of use of dwelling (use class C30 to a mixture of a dwelling and a venue for weddings/civil ceremonies, seasonal events and afternoon teas (use classes C3, A3 and Sui Generis)] at The Hawthorns, Keresforth Hall Road, Kingstone, Barnsley, S70 6NG.

Ms Karen Neville addressed the Board and spoke in favour of the Officer recommendation to approve the application.

Mr Philip Thompson addressed the Board and spoke against the Officer recommendation to approve the application.

In accordance with agreed protocol, a recorded vote was taken on this planning application with the amendment to **REFUSE** the application being **MOVED** by Councillor Mitchell and **SECONDED** by Councillor Hayward with voting being as follows:-

In favour of the amendment to **REFUSE** the application:-

Councillors D. Birkinshaw, T. Cave, Danforth, Eastwood, Fielding, Gillis, Dave Griffin, Gollick, Hand-Davis, Hayward, Higginbottom, Makinson, McCarthy, Mitchell, Noble, Richardson, Smith, Spence and Stowe.

Councillor Greenhough abstained from voting.

RESOLVED that the application be refused, against the Officer recommendation on the grounds of:

- Unsafe access, having regard to the outside road conditions and alignment;
- Inadequate parking, and
- Business activity in a residential area causing noise and disturbance harming the amenity of adjacent residents.

45. Garage Site, BMBC Asset Id B0042, Hardwick Crescent, Athersley South, Barnsley, S71 3QX - 2019/0947 - For Approval.

The Head of Planning and Building Control submitted a report on **Planning Application 2019/0947** [Residential development comprising 2 no. detached bungalows and associated works] at former garage site, land to the rear of 1-5 Hardwick Crescent, Athersley South, Barnsley

RESOLVED that the application be approved in accordance with the Officer recommendation, subject to completion of a S106 Agreement following the terms set out in the Officer report (compensation for loss of Green Space).

46. Unit R1, Unit 3, The Glass Works, Barnsley, S70 1GW - 2019/1132 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2019/1132** [Change of use from ancillary café associated with new library to separated restaurant/café unit (Use Class A3) (Retrospective)] at Falco Lounge, Unit R1, Unit 3, The Glass Works, Barnsley S70 1GW.

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

47. Planning Appeals - 1st to 30th September 2019

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

The report indicated that no appeals were received, withdrawn or decided in September 2019.

It was reported that 18 appeals have been decided since 1st April 2019, 13 of which (72%) have been dismissed and 5 of which (28%) have been allowed.

48. Quarter 2 Planning Enforcement Activity report - July 2019 to September 2019 inclusive

The Head of Planning and Building Control introduced this item and provided Members with an update on Planning Enforcement service activity covering the Quarter 2 Period of this reporting year 2019/2020 (July – September 2019). The report included a breakdown of the requests for service received and includes details of key actions and enforcement case outcomes during the quarter. This included details of that an unauthorised platform structure which had been removed by NPS due to non-compliance with the enforcement notice, with costs being recovered from the owner. It was highlighted that planning enforcement is a difficult area and appeals can take a considerable length of time. Despite these difficulties, Barnsley is performing well when compared to neighbouring authorities.

It was reported that funding has been secured from the Government through a competitive process to appoint additional planning officer posts for the next 18 months. It is anticipated that this will increase enforcement capacity and improve customer service, which it is anticipated will lead to less complaints.

RESOLVED that the update be noted.

Chair

Item 4

2018/0380

Applicant: Mr Steven Warsop

Proposal: Erection of 1 residential dwelling and associated infrastructure (Amended Plans)

Address: Land to rear of The Greenland Cottage, High Hoyland Lane, High Hoyland, Barnsley

Two rounds of consultation have been undertaken, one in May 2018 when 12 objections and 10 letters of support were received. A second consultation was undertaken in August 2019 when amended plans were received; this resulted in 6 letters of objection. High Hoyland Parish Council objects.

Update

This application went before Members at the October Planning Board and was deferred to allow Members the opportunity to visit the site. Provisions have therefore been made for Members to visit the site prior to the Planning Board meeting.

Site Location and Description

The application site is located to the south of High Hoyland, off High Hoyland Lane. There is a row of cottages to the front (west), Greenland Cottages, and The Mount lies to the east, with the garden to this property wrapping around the site. To the rear of the site there is The Perch and Hoyland Hills Cottage.

The application site is approximately 0.14 hectares in size and presently consists of a redundant back filled quarry that is in private ownership. The site has also historically contained buildings within it as shown on the OS plans from 1960 and earlier.

The site's topography is sloping from north to south, with a cliff face (associated with the former quarry use) that is located approximately 15m from the proposed site access. The land plateaus from the cliff face to the proposed site access on High Hoyland Lane. There is a second plateau at the top of the cliff face.

Proposed Development

It is proposed to erect a single dwelling cut into a rock face on the site. Set over three storeys the property has 6 bedrooms, integral garage and workshop with open plan living space on the top floor.

The building is designed to step in, over three terraces with various elements at single or two storeys. The proposed building will sit within an excavated former quarry, resulting in the lower floors being essentially below ground. The principal elevation facing High Hoyland Lane will be visible beyond the site boundaries.

Although rectangular in footprint, the building is designed to minimise the visual impact of the lower floors with the upper floor level being more transparent and a 'lighter' structure. The upper 'pavilion' is 'linear' in form. The block plan indicates how the proportions of the 'above ground' building elements integrate into the built fabric of the wider settlement.

A substantial reduction of approximately 50% has been made to the size of the footprint of the upper floor. The original proposal had a footprint of 253 sq. m. The revised proposal reduces this figure down to 127 sq. m.

The garden areas are at a higher level, on the top of the cliff face, behind the dwelling.

The height of the building would be considerably lower than 'The Mount', the adjacent dwelling to the north.

A landscape architect has been involved in the preparation of a landscaping scheme to enhance the building and ensure it is successfully integrated and respects the surrounding landscape. Man-made external features are kept to an absolute minimum with the regrading of the landscape designed to minimise the need for retaining walls or steps, and quarried stone used to give the appearance of the building emerging from the quarry face.

Planning History

2008/0541 – Erection of a domestic detached garage – Withdrawn

2014/0078 – Erection of a single storey detached annexe building – Approved with conditions 30/04/2014.

2017/0333 – Erection of a single storey detached annexe building – Approved with conditions 27/04/2017.

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 is located in the Green Belt in the Local Plan where GB1 applies, protecting the Green Belt in accordance with National Planning Policy.

Other relevant policies include:

SD1 – Sustainable Development
GD1 – General Development
LG2 – The Location of Growth
H1 – The Number of New Homes to be Built
H2 – The Distribution of New Homes
H5 – Residential Development on Large Non-allocated Sites
H6 – Housing Mix and the Efficient Use of Land
T3 – New Development and Sustainable Travel
T4 – New Development and Transport Safety
D1 – High Quality Design and Place Making
LC1 – Landscape Character
HE1 – The Historic Environment
HE2 – Heritage Statements and general application procedures
BIO1 – Biodiversity and Geodiversity
GB3 – Changes of use in the Green Belt
CC1 – Climate Change
CC2 – Sustainable Design and Construction
CC3 – Flood Risk
CC4 – Sustainable Drainage Systems (SuDs)
CC5 – Water Resource Management
RE1 – Low Carbon and Renewable Energy
Poll1 – Pollution Control and Protection

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.

Paragraph 143 is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Whilst paragraph 144 states that: "*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*".

Paragraph 145 clarifies that new buildings are inappropriate development with few exceptions.

Paragraph 79 relates to isolated homes in the countryside, allowing them only under specific circumstances including where the design is of exceptional quality in that:

“it is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area”.

Paragraph 131 requires, in determining applications, ‘*great weight to be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings*’.

Consultations

Biodiversity – Requires a landscape strip of 5m in the north-eastern corner to protect bluebells present on the site. In addition, tree planting should be hedgerow species to enhance the bluebell habitat.

Coal Authority – Material consideration, the site is in a High Risk Area

Drainage – No objections

Design Officer – Supports the proposal as an outstanding design in the greenbelt.

Highways – No objections subject to conditions.

Regulatory Services – No objections.

SYMAS – The site is in a Coal Authority referral area and the Coal Mining Risk Assessment recommends further intrusive investigation. This can be secured by condition therefore, no objections subject to this being carried out and a report detailing the findings provided prior to commencement.

Trees – The updated report deals with the arboricultural issues satisfactorily and only one category C tree requires removal to facilitate the development. I concur that T2 and T3 will be relatively unaffected due to the presence of the rock layer, however protection measures will still be required as part of an arboricultural method statement. There is no objection to the proposed development subject to a suitable condition.

