

Public Document Pack

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 28 July 2020
TIME:	2.00 pm
VENUE:	VIRTUAL

AGENDA

1. Declarations of Interest

To receive any declarations of pecuniary or non-pecuniary interest from Members in relation to items on the agenda.

2. Minutes (*Pages 3 - 4*)

To receive the minutes of the meeting held on 16th June 2020.

Planning Applications

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

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

3. Land to the north and south of Dearne Valley Parkway, Hoyland, Barnsley - 2019/1573 - For Approval (*Pages 5 - 40*)
4. Bleachcroft Way, Stairfoot, Barnsley, S70 3PA - 2017/0753 - For Approval (*Pages 41 - 58*)

Consultations

5. Member Planning Consultations June 2020 (*Pages 59 - 60*)

Planning Appeals

6. Planning Appeals - 1st June to 30th June 2020 (*Pages 61 - 62*)

Enforcement Activity

7. Enforcement Quarterly Report April to June 2020 (*Pages 63 - 72*)

To: Chair and Members of Planning Regulatory Board:-

Councillors Richardson (Chair), T. Cave, Danforth, Eastwood, Fielding, Frost, Gillis, Gollick, Green, Greenhough, David Griffin, Hand-Davis, Hayward, Higginbottom, Leech, Makinson, Markham, McCarthy, Mitchell, Noble, Phillips, 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, 20 July 2020

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 16 June 2020
TIME:	2.00 pm
VENUE:	VIRTUAL

MINUTES

Present

Councillors Richardson (Chair), T. Cave, Danforth, Frost, Green, Greenhough, Hayward, Leech, Makinson, Noble and Richardson

94. Declarations of Interest

Councillor Leech declared a Non-Pecuniary interest in Item 96 as he is a Member of the Sheffield city region transport board.

Councillor Makinson declared a Non-Pecuniary interest in Item 96 as she has worked closely with Dan Jarvis MP around rail and transport connectivity.

95. Minutes

The minutes of the meeting held on 19th May 2020 were taken as read and signed by the Chair as a correct record.

96. Land off Brook Hill Lane, Dunford Bridge, Barnsley, Sheffield - 2019/1013 - For approval

The Head of Planning and Building Control submitted a report on Planning Application 2019/1013: National Grid's Visual Impact Provision (VIP) project involving the following works: 1) Construction of a new sealing end compound, including permanent access; 2) Construction of a temporary haul road from Brook Hill Lane including widened bellmouth; 3) Construction of a temporary Trans Pennine Trail Diversion to be used for approximately 12 - 18 months; following construction approximately 410m of said diversion surface would be retained permanently; and 4) Erection of two bridges (one temporary and one permanent) along the Trans Pennine Trail diversion at land off Brook Hill Lane, Dunford Bridge, Barnsley, Sheffield.

Mr Andy Tickle (CPRE) and Mr Chris Baines (VIP Stakeholder Advisory Group) addressed the Board and spoke in favour of the Officer recommendation to approve the application.

Ms Laura Hobbs and Mr Pete Wall (Yorkshire Wildlife Trust) addressed the Board and spoke against the Officer recommendation to approve the application.

A recorded vote was taken, with the following Members voting to approve the application: Councillor Richardson (Chair), T. Cave, Danforth, Frost, Green, Greenhough, Hayward, Leech, Makinson and Noble. The vote was unanimous, as no Members voted to refuse the application and no Members abstained from voting.

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

97. Planning Appeals - 1st to 31st May 2020

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2020/21.

The report indicated that one appeals was received in May 2020. No appeals were withdrawn in May 2020.

It was reported that 3 appeals have been decided since 1st April 2020, 3 of which (100%) have been dismissed and none of which (0%) have been allowed.

RESOLVED that the report be noted.

98. Member Planning Consultation Report April 2020

The Head of Planning and Building Control presented a report summarising the outcomes of the planning applications agenda pack issued as a Board Member consultation in lieu of the cancelled Regulatory Board meeting that was due to be held on 14th April 2020.

RESOLVED that the report be noted.

99. Member Planning Consultation Report May 2020

The Head of Planning and Building Control presented a report summarising the outcomes of the planning applications agenda pack issued as a Board Member consultation in advance of the Regulatory Board meeting held on 19th May 2020.

RESOLVED that the report be noted.

Chair

2019/1573

Ms Joanne Neville (Harworths)

Hybrid planning application for a development up to 102,193sqm of employment uses (use classes B1/B2 and B8) and associated works including provision of internal access roads, drainage and landscaping, a) Outline with all matters reserved apart from means of access; and b) full application for associated earthworks and creation of access points including new roundabout to access Local Plan allocation site ES15.