Ward Councillors – Councillor Bernard and Councillor Wilson have objected to the proposal and requested the application be presented to PRB and that a site visit be undertaken by Members.

YW – No objections subject to conditions.

Representations

The application has been advertised by way of a press advert, site notice and properties within the vicinity have been consulted directly in writing. Two rounds of consultation have been undertaken, one in May 2018 when 12 objections and 10 letters of support were received. A second consultation was undertaken in August 2019 when amended plans were received; this resulted in 6 letters of objection.

The objections received raise concerns regarding:

- Insufficient parking for a large property where there is already a parking issue. This is likely to lead to parking on High Hoyland Lane which is a through route to Cannon Hall and Cawthorne.
- The site is in the green belt and similar applications have been refused.
- Loss of privacy for residents of Greenland Cottages.
- Not in keeping with the historic context of the surrounds
- This is over development, alongside the approved annex (2017/0333)
- Noise disturbance
- Increased pressure on the existing poor drainage in the area, no provision for a septic tank
- The house is too large
- The applicant has already cleared the land, removing trees and impacting on wildlife
- The village is in the green belt and highly visible, the proposed would undermine the planning policy for the whole village
- The access is also a public right of way

In addition, the Parish Council (PC) has objected on the grounds that the proposed is located in the Green Belt, is too large, the design is out of keeping with the existing settlement character and form, the impact on drainage, and issues over access during construction and occupation. The PC has referred to previous applications and appeals within the village that have been refused as well as a previous application for a garage on this site which was withdrawn. The PC have also stated that they believe the applicant has undertaken landscaping works on the site and that a retaining wall has collapsed leading to the site being seen as it is today.

Some concerns have also been raised regarding land ownership and right of access disputes; however, this is outside of the planning process.

Assessment

Principle of Development

The site is located in the Green Belt whereby the construction of dwellings (with the exception of dwellings for agricultural and forestry workers) is classed to be an inappropriate form of development under paragraph 145 of the NPPF. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Any harm to the Green Belt should be given substantial weight. Very special circumstances shall not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.

The applicant has sought to argue that the proposed is limited infilling in a village and therefore an exception under paragraph 145 of the NPPF and they have referred to an appeal decision in Huthwaite (2014/1240) which was allowed. However, the village of High Hoyland, unlike Huthwaite, is not entirely located in the green belt. The main settlement is defined as that part of the village located in Urban Fabric, as shown on the Local Plan Policies Map (and previous UDP). The proposed development sits outside of this area weakening the case that the proposed could be described as limited infilling in a village. It should also be noted that an appeal decision related to an application for 2 houses on a site nearby in High Hoyland, similarly located outside of the main village as defined on the Policies Map (2014/0520), was dismissed with the Inspector finding that it would not qualify as limited infilling. I have therefore concluded that the proposed is inappropriate development in the Green Belt and does not qualify as an exception under NPPF paragraph 145. Similarly, the site is not considered suitable as a rural exceptions site under Local Plan Policy H7 which allows limited affordable housing to meet community needs in or on the edge of a village; because its location is outside of the main village and physically separate from it. On this basis substantial weight is afforded to the harm to the Green Belt.

A fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The development site is surrounded by residential development and associated curtilages. Planning history for it shows it as being within the ownership of 1-2 Greenland Cottages since 2008 at least. It is also apparent that buildings have previously been located here as shown on the historic mapping back to 1865 and as recently as 1960. Finally the site has been quarried, as evidenced in the Coal Mining Risk Assessment which states it shows as a quarry on the 1815 OS; this has also been confirmed by records held by the Council. Whilst the previous quarrying of the site does not make it previously developed land (as defined in the NPPF) nor would it being part of the domestic curtilage of No.1/2 Greenland Cottages (if this were to be proved) the character of the site is defined by the cliff face and the various parked vehicles and storage structures located on it. The visibility of the site, with public views limited to those available from High Hoyland Lane and a PROW to the south, is also a factor in relation to the impact on openness.

The high quality, bespoke design and eco credentials of the proposal does weigh in its favour. Paragraph 131 of the NPPF states that *'great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help to raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings'*. The application is assessed on this basis, taking account of Green Belt Policy (GB1), Design Policy (D1) and Landscape Character Policy (LC1) as well as Low Carbon and Renewable Energy (RE1) and Climate Change (CC1) and any other relevant policies as quoted.

The proposed plans were considered by the Barnsley Design Review Panel, who in assessing the site concluded it had characteristics capable of supporting an innovative and outstanding designed building. The panel made a number of recommendations regarding the design approach including the use of a Landscape Architect, which the applicant has taken on board in redesigning the proposed. Following this, the plans have been carefully scrutinised by the Council's Senior Urban Design Officer who attended the original Design Review Panel meeting and has sought to assess the plans taking on board the comments that were made by the members of the panel. In arriving at the conclusion that the proposed design is of an outstanding and innovative nature the Senior Urban Design Officer has afforded weight to a number of aspects of the design including:

The building is bold and confident in its architectural expression but firmly rooted in the narrative of the site as a former quarry and the character of its surroundings. There is an assurance in the composition of its elements, in its architectural arrangement and proportions, in its solid to void relationship and in the attention to detail in the appearance of the natural stone.

The single external facing material would be natural stone (including some from the quarry face), clearly showing a direct narrative with the former use of the site as a quarry and with the predominant facing material of buildings in the vicinity. The main face of the building will be crafted to appear as dry stone walling and the front projection, which relies on a flatter profile to enable its architectural expression, would be in smooth facing ashlar. Clearly there is a commitment to making the best use of high quality, sustainable materials. In addition large rocks (from the quarry face) will be used on the retaining bank on either side of the front elevation, further extending the narrative of the former use of the site.

There is a clear hierarchy of windows shown in the front elevation, with a strong contrast between two main expanses of glazing, (these being located on the top floor of the main building and in the picture window of the projection), and the more playful arrangement of the smaller windows. Combined with the very large expanses of natural stone on the elevations, this solid to void arrangement adds to the rugged appearance of the building and again the connection back to the former use of the site as a quarry. This ruggedness is further emphasised by the depth of the windows - they are considerably setback from the face of the stone adding further shadow and relief. Depth is also strongly expressed with the overhanging picture window and its 'frame'.

The front elevation of the building has a forward projection to break down the massing of the building. This projection forms a visual bookend to Greenland cottages, wrapping around the long and thin form of Greenland cottages.

The overhanging flat roof of the proposed building has been designed to appear as light and floating as possible and gives a strong horizontal emphasis to the building, matching the long horizontals of the roof of Greenland Cottages.

The bulk of the volume of the building will be set back into the quarry face, following excavation; with a sunken courtyard at the rear, bringing light into the middle of the house and allowing direct access from the bedrooms to outside.

The applicants have provided a photomontage of how the building would look from the public footpath in the field down from the site. This shows the building in the context of Greenfield Cottages, the Mount and the single storey dwelling located next to the Mount. From this view the building appears nestled in the tall tree canopies behind it. The existing dwellings appear much more dominant in this montage.

With regards to landscape character, the Barnsley Landscape Character Assessment places the site in E1: West Barnsley Settled Wooded Farmland and assesses the landscape as strong and in good condition. It has a high sensitivity to, and low capacity for, change. Local Plan Policy LC1 expects development to retain and enhance the landscape character area in which it is located. One of the recommendations of the design review panel was to involve a landscape architect in the scheme which the applicant has taken on board. A number of changes have been made including the use of the stone taken from the cliff face in the external elevations and landscaping and the careful regrading of land rather than utilising retaining structures. The building is now more closely tied to its location and landscape.

As stated, the previous use of the site as a quarry, does not qualify it as brownfield or previously developed land under the definitions as set out in Annex 2 of the NPPF and it is also accepted that this use is historic. Nevertheless, a review of aerial photos shows that the site was densely vegetated in 2002 but that by 2009 a significant amount of trees had been removed and the various porta cabins and vehicles currently present on the site had appeared. It is therefore evident that it has been in its current state (or thereabouts) for circa 10 years. The tidying up of the site and addition of a well-designed building, which has taken its design cues from the site and surrounding landscape will enhance the current site. In addition, the proposed landscaping scheme adds to this through the use of quarried stone and appropriate planting. In this respect the proposed is an outstanding, innovative design and its overall form and layout is clearly tied to its surroundings in compliance with paragraph 131. In addition it complies with Local Plan Policy LC1 in that it retains and enhances the character and distinctiveness of the individual landscape character of the site and wider area.

In terms of the sustainability of the building, the applicant has employed Award Energy Consultancy and provided a designer's response following the design panel, which confirms the following:

- Stone from the quarry face would be excavated and re-used as walling material and in the formation of the retaining embankments. This approach is highly sustainable.

In terms of a fabric first approach high levels of air tightness would be achieved throughout and potential thermal bridging details would be avoided.