Land to the north and south of Dearne Valley Parkway, Hoyland, Barnsley

The application is referred to the Board as a large scale major development. 8 objections have been received from local residents.

Site Location and Description

The proposed application site comprises two strategic employment sites in the Local Plan and includes land to the north and south of the Dearne Valley Parkway (DVP) (Barnsley Local Plan sites ES15 and ES17) in Hoyland, Barnsley. The sites are close to Junction 36 of the M1. The project represents the second and third phase of Gateway 36, the first phase having been completed to the west closer to the junction of the M1.

The total area of the application sites is 38.49 hectares and is divided into 2 parts. The northern part ES15 of 11.8 ha in size slopes down to the north from the Dearne Valley Parkway and fills the gap between the Gateway 36 employment site to the west and Shortwood Business Park which abuts to the east.

The southern part of the site ES17 of 28.2 ha lies south of the Dearne Valley Parkway where the land slopes upwards to the south. South and south west of the site is grassland and fields to Hoyland beyond. To the southeast is Hoyland and the grade II listed Hoyland Lowe Stand to the east. The site is highly prominent taking into account of its location either side of the Dearne Valley Parkway and its proximity to Junction 36 of the M1 which is one of the gateways into the Borough. Hoyland Lowe Stand (tower) is approximately 500m from site. It sits on an elevated location on Hawshaw Lane. Another grade II Listed Building St Peters Church is 600m away in approximately the same direction.

The sites are part of a former colliery (now restored) and are currently vacant. Both sites are characterised by dense woodland belts of young and semi mature trees planted following reclamation. Site ES17 is within the Hoyland North Masterplan area. Site ES15 is outside this area. The Hoyland North Masterplan area also includes the following housing sites HS64, HS56, HS66 which lies to the northeast and southeast of the ES17 site (allocated for residential development in the adopted Barnsley Local Plan) and ES14 (allocated for employment use in the adopted Barnsley Local Plan) to the southwest of ES17.

The wider Hoyland area is a mix of industrial development (Gateway 36 Phase 1 and Shortwood Business Park) and open land (which forms part of the Hoyland North Masterplan). The Hoyland West (employment and residential) and Hoyland South (residential) Masterplan areas lie to the west.

Although comprising regenerated colliery land, much of the site comprises grassland/pasture and young trees. There are no local, national or international level statutory designations on the site but there are three non-statutory designations in the area: Shortwood and Hay Green Local Wildlife Site; Barrow Colliery Site Local Wildlife Site. The site also lies within the Dearne Valley Green Heart- Nature Improvement Area.

Public rights of way cross both parts of the site. The nearest residential properties are at Shortwood Villas to the north approximately 30m from the boundary of the site but over 150m away from the nearest point of nearest building shown on the indicative layout.

Planning History

No relevant planning history

Proposed Development

The applicants were part of a project board in the formulation of the Hoyland North Masterplan.

A hybrid planning permission is sought for the following of the site which in total comprises 38.4 hectares:

1. Full planning permission for earthworks and creation of access points, including new roundabout to access site ES15 which lies to the north of DVP. A new link road from the existing Shortwood roundabout is proposed to serve the southern ES17 part of the site.
2. Outline with all matters reserved apart from means of access for up to 1.1 million square feet (102,193sqm) of employment land (use class B1/B2 and B8) with associated internal access roads, landscaping and drainage at sites ES15 and ES17 (land north and south of the Dearne Valley Parkway).

Full application - The earthworks would comprise the following: In ES15 approx. 112,600 cubic metres will be cut and 112,100 filled (a surplus of around 500m³), and in ES17, 332,500m³ cut and 324,900 m³ filled, (a surplus of approx. 7500 m³). Due to the existing topography and the need to create level development platforms this would result in level changes of several metres in places. It is expected that all surplus material would be re-used on the site and incorporated as within landscaping bunds.

A new link road is proposed accessed from the existing Shortwood roundabout, running south to serve the future employment units on ES17 with the potential to link to the adjacent allocated housing sites in the future. The proposal includes layby's for bus stops in the future with provision to deliver these in the future.

A new roundabout is also proposed to be located in the Dearne Valley Parkway with an arm to the north to serve ES15 employment site. S278 and S38 applications to the Highways authority have been submitted in tandem with the planning application to implement the roundabouts and accesses proposed in this planning application. Should permission be granted the applicant would therefore be in a position to commence development of the accesses without delay.

Outline application - An indicative masterplan has been provided which shows that development would be anticipated in 10 units over a range of sizes as follows, although details would be subject to reserved matters.