- The building would utilise a fully externally insulated reinforced raft slab, preventing cold bridging issues and the walls would be constructed in a 350mm Neopor Block system, which provides a U value of 0.14W/m²K which supersedes Pasiv Haus requirements. It has a core of 150mm concrete with 150mm external sleeve of insulation and a 50mm internal sleeve. Plastic hard ties eliminate any thermal bridging. Upper floors would be constructed in an insulated 'Op- Dek' system using profiled metal sheet and concrete, achieving high levels of insulation.

- The roof which is designed to have a minimum thickness with a 'floating thin edge' projecting overhang beyond the glass and stone walls would be constructed in timber and steel and incorporate an insulated 'cut to falls' warm roof with an 'Armourplan' single layer pvc membrane roof finish.
- The main windows are located on the south and south-western elevations, where the advantages of passive solar design would come into play. The windows would achieve high U value standards. Roof overhangs would be created over most of these windows to allow shading in the height of summer.

A number of sustainable technologies are also proposed:

- A mechanically vented heat recovery system would be introduced as part of a comprehensive programme of energy saving measures.
- Heating and hot water would be provided by a specialist designed system incorporating an air source heat pump and bio-mass boiler.
- 'Grey water' and rainwater would be recovered and harvested.
- A ground based photovoltaic array would take advantage of the wider screened garden area and this would be discretely located remote from the building. The site is large enough and the topography such that the panels can be successfully screened from view without reducing their efficiency.

In this respect the proposed promotes a high level of sustainability in accordance with paragraph 131 of the NPPF and Local Plan Policies CC1, CC2, CC5 and RE1.

In conclusion regarding the matter of principle, and in relation to paragraph 143 of the NPPF, the proposal is inappropriate development in the Green Belt which is by definition harmful and substantial weight is given to this harm in the planning balance. In addition, in relation to paragraph 144 of the NPPF, the proposal would also result in loss of openness which also must be given substantial weight in the planning balance. However, it is considered by Officers that the character, location and visibility of the site, alongside the design of the proposed dwelling are such that the impact on openness is limited. Further, the outstanding and innovative design alongside the high levels of sustainability which the proposed house can be said to achieve is afforded considerable weight. It has taken into account the land form and history of the site and its surrounds, being cut into the rock face and utilising local stone it blends with and is grounded to, the previous quarrying that occurred in this area. In this respect it fits with the form and layout of its surrounds. The residential character in the area is mixed with no set style or specific standard of design and the introduction of the proposed would bring a modern design form that would add interest and could be said to raise standards. Finally, the proposed would improve the landscape of the site (as it currently stands) and make a positive contribution to landscape character in the area. Officers also take the view that it would be perverse to allow new isolated dwellings in the countryside which satisfy the outstanding or innovative design test under paragraph 79 of the NPPF, where the potential for harm to openness is much greater, but not proposals that satisfy this test on less isolated sites, as the case here taking into account that the site is positioned between existing dwellings. Taken as a whole these positive considerations can be said to constitute very special circumstances in favour of the proposed which are considered sufficient to outweigh the harm that would occur to the Green Belt in this particular case.

Visual Amenity

The Landscape Statement provided by the applicant identifies the visual impact of the development as being limited to local views only from two public rights of way running through the field opposite the site from Margery Wood to the east and as pedestrians or vehicles travel along High Hoyland Lane. Other views would be from the adjacent cottages, albeit these are to the side with no windows looking directly at the site. The visual impact is therefore limited by this reduced visibility of the site itself. The visuals provided give an impression of what the building would look like when viewed up close (from the road) and the photomontage provides a distant view from the footpath; demonstrating how the existing landscape and trees will soften and screen the building.

The location, scale and design of the house would also have a limited impact on visual amenity being screened from view by the landform that surrounds it and existing trees; as well as the wider topography in terms of long distance views. It is also worth noting that permission has been granted for an annex to 1-2 Greenland which would be located in front of the proposed and further screen it.

Finally, the proposed is a well-designed scheme with a strong relationship to the landscape in which it is sited. In this respect, and taking account of the current status of the site, it will have a positive impact on visual amenity in accordance with Local Plan Policy D1 and LC1.

Residential Amenity

There are a number of residential properties around the site albeit there is very little in the way of visual connectivity between the various properties and therefore no real impact on amenity.

The proposed is located to the rear of Greenlands Cottages; however, it is set to one side and does not directly face any of the properties in this terrace. The scheme as amended initially had a terrace to the front which was removed from the plans in part because it would have overlooked the rear gardens of Greenland Cottages.

The glazed top floor is the main living space for the proposed property and does have a large area of glazing around the rear, side and front which has the potential to give rise to issues of privacy or overlooking. This is mitigated in part by the retention of existing trees to the side of the proposed and the angle of the building which is such that views would be mostly over the garden to the side of 1-2 Greenland Cottages which is in the same ownership and is in any case not private amenity space, being open to the road. The approved annex to the front has habitable room windows to the rear, but these are secondary windows with the main aspect facing forwards. They are also at a lower level and would look at the garage of the proposed rather than any windows and are set at an angle.

There are two smaller bedroom windows in the side elevation of the lower pavilion, however, the level changes, landscaping and the angle at which the property is set minimises any overlooking resulting from these.

The proposed dwelling is acceptable in residential amenity terms and complies with Local Plan Policy D1 and the accompanying Designing New Housing Development SPD in this regard.

Highways

The proposed property is to be served by a private driveway with a gated entrance to hide the appearance of cars on the site's frontage. The approach to the access is from the existing access on High Hoyland Lane. Parking provision includes an integral garage with a driveway in front to park 2 vehicles. This level of provision satisfies the existing and draft SPD and so there are no grounds to raise concern with the proposal on those grounds. Highways have confirmed no objections.

Conclusion

In conclusion, the proposal is inappropriate development in the Green Belt which is by definition harmful, and has an impact on openness, and substantial weight is given to this harm in the planning balance. Nevertheless it is accepted that very special circumstances have been demonstrated by virtue of the outstanding design and high levels of sustainability achieved, alongside the uniqueness of the development site. The Officer recommendation is therefore one of approval.

Recommendation

Approve subject to conditions:

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

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

 2016/07/02 - Rev B Site Layout
 2016/07/03 - Rev B Floor Layouts
 2016/07/04 - Rev C/1 Elevations
 2016/07/05 - Rev A Sections
 R/2259/1A - Landscape Masterplan

 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, Design.

- 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 a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making
- 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 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.
- 7 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.
- 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 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.
- 10 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3
- 11 No trees or other landscape features shall be located over or within 5 metres either side of the centre line of the public sewer i.e. a protected strip width of 10 metres that crosses the site . If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.
Reason: In order to allow sufficient access for maintenance and repair work at all times.
- 12 The site has been identified to be at risk from potential coal mining legacy. An intrusive site investigation must therefore be undertaken by a suitably qualified person to evaluate the ground conditions and determine any actual mining legacy risks. The site investigation should also consider the risk of the development spanning a former quarry 'high wall' in the northern extremity of the proposed footprint. The site 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 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 development rests with the developer and/or landowner.
Reasons: NPPF 120/121 Land stability
- 13 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.
Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.

- 14 Prior to commencement of development full details of the sustainable design credentials set out within the Design Statement submitted with the application, including the proposed photovoltaic array, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
Reason: The proposed development in a Green Belt location is only regarded to be acceptable due to the exceptional and innovative nature of the design in accordance with Local Plan Policy GB1 and NPPF Paragraph 131.
- 15 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:
- Tree protective barrier details
Tree protection plan
Arboricultural method statement
- Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.**
- 16 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.



BARNSELY MBC - Regeneration & Property



Scale: 1:1250

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2019/1070

Applicant: Barnsley District General Hospital NHSFT

Proposal: Single storey front extension to contain paediatric emergency department and clinical assessment unit

Address: Barnsley District General Hospital, Gawber Road Old Town Barnsley

No representations have been received from members of the public. Cllr Lofts has objected and requested that the application is determined by the Board.

Background

The planning application follows on from two recent applications that concern the hospital site. The first was an outline application (2018/0918) which, in principle, was for the same form of development now proposed, i.e a single storey front extension to create a new children's A&E department and clinical assessment unit, and was granted planning permission 25/09/2018. The second application was for a lawful development certificate to carry out external alterations within the site, including the provision of hard surfacing and soft landscaping works and new surface markings/crossing points to enable reconfigured drop off areas for ambulances and patient transfer vehicles. This was accepted to be a form of permitted development under powers available under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) on 26/07/2019 under application reference 2019/0736.

Site Description

The application concerns the existing Accident and Emergency department of Barnsley District General Hospital, which is located on the northern side of the site fronting Gawber Road.