Rockingham 2 – ES17 (south of the DVP)

	SQ ft	SQ m
Unit 1	26,000	2,415.5
Unit 2	26,000	2,415.5
Unit 3	30,000	2,787.1
Unit 4	50,000	4,645.2
Unit 5	60,000	5,574.2

Unit 6 75,000	6,967.7
Unit 7 255,000	23,690.3
Unit 8 155,000	14,400.0

Total 948,000 ft² 88,072.2 m²

Rockingham 3 - ES15 (north of the DVP)

Unit 1 25,000	2,322.6
Unit 2 250,000	23,225.8

Office detail 10% at upper levels)

94,800 ft² 8,807.2 m²

The plans have been the subject of a number of iterations and has been reduced from an initial 11 units following concerns about the impacts on adjacent allocated housing sites. The applicant was requested to reconfigure the southern part of the site to increase the distance to the southern boundary to allow for additional screening and reduce the visual and landscape impacts. The revised indicative layout being considered by Members shows a quantum of development slightly less than originally applied for), but details at reserved matters may propose a slightly different configuration which could be closer to the original figure.

In addition the maximum building heights have been amended following discussions between Officers and the applicant during the course of the application being considered. These are now 10m eaves and 12m maximum overall height across the site with the exception of Unit 2 in part 3B of the site which would be a maximum of 12.5m to eaves and 15.5m to ridge. Actual heights would be determined at reserved matters stage. These heights are sought because the applicants market intelligence suggests that that is what is needed to attract nationally operating companies and investors who are in the market for larger sized units. Lower heights than those proposed would impact on market attractiveness meaning the site would have a different role catering for a more localised market. This would likely slow delivery rates significantly.

All units would be available for use classes B1/B2/B8 (Light & General Industrial and Storage and Distribution). Hours of construction are proposed to be 7.30 am to 7pm mon-fri and 8am-1:30pm on Saturdays, other than work on Highways which may need to be undertaken at quieter times overnight.

Landscaping with substantial areas of tree planting on-site would be provided to mitigate and compensate for the loss of habitats as a result of the development as well as provide some degree of screening. Attenuation ponds are proposed to manage surface water runoff, with details to be submitted at the reserved matters stage.

The precise occupancy levels are not currently known at this stage, however the individual plot schemes will address the needs of the occupants in terms of access, parking facilities, service vehicle requirements and staff amenities at reserved matters.

Indicative routes for new footpaths/cycle links are proposed for the site to Shortwood Villas to the north part of the site and around the northern boundary linking up the the existing PROW. The existing footpath number 6 in ES 15 to the north of the Dearne Valley Parkway would be diverted. In the southern half of the site (ES17) a new footpath/cycle route is proposed along the boundary adjacent the DVP, linking up to a bridleway which runs along the west of the site.

Structural tree planting is proposed along DVP to screen the buildings and between the units generally following the high walls. On site and offsite biodiversity enhancements are also proposed in a draft S106 to secure 10% biodiversity net gain.

The application is accompanied by an Environmental Statement under the EIA Regulations 2017 as amended, covering the following topics: Air Quality, Traffic Movements, Ecology and Associated Loss of Habitat; Landscape and Loss of Visual Impact and a full suite of supporting documentation.

The proposed development represents the first phase of employment land to come forward as part of the Hoyland North Masterplan. The application states that it is expected that the proposals will generate 2,500 jobs following reserved matters approval.

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 by the Council in January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it assumes 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.

The Local Plan

The site is divided in to two, lying north and south of the DVP. Both parts are allocated for employment use in the Local Plan and form part of the strategic growth area for employment in the Borough. The northern part of the site is allocated as ES 15, in the adopted Local Plan, and the southern element is allocated as ES17 which is also part of the adopted Hoyland North Masterplan. Each has a site-specific policy:

Site ES15 Shortwood Extension 11.8 ha (north of Dearne Valley Parkway)

The development will be expected to:

- Undertake necessary drainage works;
- Ensure that development does not impair the visual amenity of the landscape (wider countryside). Potential mitigation measures include restrictions on building heights, landscaping and structural planting;
- Consider the potential impact on the nearby Shortwood and Hay Green Local Wildlife Sites and include appropriate mitigation where necessary;
- Retain the valuable habitats in the south-western corner of the site and exclude them from the scope of any development proposals. The site has potential as a habitat for newts, so it is recommended that this possibility is investigated prior to any development; and
- Protect the routes of the Green way and Public Rights of Way that cross the site, and make provision for these as part of any proposal.

Archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary) that must include the following:

- Information identifying the likely location and extent of the remains, and the nature of the remains;
- An assessment of the significance of the remains; and
- Consideration of how the remains would be affected by the proposed development

Site ES17 Land South of Dearne Valley Parkway 28.2 ha (south of Dearne Valley Parkway and in Hoyland North masterplan area.