Until recently the area to the front of the A&E department housed parking laybys for ambulances, the Police and parking for disabled people. However this is in the process of changing as a result of construction works taking place on site to implement the works approved under lawful development certificate application reference 2019/0736.

These changes shall see vehicular movements prevented between two of the existing accesses/exit points on the Gawber Road site frontage. This would enable this land to be built over by the proposed extension. The reconfigured drop off areas for ambulances and patient transfer vehicles are in the process of being provided using the existing external areas located on the eastern side of this part of the proposed extension.

A boundary wall is located adjoining the footpath on Gawber Road. Inside the wall within the hospital site is a grass verge which is planted up with a long row of Cherry blossom trees.

Land to the north of the other side of Gawber Road is made up of a street of residential properties. Most are two storey semi-detached, which are positioned on a ground level that is located approximately 3-4m below it.

Proposed Development

The application proposes an extension to the front of the hospital building in order to create a separated accident and emergency department specifically for children.

The proposed extension would be single storey projecting beyond the existing frontage by approximately 14m. Its width would span across 42.5m. It would have a flat roof that would have initial height of 4.3m. In addition there would be a need to install plant on the roof. This would be enclosed within a mesh enclosure that would add a further 3m to the overall height (7.3m in total). Facing materials would be fibre cement board cladding that would be predominately different shades of grey in colour a dark shade of orange. Windows would be tall and thin with mesh fitted at lower levels to take into account of practical considerations in that many of the rooms inside would be used for treating and assessing patients making it unsuitable to have larger more open windows. In total this would add 700sqm of floorspace to the hospital site.

The Design and Access statement says the following regarding need for the development:-

This initiative aims to deliver a better patient experience for children and families accessing urgent and emergency paediatric care at Barnsley Hospital. The proposed physical reconfiguration of the Emergency Department footprint, releasing additional adult ED capacity, will significantly strengthen the Trust's clinical strategy of consistently delivering urgent and emergency care within the 4 hour access standard.

History

There have been a large number of previous applications at the site. The list of applications includes:-

2019/0736 - External alterations within the site including the provision of hard surfacing and soft landscaping works and new surface markings/crossing points to enable reconfigured drop off areas for ambulances and patient transfer vehicles (Lawful development certificate for a Proposed Development). Granted 26/07/2019.

2018/0918 - Single storey front extension to contain paediatric emergency department and clinical assessment unit (Outline seeking approval over scale of development). Granted outline planning permission with conditions 25/09/2018.

2013/0850 - Demolition of two to three storey staff accommodation blocks. (Prior Notification). Decision: Prior approval not required 09/09/2013

2012/0344 - Replacement of existing windows. Approved 01/05/2012

2011/0713 - Replacement windows and associated alterations to elevations of blocks A and B. Approved 10/06/2011

2011/0572 - Erection of single storey extension to existing Emergency Department. Approved 04/07/2011

2010/1436 - Erection of extension to existing canopy. Approved 10/01/2010

2010/1116 - Erection of security fence. Approved 10/01/2010

2008/0512 - Replacement of existing cladding and windows to the Accident and Emergency and Outpatients Department. Approved 06/05/2008

B/03/2001/BA - Provision of an additional 65 No. car parking spaces. Approved 16/01/2004.

B/02/0622/BA - Siting of a two-storey modular building for use as office accommodation. Approved 13/06/2002

B/00/0072/BA - Formation of additional car parking areas. Approved 22/02/2000

B/92/1522/BA - Erection of combined heat and power plant room to hospital. Approved 07/01/1991

B/91/1549/BA - Formation of new access to classified road. Approved 09/01/1999

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

Local Plan Allocation – Urban Fabric & Existing Community Facility

Relevant policies include:-

I2 Educational and Community Facilities
LG2 The Location of Growth
GD 1 – General Development
T3 New Development and Sustainable Travel
T4 – New Development and Transport Safety
D1 – High Quality Design and Place Making
CC3 – Flood Risk
Poll1 – Pollution Control and Protection

Supplementary Planning Document

Residential Amenity and the Siting of Buildings
Parking

NPPF

The revised 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. Are content with the drainage scheme being dealt with via the Building Regulations and Yorkshire Water.

Highways – No objections subject to conditions.

Pollution Control – No objections.

Tree Officer – Notes that the works associated with the lawful development certificate application would see the removal of four medium sized trees. There is no objection to that but compensatory planting is requested to be secured via a condition.

SY Police ALO – Has recommended incorporating measures to enable the development to comply with Secured by Design Standards.

Yorkshire Water – No objections subject to conditions.

Ward Councillors – Cllr Lofts objects as he considers that the hospital has outgrown the site. Consequently he feels that a further expansion would harm outlook for residents who live in the houses on Gawber Road and inconvenience the residents who live in houses on the roads near to the site by leading to an increase in illegal and inconsiderate parking.

Representations

The application was advertised by neighbour notification letters, site and press notices. No representations have been received.

Assessment

Principle of development

The principle of development is already established by the existing outline planning permission that is in place (app ref 2018/0918). The application could have been submitted via the reserved matters route, but instead been submitted as a full application. However, the previous application is still a material consideration. In addition it should be noted that the size of the development (700sqm) is less than the maximum parameters approved within the outline permission (987sqm).

Local Plan policy I2 'Educational and Community Facilities' states that the Council shall support the provision of community facilities. Community uses should be located centrally to the communities that they serve in places accessible by walking, cycling and public transport. In addition policy LG2 - The Location of Growth states that Urban Barnsley, in support of Barnsley Town Centre, will be the main focus for provisions including health facilities in the region.

The site is located in Urban Barnsley and so the proposal accords with policy LG2. In addition it is relatively close to the town centre and is accessible by various modes of transport, including public transport sought by Local Plan policy T3 New Development and Sustainable Travel. In any case it is well established and has grown to the point that relocation is not a viable prospect. Furthermore the idea behind the proposal would be of substantial health care provision benefits to the local community which needs to be afforded substantial weight.

Visual amenity

The hospital site is made up of a large complex of buildings which appear to have been built in the time period between World War 2 and the 1980's. Architecture and facing materials are typical of that period with most buildings being flat roof rectangular blocks that are white or light or dark grey in colour. More recently an application was approved in 2008 to re-clad the exterior of the A&E department which uplifted its appearance. However there are no architectural features of note to protect as far as the existing building is concerned and in any case it's the functions within the hospital that assume the greater importance.

As the proposal is for a front extension securing a good standard of external appearance for the future development is important. As is shown on the visualisations which accompany the planning application the extension would retain a set back from the Gawber Road site frontage, allowing existing soft landscaping including the row of Cherry Blossom to be retained. It can therefore be accommodated within the site without appearing cramped or contrived. In addition it would appear subordinate to the taller and wider hospital buildings, which are located immediately behind, including the 9 storey block. The proposed extension is well proportioned whereas the facing materials would seek to add both visual interest and be complementary. As such the proposal is considered to satisfy policy D1 – High Quality Design and Place Making.

The associated works to create the new ambulance drop off would see four medium sized trees being removed to accommodate the development. However this quantity is low compared with the existing number of trees on the site and could not have been opposed as those works are a form of permitted development and no Tree Preservation Orders were in place. In this context the protection of the existing high amenity row of Cherry Blossom trees on the site frontage is the most important consideration. This is proposed but would need a condition to require protection measures to be in place during the building programme. It is still considered that there is the opportunity to enhance landscaping from this scheme and as such a landscaping condition is also recommended

Residential Amenity

The extension would be favourably situated in relation to the existing dwellings located to the north of the site. Part of it would be opposite the gap where the road is located on Queens Drive and others would be side on. Some would directly oppose but would be located approximately 34m away from the extension which is a considerable separation distance. Also the extension would be dwarfed by the 9 storey building located behind it. It should be noted that the dwellings only have restricted views of the hospital by virtue of them being located several metres lower below a grass banking and by virtue of the row of existing trees which is positioned on both sides of the road in between. Taking these considerations into account the proposal easily satisfies the Residential Amenity and the Siting of Buildings SPD.

No objections have been received from Pollution Control concerning noise considerations, although the standard conditions would need imposing to limit disturbance during the construction phase and to review the technical specifications associated with the proposed roof plant.

Highways

The Design and Access statement advises that the proposal is mainly aimed at improving the way that the existing hospital functions. Although the proposal would create extra capacity in the adult A&E department the development is not aimed at generating extra service demand other than with assisting with the demands of future population growth. Highways have deemed that TA is not necessary therefore.

The plans show a need to reconfigure the site in terms of creating new/alternative drop off facilities and parking for ambulances, the Police and disabled parking. However the new arrangements were approved via Lawful Development Certificate application 2019/0736 and are in the process of being implemented on site. 12 blue badge parking spaces would be lost as a result of the land required to accommodate the development. However that is not considered to be materially significant as 611 spaces would remain for visitors equalling a reduction of less than 2% overall. In addition the percentage of blue badge visitor parking spaces on the site would remain higher (5.3%) than the figure aimed for by the existing Parking SPD (4%).

No new staff are proposed to be employed as a result of the development and the size of the development is lower than the threshold in the SPD where the standards are applicable.

Others

Flood Risk and Drainage

The FRA has established that the site falls in Flood Zone 1 (low flood risk) and the proposals are considered to be 'Less Vulnerable'. No objections have been received from BMBC Drainage and Yorkshire Water subject to the imposition of standard conditions.

Conclusion

In summary the principle of creating an extension to the hospital to be used as children's Accident and Emergency department is already established by the existing outline planning permission that is in place (app ref 2018/0918).

The development is supported by Local plan policies I2 -'Educational and Community Facilities' and LG2 - The Location of Growth which states that Urban Barnsley, in support of Barnsley Town Centre, will be the main focus for provisions including health facilities in the region. In addition it is relatively close to the town centre and is accessible by the modes of transport, including public transport and so scores favourably in relation to Local Plan policy T3 New Development and Sustainable Travel.

In addition the extension of is a scale and design that can be accommodated within the site without appeared cramped or contrived within the site. It would also add both visual interest and be complementary taking into account the proposed external facing materials, the colours and the retention of a good amount of soft landscaping, particularly the long row of Cherry Blossom trees on the Gawber Road site frontage. This has enabled the proposal to satisfy policy D1 – High Quality Design and Place Making.

In addition the proposal would avoid impacting on residential amenity to any significant degree taking into account the considerable separation distances and the limited views from those dwellings alongside land levels and existing screening.

The reconfigured drop off areas for ambulances and patient transfer vehicles are in the process of being created on site as a result of the works approved by Lawful Development Certificate application 2019/0736. 12 blue badge parking spaces would be lost as a result of the land required to accommodate the development. However 62 of that type of parking space would be retained overall and this means that the percentage of blue badge visitor parking spaces on the site would remain higher (5.3%) than the figure aimed for by the existing Parking SPD (4%). This is in addition to the 549 regular sized visitor parking spaces that would be retained. No new staff are proposed to be employed as a result of the development and the size of the development is lower than the threshold in the SPD where new parking provision standards are applicable. The proposal is therefore considered acceptable from a Highways perspective. In any case this particular consideration is heavily outweighed by the substantial health care provision benefits to the local community.

Overall the officer recommendation is one of approval subject to the conditions listed.

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

85419-DAY-ZZ-ZZ-DR-A-02-0101 - Site Location Plan
85419-DAY-ZZ-ZZ-DR-A-02-0102 - Site Block Plan
85419-DAY-XX-01-AL-A-10-1101 - Demolition Elevations
85419-DAY-ZZ-ZZ-DR-A-04-2101 - Proposed Site Section
85419-DAY-ZZ-ZZ-DR-A-04-1101 - Proposed Elevations
85419-DAY-ZZ-ZZ-DR-A-04-2102 - Proposed Section
85419-DAY-ZZ-00-DR-A-04-0104 - Proposed Ground Floor Plan with Site, P1
85419-DAY-ZZ-00-DR-A-04-0104 - Proposed Ground Floor Plan with Site, P2
85419-DAY-ZZ-01-DR-A-04-0102 - Proposed Roof Plan
85419-DAY-ZZ-00-DR-A-04-0101 - Proposed Ground Floor Plan, P1
85419-DAY-02-00-DR-A-20-0101 - Proposed Ground Floor Plan, T2
85419-DAY-ZZ-ZZ-DR-A-03-1101 - Existing Elevations
85419-DAY-ZZ-02-DR-A-03-0103 - Existing Roof Plan
85419-DAY-ZZ-01-DR-A-03-0102 - Existing Level 01 Plan
85419-DAY-ZZ-00-DR-A-03-0101 - Existing Level 00 Plan
854-19-MMB-BH5132-TS-01_Rev A - Barnsley Hospital Topographical & Utility Survey Sheet 1 of 4
854-19-MMB-BH5132-TS-02_Rev A - Barnsley Hospital Topographical & Utility Survey Sheet 2 of 4
854-19-MMB-BH5132-TS-03_Rev A - Barnsley Hospital Topographical & Utility Survey Sheet 3 of 4
854-19-MMB-BH5132-TS-04_Rev A - Barnsley Hospital Topographical & Utility Survey Sheet 4 of 4

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 full details of soft landscaping works, including details of the species, positions and planted heights of proposed trees; 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.

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

- 4 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The parking of vehicles of site operatives and visitors
 - Means of access for construction traffic
 - Loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - Wheel washing facilities
 - Measures to control the emission of dust and dirt during construction
 - Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Local Plan Policies T4 New development and Transport Safety and GD1 General Development and GD1 'General Development'.**
- 5 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
- Reason: In the interest of highway safety, in accordance with Local Plan policy T4 New development and Transport Safety.**
- 6 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
- Reason: In the interest of highway safety, in accordance with Local Plan policy T4 New development and Transport Safety.**
- 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 others of similar size and species.
- 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.**

- 8 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details
Tree protection plan
Arboricultural method statement

The approved fencing shall be installed before 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.

- 9 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: To protect the amenity of existing residents in accordance with Local Plan policy Poll1 Pollution Control and Protection.

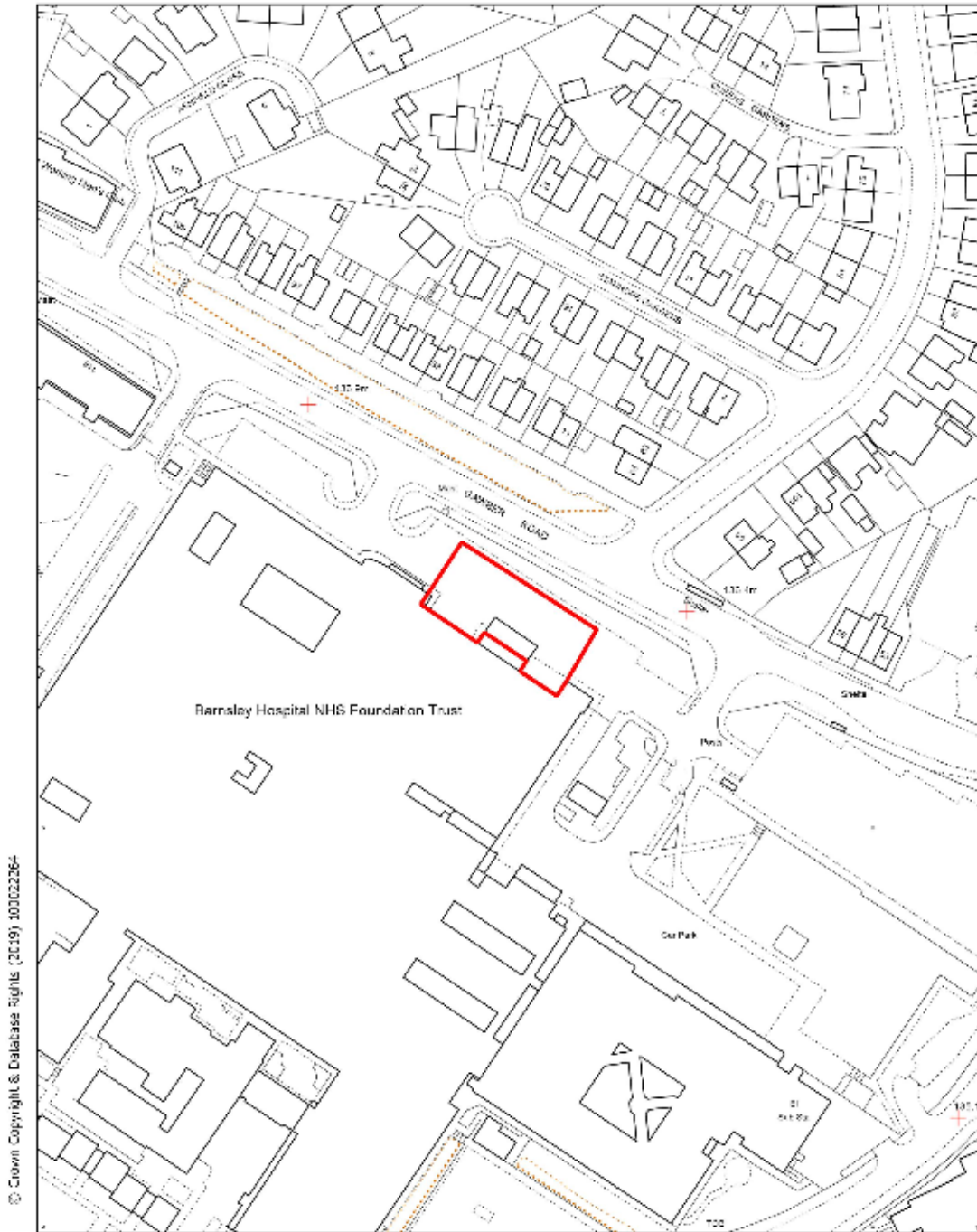
- 10 Prior to occupation of the building, full details of externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details

Reason: To protect the amenity of existing residents in accordance with Local Plan policy Poll1 Pollution Control and Protection.