The development will be subject to the production of a Masterplan Framework covering a number of sites including housing site references: HS64; HS66; HS56; and employment site references: ES14 and ES17.

The development will be expected to:

- Provide appropriate access to housing site references HS64, HS66 and HS56;
- Protect and retain the areas of woodland, species-rich neutral grassland, pond and stretches of older hedgerow. The site has potential as a habitat for newts, so it is recommended that this possibility is investigated prior to any development;
- Consider and minimise the impact on the setting of listed buildings through appropriate design and landscaping;
- Ensure that development respects the landscape and wider countryside, and where appropriate mitigation measures are incorporated to address impacts on the adjacent Green Belt and countryside; and
- Protect and retain the Green way, Public Footpaths and Bridleways, cutting through and along the periphery of the site, and make provision for them in the design of the layout

GD1 General Development – Proposals for development shall be approved if there will be no adverse effect.

SD1 Presumption in favour of sustainable development – Planning applications that accord with other relevant policies will be approved without delay.

LG2 Location of Growth – Urban Barnsley is the highest priority location to accommodate growth in accordance with the adopted settlement hierarchy.

Policy E3 (Uses on Employment Land) on allocated employment sites the Council will allow the following uses: research and development (B1b) and light industry (B1c); general industry (B2); or storage or distribution (B8). The supporting text to the policy advises that the provision of well-located employment land is key to the Borough's future economic growth and it is therefore essential that both new employment land and land currently in use or last used for employment purposes, is protected and safeguarded from non-employment uses.

Other relevant policies include:-

- CC1 - Climate Change
- CC2 - Sustainable design and Construction
- C3 - Flood Risk
- D1 - Design
- E1 - Providing Strategic Employment Locations
- E2 - The distribution of New Employment Sites
- E3 - Uses on Employment land'
- T3 - New Development and Sustainable Travel
- T4 - New development and Transport Safety

T5 - reducing the Impact of Road Travel
 D1 - High Quality Design and Place Making
 CC1 - Climate change
 CC2 - Sustainable Design and Construction
 CC3 - Flood Risk
 CC4 - SUDS
 GI - Green Infrastructure
 GS2 - Green ways and Public Rights of way
 Bio1 - Biodiversity and Geodiversity
 HE1 – The Historic Environment
 HE6 - Archaeology
 RE1 - Low Carbon and Renewable Energy
 CL1 - Contaminated and Unstable Land
 Poll1 - Pollution Control and Protection
 SD - Presumption in favour of Sustainable development
 I1 - Infrastructure and Planning Obligations

Hoyland North Masterplan Framework

The Hoyland North Masterplan Framework is relevant to that part of the planning application which lies to the south of DVP (site allocation ES17).

The masterplan was adopted on 19 December 2019 and will create a mixed-use community comprising around 765 new homes and 37 hectares of employment land with associated infrastructure to the north of Hoyland's urban area set within a greenspace network that supports multi-functions and activities. A golden thread running through the Masterplan Framework process is health and well-being principles and sustainability initiatives with a green infrastructure state and sustainability initiatives. For the employment area ES17, the masterplan set out expected land use and the table below demonstrates that the application generally complies with the expected quantum. The design has evolved since the preparation of the masterplan as an earthworks assessment has now been completed. The applicant notes that the red line boundary is slightly smaller than the Masterplan. This table does not relate to the northern part of the application area (ES15).

Layout	Masterplan	Masterplan	Planning App	Planning App
Retained woodland/ ecological asset	4.05ha	14%	2.33ha	8%
<i>Proposed woodland planting</i>	4.37ha	16%	4.95ha	18%
Substantial landscape strips along internal highway	0	0	0	0
Green corridors	5.05ha	18%	4.15ha	15%
Link Road	0.53ha	2%	1.36ha	5%
Development parcels	14.4ha	50%	15.4ha	54%
Total	28.4ha	100%	28.19	100%

Other detailed requirements of the masterplan include 10% biodiversity net gain, colour palette, scale and massing to minimise harm to wider landscape, location of service yards, consideration of green roofs, pedestrian and cycle routes enhanced and retained where possible, new woodland areas within high wall zones and high value wetland swamp grass land area to be retained, management and maintenance, governance and stewardship of green infrastructure. The further requirements of the masterplan are addressed within the assessment section of the report.

Supplementary Planning Documents

Parking

Residential amenity and the siting of buildings

Biodiversity and Geodiversity

Sustainable Travel

Trees and hedgerows

Planning Obligations

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.

5.6 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.7 Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes efficient use of land.