- 11 The proposed development shall achieve BREEAM standard of 'very good' or equivalent which includes the BFS/Trust Sustainable Development Standard. Upon completion of the development the applicant shall provide written confirmation shall be provided Local Planning Authority demonstrating that the required standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.

Reason: In the interests of sustainable development in accordance with Local Plan policy CC2 Sustainable Design and Construction.

- 12 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway.
Reason: To ensure proper drainage of the area, in accordance with Local Plan Policy CC3 - Flood Risk.
- 13 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
Reason: - In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.
- 14 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
Reason: To ensure that the site is properly drained and in order to prevent overloading , surface water is not discharged to the public sewer network in accordance with Local Plan Policy CC3.



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BARNSLEY MBC - Regeneration & Property



Scale: 1:1250

2019/1192

Applicant: BMBC

Proposal: Variation of condition 2 (approved plans) of planning permission 2018/0989 to enable changes to the parapet height and lift and pylon base - Erection of new pedestrian footbridge and associated works and structures including alterations to public realm.

Address: Jumble Lane Level Crossing, Kendray Street/Midland Street/Market Gate, Barnsley Town Centre

No representations have been received to this application.

Site Description

The application concerns the recently closed railway line level crossing that is located on Kendray Street in Barnsley Town Centre adjacent the junction with Schwabish Gmund Way and the adjacent land that surrounds either side of the proposed bridge landings. That includes the existing road surfaces and footpaths, areas of pedestrianised public realm located to the south of the Transport Interchange, Midland Street and a section of the Market Gate car park.

Prior to the closure the level crossing was served by barriers that closed when trains were approaching causing an obstruction to all forms of traffic. This posed a safety risk in case of people deliberately attempting to beat the barrier or accidentally getting stuck inside. A temporary footbridge is currently in place located immediately to the north of the old level crossing connecting Kendray Street/Interchange Square with Schwabish Gmund Way.

Proposed Development

Planning permission was granted for the previous version of the proposed development on 24th October 2018. This application seeks approval for a number of design changes which are summarised as follows:-

- Parapet - Increase in the bridge parapet height from 1.2m to 1.4m and change from it being solid steel to glass to allow for increased visibility.
- Cable support structure connecting to the bridge pylons - 1no. cable omitted in line with the revised parapet design and wind modelling analysis.
- Replacement of inclined lift with vertical lift - The original proposal for inclined lifts was not deliverable within the budget available for the project. The proposed redesign incorporates 2no. oversized 26 person lifts capable of taking bicycles, wheelchairs, mobility scooters and pushchairs. The lifts would be glazed to improve visual permeability and natural surveillance.
- Pylon base - This is proposed to be elevated above ground level and fixed onto concrete pile cap clad in precast concrete. The base detail draws reference from the adjacent Glassworks development.

The western bridge landing would be constructed in the existing pedestrianised area located to the south of the Transport Interchange (Interchange Square) which is proposed to see its layout and surface materials reconfigured in the same way as the new areas of public realm being created as part of the Glassworks development. The bridge would then cross over the railway line to the eastern landing point which would be on the southern side of Kendray Street on land forming part of the existing Market Gate car park.

The bridge structure would be approximately 105m long in length when taking into account the steps and lifts with the deck itself being just over 60m in length. There would be the option of accessing the bridge deck via stairs or a vertical lift that would be fully enclosed. Its width varies from a maximum of 8.8m at the bottom of the steps to 5m along the deck.

The pylon structure would serve to identify the bridge as a local landmark. The pylon is proposed to be 36m tall above the existing ground level, which would make the bridge the tallest structure in this part of the town centre, including the new buildings that are to be built as part of the Glassworks development, where it would be 8m higher than the new cinema. The bridge deck and steps would be in anti-slip resin whilst the stairs handrail is proposed in hard wood.

The reconfigured area of public realm to the south of the Interchange/North and East of the Glassworks would include a mixture of replacement block paving, turfing, outdoor seating, bollards and tree planting. Changes on the ground would see the removal and realignment of existing kerbs, street trees and the statue that is a monument to the coal mining history.

History

There are a number of planning applications that are relevant to the Glassworks development. However the list of the applications that are most closely located to the bridge includes:-

Outline planning application 2015/0549 was approved 08/07/2015 with all matters reserved. This approved a mixed use development of Barnsley Markets and adjoining land following demolition of existing offices, bridge, part of existing market hall and multi-storey car park to provide a replacement refurbished retail / market floorspace, new retail / food and drink (Use classes A1, A3, A4), a cinema (Use Class D2), a library (Use Class D1), and new public open space, access road and associated servicing arrangements, car parking and a pedestrian footbridge across the adjacent railway to the site of the former CEAG building.

Reserved matters approval of access, appearance, layout and scale of the refurbishment and extension of Metropolitan Centre containing a mixture of markets, retail, food and drink (A1, A3, A4), and leisure (D2) uses was granted 20th April 2017 under application 2017/0135, i.e. phase 1 of the Glassworks.

Permission was granted for phase 2 of the Glassworks comprising a mixed use development to provide new retail/food and drink (Use Classes A1, A3), cinema and leisure use (Use Class D2), new multi storey car park and service road, with access to/from Lambra Road In September 2017 under planning application 2017/0586.

Prior to that approval of the reserved matters for the new central library was approved 27/10/2016 and under applications 2016/0924 and 22/02/2017 (amended plans ref 2016/1504).

2018/0279 - Erection of permanent structures and associated public realm works.
Approved 25/07/2018.

Application 2015/0730 determined that Permitted Development Prior approval was not required for the Demolition of Council Offices (Kendray Street) / TEC Centre & Retail Units (Eldon St / Kendray St) / Multistorey Car Park & associated structures / Zero Ice (Alhambra Road) on 23rd September 2016.

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.

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

Local Plan Allocation – The Markets Area/Proposed Cycle Route/Jumble Lane Gateway/Priority site for Public Improvements/Better Barnsley Development Site

Relevant Local Plan Policies are:-

TC1 'Town Centres'

Policy BTC3 – Public Spaces

Policy BTC5 – Landmark Buildings

Policy BTC6 – Building Heights

Policy BTC7 – Gateways

Policy BTC9 – Cycling

Policy BTC12 – The Markets Area District

Policy BTC13 – Development Site 1 – The Glassworks including former TEC building and CEAG site

Policy BTC23 – Eastern Gateway

Policy GD 1 – General Development

Policy T4 – New Development and Transport Safety

Policy D1 – High Quality Design and Place Making

Policy CC3 – Flood Risk

Policy Poll1 – Pollution Control and Protection

Revised NPPF

The revised 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

Biodiversity – No comments on this occasion but previously expressed a desire to see a net gain of tree planting and a commitment to native species.

Coal Authority – No objections to the proposed amendments.

Drainage – No objections have been received on this occasion. Previously they identified that the site is crossed by a combined public sewer owned by Yorkshire Water making it necessary to obtain their comments.

Highways – No objections to the proposed changes. Previous conditions should be re-imposed.

Network Rail – No objections to the proposed amendments. They acknowledge that the Council is engaged with their Asset Protection Team and expect that this dialogue continues as required during the development and delivery of the new structure.

Pollution Control – No objections.

SYMAS – No objections to the proposed amendments.

SY Police ALO – No comments have been received on this occasion. Previously they considered the bridge design to be sufficiently open and well lit.

Yorkshire Water – Confirm that the development would be sited over the public sewerage and water supply networks located within the site. However they are content not to object subject to the imposition of a suitable condition ensuring that measures are in place to protect the pipes particularly during the construction phase, or arrangements are in place for a diversion.

Representations

The application was advertised by neighbour notification (27 properties) and by site and press notices. No representations have been received.

Although no comments have been received to this application, comments were received from Gala Bingo and Birdwell Wheelers Cycle Club to the previous application (2018/0989). In summary the main concerns expressed at that time were that:-

The location of the eastern bridge landing would make it more difficult for existing customers to access Gala Bingo.

Birdwell Wheelers Cycle Club raised concerns that the bridge should have been designed with ramps to enable cyclists to ride over it freely without having to dismount. They considered that contrary to the aims of encouraging sustainable travel.