5.8 Paragraph 163 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

5.9 Paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by (inter-alia) preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability. The paragraph also states that decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

5.10 Paragraph 174(b) states that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

5.11 Paragraph 189 states that in determining applications applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail provided should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

5.12 Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Consultations

Air Quality – no objections subject to condition

Biodiversity Officer – no objections subject to conditions and to S106 securing 10% biodiversity net gain

Coal Authority – no objection subject to conditions

Design – A number of points raised relating to sensitivity in the landscape and design

Enterprising Barnsley – Support the proposal that will help to secure investment, and lead to a potential increase in employment opportunities in the borough

Forestry Officer – Is satisfied with the amount of retained trees and proposed tree planting on site, but there is insufficient mitigation for loss of trees which could be achieved through off-site planting which could be secured by condition

Highways DC – No objections in principle but a number of detailed comments

Highway Drainage – No objection subject to conditions

Highways England – No objection

Historic England – No comments received

Pollution Control – no objection subject to condition relating to cut/fill and construction noise, and operational noise controls and dust controls

Project Manager Housing and Energy – no objections but seeks to secure a feasibility study for use of minewater for heating

Public Rights of Way – No objections, subject to details submitted at reserved matters

Rotherham MBC - Requested additional information in relation to the predicted highways implications. No objections have been received subsequently.

South Yorkshire Archaeology Service – No archaeological investigation is required.

South Yorkshire Police – No comments received

Yorkshire Water – No objection subject to conditions

Yorkshire Wildlife Trust – Initial concerns about lack of detail and poor baseline assessments lead to further ecology assessments and reports. No objection subject to conditions.

South Yorkshire Mining Advisory Service – No objection subject to conditions.

Urban Design Officer – Initially had a number of concerns relating to impact on visual amenity and impact on wider landscape which has been somewhat alleviated by the reduced building heights

Superfast Broadband – A condition requiring Gigabit full fibre broadband is required.

Representations

The application was advertised by press notice, by 8 site notices and by 373 individual letters to neighbours and on the Councils website. Prior to the submission of the application the masterplan was also subject to a 6 week public consultation period including 2 public events prior to its adoption by the Council in December 2019. Eight objections have been received to the planning application. Of these, two have no objections in principle but have raised similar concerns to the objections from other residents as set out below:

- Potential for noise pollution
- Potential for Air pollution
- Potential for Water pollution
- Risk of Light pollution – spillage, impact on wildlife, light levels and column height, an existing building is cited as a poor example
- Highway impacts – existing highway system already cannot cope
- Impacts on wildlife – loss of habitat, impacts on birds and bats, ability to manage and enforce protection and replacement of hedgerow habitats and protection of water areas
- Loss of green belt
- Loss of footpaths
- Traffic speed should be reduced to minimise emissions and be safer
- Negative impact on lives and wellbeing
- Loss of screening when viewed from Shortwood Villas
- Jobs will be located from elsewhere, not new jobs
- Impacts on infrastructure such as schools, GP's
- New housing nearby will remain unsold as no-one will wish to buy properties near this site.
- Scale of proposal – has the level of demand been determined?
- One objector also requested more established trees, footpath repair, soil improvement, nest boxes and invertebrate habitats to be incorporated.

Assessment

The Principle of Development

Whilst one objector was concerned about the loss of Green Belt land, the whole application site is designated for employment in the adopted Local Plan. As such the proposal is acceptable in principle, but consideration needs to be given to the aforementioned policy requirements and material planning considerations. The Hoyland North Masterplan is a material consideration. This, and other material considerations are discussed in more detail below.

In considering the full application part of the proposal, in order to achieve suitable development platforms for the employment uses to progress, significant engineering works in the form of cut and fill activities are required to take place on the land. All activities would be within the application boundary. Without these engineering works the land could not reasonably be utilised efficiently for employment uses due to significant level changes and the lack of existing accesses. No materials are proposed to be brought to the site or removed from the site in undertaking these engineering operations. It is likely that there would be temporary impacts whilst the engineering operations take place. Some therefore negative weight must be attached to the consideration of this temporary impact which must be balanced against the benefits of the proposals.

In considering the outline part of the application, the whole site is allocated for employment use, and the principle is therefore acceptable. Detailed proposals will follow in subsequent reserved matters applications.

Economic Impacts

One objector had concern about the scale of the proposal, and whether the level of demand for the development has been determined. The site is designated within the Local Plan as Employment use and is in a highly strategic location close to the motorway and key trunk roads. This is a vast site (38.5ha = approximately 38.5% of all of the land allocated for employment in the Local Plan) that has the potential to provide a number of large units that has the capability of generating significant numbers of jobs at this strategic site both during construction and operationally. Once built out the proposal would lead to significant private sector investment being secured, providing premises for potential inward investors and expanding local companies and providing a key driver of investment for Barnsley.

The Hoyland North Masterplan set out that the rate of delivery of employment sites in the masterplan is assumed at 10,000sqft (929sqm) per annum with a likely completion of 15 years (2035), with an anticipated start date in 2020. The positive economic benefits of the proposal carry very substantial weight in its favour.

Access arrangements and Highway Impacts

The Hoyland North Masterplan requires the link road from DVP to link to the allocated residential areas to the south in the first 5 years of the masterplan. The site specific policy for ES 17 also requires that it provide appropriate access to housing site references HS64, HS66 and HS56.

Highway impacts are considered in the Environmental Statement which accompanies the planning application. and the cumulative impact of the development when considered with the Hoyland North Masterplan sites.

Access to the southern (ES17) site is included in this application in the form of a link road from the existing Hoyland roundabout on the DVP. It will also accommodate bus stops with laybys to improve accessibility for public transport. A planning condition is proposed to secure realtime provision and seating. The applicant has secured SCRIF finding and a parallel application for s278 works has also been submitted. Should planning permission be granted the applicant hopes to start work on delivering the link road in the very near future. A condition is proposed.

As the housing allocation applications have not yet been submitted it is appropriate that the accesses to the housing allocations are not implemented in full at this stage, so as not to prejudice the future layout of the housing sites. Instead, the indicative masterplan shows suggested positions for the access to these sites. The adjacent landowner (Hoyland developments Ltd), has no objections to this approach. The extension of the link road to the south will be completed by the housing developers as the sites come forward during the Local Plan period. On-site access roads will be considered at the reserved matters stage. The S106 will ensure that there is no ransom strip between the access road and the future accesses required for the housing allocations.

Phase 3 to the north of the DVP will be accessed from a new roundabout located to the west of the existing Shortwood roundabout, a parallel S38 application has been submitted to progress this element of proposal. This new roundabout has been designed to current designed standards and will be slightly larger than the existing Shortwood roundabout.

Traffic modelling demonstrates that the recently improved network (to deliver local development) would continue to operate with minimal delay with the addition of the Rockingham development. Furthermore the impact of the development has a negligible impact on the operation of the network, the only impact being a reduction in average speed with the addition of the new roundabout, but with sufficient capacity to accommodate all future traffic demand with minimal delay/queueing. Both these highway design elements have been subject to Stage 1 Road Safety Audits. Stage 2 audits will be carried out once detailed design has been agreed through the Section 278 and Section 38 Agreements

Highways England have been consulted with respect to the potential impacts on the strategic road network, and after receiving further information and clarification, have confirmed that no objection is raised.

Sustainable Travel

The larger of the two development parcels ES17 is located within the Hoyland North masterplan framework area which recognises that a key aspect of achieving a well-connected development is the objective of promoting sustainable travel and reducing the need to travel by private vehicle including provision for public transport.

In order to promote use of sustainable modes of transport a framework travel plan has been submitted and reviewed. The intention is to appoint a travel plan coordinator for each unit who will ensure that adequate provisions are put in place in relation to the provision of Electric Vehicle charging points, secure cycle parking, shower facilities, car sharing schemes, provide loans in respect of public transport season tickets and prepare and submit monitoring reports. This will be secured through the S106 agreement.

The masterplan states that there is a good level of bus service provision running along Hoyland Road and Sheffield Road and that for the employment elements these can be served by the existing services. However initial bus accessibility to serve the early phase of ES17 will require improved connectivity for pedestrians and this is provided for by additional non-vehicular access connections including:

- A multi user route running along parallel and to the south of the A6195 (Dearne Valley Parkway) which provides connectivity to existing Bridleway 6 and the shared pedestrian / cycleway on the proposed link road to serve ES17.
- A new multi user connection running parallel and to the north of the A6195 connecting Bridleway 6 to footpath 5 to serve ES15. This section will also form part of the J36 Sheffield Road to Worsborough Road Active Travel Route currently being designed by the Councils' Transportation team.
- The Framework Travel Plan (FTP) submitted follows best practice guidance and contains a package of measures tailored to the site with the objective of facilitating and supporting sustainable travel to and from the site and reduce reliance on the car. The FTP provides details of a range of measures which will be incorporated into the overall design of site and the need for individual tenant detailed travel plans to conform to the umbrella of the FTP which contains the following elements and will be secured through the Section 106 Agreement:
 - Objectives and scope of the Plan including preliminary mode split targets;
 - An assessment of existing conditions for access to the site by a range of modes;
 - Description of roles and responsibilities;

- Measures to encourage, promote and increase the use of public transport, cycling and walking and reduce the level of single occupancy vehicle trips;
- Implementation and communication;
- Suggestions for regular monitoring and review schedules of progress against objectives

Internal access to the separate plots in both the ES15 and ES17 sites would be dealt with under reserved matters. By delivering the link road at such an early stage the opportunities for developers to come forward to access the employment site will be significantly increased and is a positive aspect of the proposal.