Assessment

Principle of development

The principle of granting planning permission for the development has already been established by the decision to allow the previous planning application. Clearly a new permanent crossing over the railway is needed following the closure of the level crossing and to enable pedestrian access between the Markets District of the Town Centre/the New Glassworks development/the Transport Interchange and the areas to the east of the railway line where residential areas, Oakwell Stadium and the Metrodome are all located. In this respect the proposal would deliver one of the main aims of Local Plan policy BTC13 'Development site 1 – Better Barnsley including the former TEC site'.

Visual amenity

The site is also identified as an important gateway site and a priority site for public improvements in the Local Plan. The relevant policies seek to create distinctive new landmarks, high quality design, the best quality building materials, a strong sense of arrival, improvements to public spaces and linkages to adjacent areas.

The plans have been through a design evolution process prior to the application being submitted with the range of consultations carried out listed in the Design and Access Statement. The proposal aims to deliver on the project brief of becoming a distinctive new landmark through a combination of the substantial size of the bridge structures, its architectural design features, including the pylon structure which would become the tallest features in the area at 36m tall, the facing materials, the vertical lifts, the after dark lighting strategy and through the uplift/modernisation of interchange square. In addition the development would not harm the views of any of the landmark buildings listed within relevant policy BTC5. The bridge would not be a building as such. However the site is located in an area that is identified to be suitable to accommodate tall buildings within the 2009 Building Heights Study. As such there is no conflict with policy BTC6 'Building Heights'. For these reasons the amended bridge design is still considered to satisfy the range of relevant policies that includes BTC7 'Gateways' and CSP29 'Design'.

The development would also deliver other public realm improvements including an extension and reconfiguring interchange square. This will include changes to the surface paving materials and soft landscaping. These are considered to satisfy the objectives of policies BTC7 'Gateways' and CSP29 'Design'.

Residential Amenity

The previous assessment concluded that the development would not give rise to harm affecting residential amenity and this remains the case.

The nearest dwellings are located sufficiently far away from the site and are screened off from it by Harborough Hill Road so as to not be affected by the proposal from an over dominance or overshadowing perspective.

The development is aimed at maintaining and improving linkages between the town centre and the Metrodome and Oakwell. However any increase in pedestrian journeys would not generate concerns from a noise and disturbance perspective, particularly given the high existing background levels.

Noise and disturbance has the potential to cause disturbance during the construction phase. Therefore it would be necessary to impose a condition requiring an appropriate method statement, including the need to agree the route to be used by construction traffic.

Given the height of the pylons light nuisance is one area where there is the potential for an amenity issue to be caused. For this reason imposing a condition is prudent although it is expected that the risk is low because the lighting scheme has to be sufficiently subdued so as to not cause a railway safety issue.

Highway safety

The changes do not introduce any new issues from a highway safety perspective. The previous proposal was assessed to be acceptable in highway safety terms and this remains the case.

As has already been stated a means of crossing the railway on foot in this location is needed in order to allow a direct connection between the Markets District of the Town Centre/the New Glassworks development/the Transport Interchange and the areas to the east of the railway line where Oakwell Stadium and the Metrodome are both located.

The closing of the previous level crossing has already achieved a railway safety benefit. Alongside this there is the removal of vehicular traffic from Kendray Street, and the stopping off of Midland Street. In addition the extension of Interchange Square further south shall create a larger area of public realm that shall be free from interference from vehicles. Pedestrian safety shall be significantly improved for pedestrians on the western side of the bridge landing therefore.

The concerns expressed by Gala Bingo and Birdwell Wheelers Cycle Club formed part of the previous assessment. No comments have been received from either party on this occasion. In summary both user groups would experience a benefit compared with the existing situation now that the old level crossing has been closed. In addition the plans include provision for cycle parking.

The development may require abnormal loads to deliver the structures to the site. This is an issue that can be dealt with through a construction method statement condition.

Others

Flood Risk and Drainage

The site is located in an area of low flood risk and so this is not an issue affecting the proposal. However a condition would need to be imposed requiring a surface water management system. Yorkshire Water have raised an issue that the development is proposed to be built over public sewerage and water supply networks. However they are content not to object subject to the imposition of a suitable condition ensuring that measures are in place to protect the pipes (particularly during the construction phase) or to ensure that arrangements are in place for a diversion/s. This is reflected in the recommendation.

Ground conditions

The site is in a Coal Mining Referral Area. However intrusive investigation work has determined that there is no evidence of any shallow coal workings which would pose a risk to the stability of the land. Both SYMAS and the Coal Authority don't object.

Biodiversity

The previous decision included a landscaping condition to ensure that the development delivers a net biodiversity gain with regards to increasing the number of trees on the site and ensuring that native specimens are used at the request of the Biodiversity Officer.

Conclusion

In summary the proposals constitute minor changes to a much needed development that is required in order to enable continued pedestrian access between this part of the town centre and the areas to the east of Kendray Street and Pontefract Road including the Metrodome and Oakwell. This is following the recent closure of the old level crossing and the limitations of the temporary bridge which cannot be used on Barnsley FC match days. As such the proposal would deliver an important aim of Local plan policy BTC13 Development site 1 – The Glassworks including former TEC building and CEAG site.

The site is also identified as a gateway site and a priority site for improvements to the public realm. The combination of the stature of the design of the bridge, its design features most notably the pylons, its facing materials and other enhancements to the surrounding area of public realm including the reconfigured and extended Interchange Square would ensure that the development would become a landmark feature as per the aims of proposed Local Plan policies BTC7 'Gateways' and D1 'Design'. In addition the development would not harm the views of any of the landmark buildings listed within relevant policy BTC5, or conflict with BTC6 'Building Heights'.

The development is supported by Network Rail as the plans represent a safer way to cross the railway than the old level crossing. In addition the closing off of Kendray Street and stopping up of Midland Street and creation of an enlarged pedestrianised area at Interchange Square has removed conflicts between vehicular and pedestrian traffic on the western side of the bridge landing. To the east the road configuration would remain much the same as the existing. As such there would be no deterioration in highway safety on that side of the bridge.

The concerns expressed by Gala Bingo and Birdwell Wheelers Cycle Club formed part of the previous assessment. No comments have been received from either party on this occasion. In summary both user groups would experience a benefit compared with the existing situation now that the old level crossing has been closed.

The development is likely to require abnormal loads to be delivered to the site for the bridge structures and could involve night time working to avoid minimising disruption on the railway network. Therefore a construction method statement condition is required. Apart from during the construction phase the development is not envisaged to lead to any impacts harming the residential amenity of the nearest properties because of the distance and because of views being blocked off by Harborough Hill Road.

The other main issue of significance is that the development has the potential to impact on sub terrain public sewer and water supply infrastructure. However Yorkshire Water are content that the matter can be adequately covered by a pre-commencement condition to require the necessary investigation work to inform protection measures and if a diversion/s are required.

Overall the application is assessed to be acceptable subject to the conditions listed in the recommendation and is recommended for approval accordingly.

Recommendation

Grant variation of condition 2 of planning permission 2018/0989 subject to conditions:

- 1 The development hereby permitted shall be begun before 24th October 2021.
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 following plans and specifications as approved unless required by any other conditions in this permission:-

BGW2-IBI-XX-PN-A-F100-0011 rev P02; Site Location Plan;
BGW2-IBI-PB-XX-PN-A-F100-0015 rev 3; Proposed Site Plan;
BGW2-IBI-PB-XX-PN-L-G700-001 rev P03 Public Realm GA Plan;
BGW2-IBI-XX-EL-A F100-0017 rev P02 Proposed elevations - sheet 1 of 2;
BGW2-IBI-XX-EL-A F100-0018 rev P03 Proposed elevations - sheet 2 of 2

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 development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The parking of vehicles of site operatives and visitors
 - Means of access for construction traffic
 - Loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - Wheel washing facilities
 - Measures to control the emission of dust and dirt during construction
 - Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Local Plan Policies T4 New development and Transport Safety and GD1 General Development and GD1 'General Development'.**
- 4 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
- Reason: In the interest of highway safety, in accordance with Local Plan policy T4 New development and Transport Safety.**
- 5 No development shall take place until full foul and surface water drainage details, including a scheme to limit surface water run off has been submitted to and approved in writing with the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and the scheme shall be retained throughout the life of the development.
- Reason: To ensure proper drainage of the area, in accordance with Local Plan Policy CC3 - Flood Risk.**

- 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. The approved hard landscaping details shall be implemented prior to the development being brought into use.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policy D1 High Quality Design and Place Making.
- 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 others of similar size and species.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policy D1 High Quality Design and Place Making.
- 8 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the development being brought into use. The landscape management plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policy D1 High Quality Design and Place Making.
- 9 Upon commencement of development a scheme for the provision of lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented prior to the development being brought into use and retained as such thereafter.
Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light in accordance with Local Plan policy Poll1 Pollution Control and Protection.