Cut/Fill Operations

The engineering operations proposed would change the existing varied landform to produce level development platforms in readiness for the erection of commercial buildings following reserved matters approval. The operations would comprise cut and fill activities and would entail moving approximately 444,000 cubic metres of material within the site to produce the required levels. Members may recall that the Capitol Park site was also prepared in a similar way in advance of reserved matters proposals for the erection of commercial units.

It is anticipated that the operations will be neutral ie that no material will be required to be brought onto or leave the site.

Design and Visual Impact

a) Design Panel

The masterplan states on Page 72 - Developers will be required to present future planning applications to the Barnsley Urban Renaissance Design Advisory Panel. A presentation was made by the applicants to the Design Panel on 28th May 2020. The recommendations from the Panel are as follows:

- Provide more information about the levels of the site and investigate the presence of high walls
- Look at ways of breaking down the massing of the buildings, bringing interest and providing character, avoiding 'generic boxes.'
- Produce long distance views of the site. Use care and sensitivity in the design of the buildings to help minimise visual and landscape impacts of these large structures on local and long-range views.
- Illustrate how the northern gateway will make a 'quality statement', (for example by producing photo montages). Special care and attention need to be paid to the design of this interface.
- Illustrate the roadside quality of the link road. The characterisation of the link road needs to be distinctive and high quality. For pedestrians it should be a positive experience.
- Be mindful of the existing countryside feel of the existing footpath network when developing next to it. Do something special with the attenuation ponds so they become more of a feature.
- Look again at the current 'left over' spaces as the two roads converge and wrap around existing development to see if they can contain more meaningful land uses.

b) Urban Design

The Hoyland North Masterplan states that for colours and materials *"It is crucial that the employment units are sympathetic to the surrounding natural landscape and complement the*

local area. New development should not seek to take design cues from existing employment buildings where they contrast with the natural landscape. Proposals should seek to enhance the distinctiveness of the area” and “it is clear that the proposed employment area must respond sensitively to the surrounding context and demonstrate an awareness of mid and long-range views to and from Hoyland Lowe Stand. Materials will need to respect the setting of the heritage assets and provide consistency across the Masterplan Framework area”

Service yards should not be dominant features from the link road and Dearne Valley Parkway. Developers will also need to consider ecologically sensitive lighting in order to minimise harm to biodiversity.

Whilst the Design and Access Statement statement anticipates that new units will use the same or complimentary materials to those on Gateway 36 phase 1 , the masterplan instead emphasises that a more natural palette of colours should be used and a planning condition is proposed.

The masterplan framework expects that in considering rooflines, proposals should explore opportunities for green roofs in order to soften the appearance of roofscapes and deliver biodiversity and drainage gains. This is a reserved matters issue, however, the applicant has argued that it would not be viable for green roofs, even for a percentage of the site or for part of a roof. The proposal does not accord with the masterplan on this point but can be reconsidered at reserved matters stage.

The indicative application masterplan shows buildings could be positioned on the plots to allow an efficient layout which keeps pedestrian and heavy goods traffic safely segregated and demonstrates the way in which the proposed units can be arranged to *“create an active urban frontage onto the Dearne Valley parkway”*.

The detailed design and appearance of the buildings would be considered at reserved matters stage but landscaping between plots on the edges of the development platforms are proposed to soften the impact of the buildings. Given the sensitivity of the site in relation to its prominence in the various locations identified within the landscape and visual impact assessment, it will be necessary to ensure precise details of materials are provided at the reserved matters stage. The expectation is that this will be a sensitive and high quality palette, reflecting recent good examples elsewhere in the country.

In considering the ES 15 site to the north of the DVP, the site specific policy states that applications should *“Ensure that development does not impair the visual amenity of the landscape (wider countryside). Potential mitigation measures include restrictions on building heights, landscaping and structural planting”*. As a result of a number of discussions the applicant has agreed to reduce the height of all buildings across the site to a maximum of 10m to eaves and 12m ridge, apart from unit 2 north of Dearne valley Parkway (area 3B) which would be a maximum of 12.5m to eaves and 15.5m to ridge. The Urban Design Officer is comfortable with this approach, but a second design panel review at reserved matters stage would still be required in order to address the remaining areas of concern relating to design.