10 No construction works in the relevant area (s) of the site shall commence until measures to protect the public sewerage and clean water infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority in consultation with the relevant statutory undertaker. The details shall include but not be exclusive to the means of ensuring that access to the pipes for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand -off or protection measures are to be achieved via diversion or closure of the infrastructure, the developer shall submit evidence to the Local Planning Authority that the diversion/closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area (s), the approved works have been undertaken.
Reason: In order to allow sufficient access for maintenance and repair work at all times in accordance with Local Plan Policy CC3.

11 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway
Reason: in the interests of road safety in accordance with Local Plan Policy CSP26

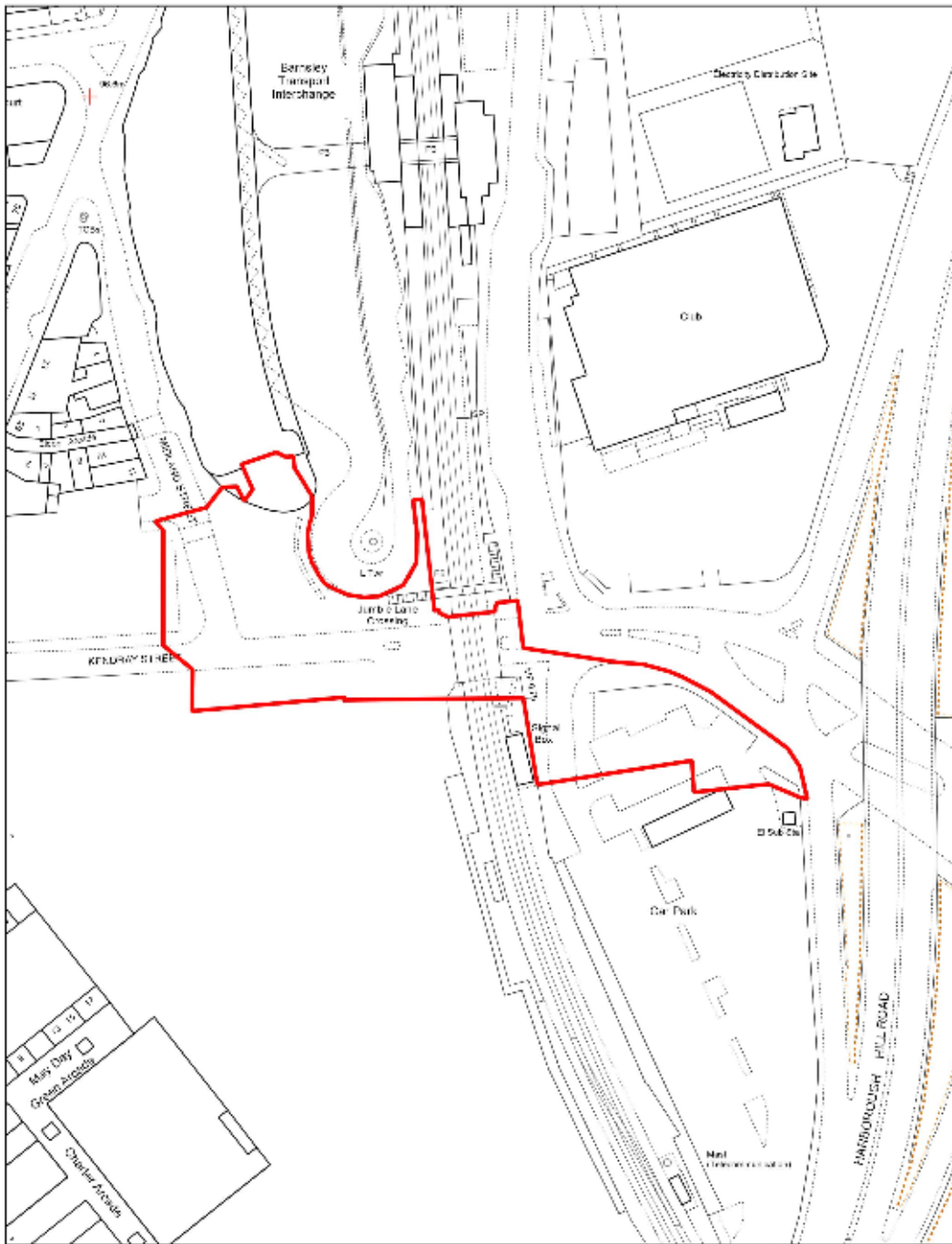
12 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- Provision of pedestrian crossing facilities on Kendray Street/Pontefract Road to the east of the railway line;
- Measures to prevent vehicular/pedestrian movement at the level crossing;
- Provision of/amendments to Traffic Regulation Orders;
- Removal of redundant signal infrastructure to the west of the railway including the interface into the railway signal box;
- Changes to signal configurations;
- Provision of LED traffic signals with nearside/on crossing detection;
- Any necessary signing/lining;
- Provision of/any necessary alterations to street lighting;
- Provision of/any necessary alterations to highway drainage;
- Any necessary resurfacing/reconstruction.

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

Reason: In the interests of highway safety and the free flow of traffic in accordance with Local Plan policy T4 New development and Transport Safety.

- 13 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
Reason: To ensure a safe and adequate highway network, in accordance with Local Plan policy T4 New development and Transport Safety.
- 14 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.
Reason: To ensure a safe and adequate highway network, in accordance with Local Plan policy T4 New development and Transport Safety.



BARNSLEY MBC - Regeneration & Property



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Item 7

BARNSLEY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

01 to 31 October 2019

APPEALS RECEIVED

2 appeals were received in October 2019

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
2017/1388	Erection of detached dwellinghouse with provision of detached double garage 8 Upper Hoyland Road, Hoyland, Barnsley, S74 9NJ	WR	Delegated
2019/0743	Change of use of agricultural barn to dwellinghouse (Prior Notification) Barn, Land at Hornthwaite Hill Road/ Cross Lane Junction, Thurlstone, Sheffield	WR	Delegated

APPEALS WITHDRAWN

0 appeals were withdrawn in October 2019

APPEALS DECIDED

3 appeals were decided in October 2019

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2019/0043	Erection of 2 no detached dormer bungalow and associated access, parking and garden facilities South Grove House, South Grove Drive, Hoyland, Barnsley. S74 9DY	Dismissed	Delegated
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	Dismissed	Delegated
2018/1308	Erection of café/restaurant with drive through facility (Use Classes A3/A5) and associated alterations to site layout Peel Centre, Harborough Hill Road, Barnsley, S71 1JE	Allowed	Delegated

2019/2020 Cumulative Appeal Totals

- 21 appeals have been decided since 01 April 2019
- 15 appeals (71%) have been dismissed since 01 April 2019
- 6 appeals (29%) 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 8 Orchard Close, Keresforth Hall Road, Kingstone, Barnsley, S70 6NF	Dismissed	Delegated
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 *Record decision as dismissed for the reason shown in next column.	Dismissed *Although this appeal was allowed the planning condition was upheld, but varied by the Inspector.	Delegated
13	2018/0071	Conversion of redundant farm buildings into 4 no. dwellings and erection of 3 no. additional new build dwelling houses and associated garage blocks Hangman Stone Bar Farm, Moor Lane, Birdwell, Barnsley, S70 5TY	Dismissed	Delegated
14	2018/0819	Erection of 1no. detached dwelling Land adjacent Rivelin, Old Mill Lane, Thurgoland, Sheffield	Dismissed	Delegated
15	2018/0831	Change of use of café to hot food takeaway 14 High Street, Hoyland, Barnsley, S74 9AB	Allowed	Committee
16	2018/1101	Erection of 2no detached bungalows (Outline with all matters	Dismissed	Delegated

		reserved) 8 Scar Lane, Ardsley, Barnsley, S71 5BB		
17	2019/0070	Two storey side extension to dwelling. 20 Gilder Way, Shafton, Barnsley, S72 8WP	Dismissed	Delegated
18	2019/0168	Erection of agricultural storage building Muscle Hill Farm, Lee Lane, Royston, Barnsley, S71 4RT	Allowed	Delegated
19	2019/0043	Erection of 2 no detached dormer bungalow and associated access, parking and garden facilities South Grove House, South Grove Drive, Hoyland, Barnsley. S74 9DY	Dismissed	Delegated
20	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	Dismissed	Delegated
21	2018/1308	Erection of café/restaurant with drive through facility (Use Classes A3/A5) and associated alterations to site layout Peel Centre, Harborough Hill Road, Barnsley, S71 1JE	Allowed	Delegated

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