The proposal is considered to be only partly in accordance with the Hoyland North Masterplan and with Local Plan Policy D1 and GD1 in relation to design, however, there will be opportunity to seek high quality layout and design and reserved matters stage.

c) Landscape and Visual Impacts

The Hoyland North masterplan states that long-range views of the employment units should be considered (page 38). The Design Panel additionally considered that the impact on landscape will be an important element to consider at reserved matters.

Local Plan Policy D1 expects development to be of high quality design and will be expected to respect, take advantage of and reinforce distinctive local character and features of Barnsley including landscape character, views and vistas to key buildings, landmarks, and skylines.

The application has been accompanied by a Landscape and Visual Impact Assessment and photomontages of the buildings at initial proposed heights (varied but up to 21m – Now amended to max 12m apart from unit 2 on site 3B (15.5m).

Barnsley Landscape Character Assessment 2002 found that the landscape currently is extensive rolling areas of grassland, scrub and semi broadleaved woodland with hedgerows formed on the restoration of the colliery sites. The site falls within the Settled wooded farmland character type as set out in the Landscape Character area 'E: Settled Wooded Farmland' was reviewed in 2016 as (p21): Despite including the characteristics typical of the settled wooded farmland landscape, the character area includes extensive urban development, former and modern industrial uses and major roads. It acknowledges that *"Whilst there have been significant changes along the A6195, the recommendations remain largely relevant and so landscape sensitivity is judged to remain low and landscape capacity is judged to be medium"*.

The proposal will inevitably lead to a significant change due to the substantial earthworks required to create development platforms removing much of the vegetation and physically changing the landform to a series of benches; and also the long term changes that will result in extensive built development of employment units replacing the mixed urban/countryside feel site currently.

As a result the landscape and visual impacts have been assessed within the Environmental statement accompanying the planning application with viewpoints agreed with the LPA prior to the submission of the application.

Clarifications and amendments were requested and a limited number of illustrative photomontages to assist with the consideration of the landscape and visual effects were provided. The resubmitted information clarified the scale and location of proposed development in the landscape, and the expected establishment strategy for mitigation planting. The LVIA submitted indicated that residual indirect effects on the adjacent areas of Green Belt are likely to cause less than substantial harm following secondary mitigation at Year 15.

An independent assessment of the LVIA for the Council however, found that the assessment has underassessed the effects of the development primarily from a visual perspective at the local level; firstly, with reference to the visual effects of the development on residential amenity at Hoyland Common. Views of industrial development (associated with the A6195 or otherwise,) are not characteristics of existing views and long views are currently enjoyed to the wider landscape of the Stainborough Hills.

The proposed development would entail a considerable loss of established vegetation and introduce substantial new features into the landscape, breaching the skyline in the middle distance. This magnitude of change would be clearly evident across views in the middle

distance regardless of mitigation planting at Year 15 because of the nature and form of the proposed development. It was not agreed that the residual effect is slight adverse.

Secondly, the direct and indirect effects on PROWs as a landscape receptor had not been clearly determined, or were underassessed. Finally the indirect effects of the development on further statutory designations, of Hoyland Lowe Stand and St Peter's Church (Grade 2 listed) had not been evidenced.

As a result of all the above comments from the Design Panel, Urban Design Officer and independent evaluation of the LVIA, the applicants were asked to reduce the heights of the buildings. The applicants provided a revised LVIA and cross sections to max 15m to eaves (reduced from 21m). However, an assessment found that significant negative visual and landscape impacts would still have remained as the large scale buildings would still cause transformative effects on the topography, impacts on Hoyland Lowe Stand and would have appeared overly dominant adjacent the green belt, to public rights of way and a tunnelling effect along Dearne Valley Parkway, particularly during the winter months. As a result of the continued impacts described above, a condition is proposed to limit on to eaves on all buildings to 10m to eaves, other than Unit 2 to the north of the Dearne Valley Parkway which would be a max of 12.5m to eaves. This is a positive material change to the application as originally submitted Accompanying cross sections illustrating the lower eaves heights demonstrate the corresponding material reduction in the negative impact on the visual amenity and wider landscape and would assist with mitigation of the tunnelling effect of industrial development in views along Dearne Valley Parkway, reduce negative effects in views from PRoW in the vicinity of the site and integrate the development within the landscape whilst producing a more modest background for future residential development in the adjacent site allocations.

d) Scale

The masterplan states on page 14 that for the employment uses – the Scale and massing - The design of the building should be appropriate for its end employment use and seek to minimise visual harm upon the wider landscape. All employment units should have a 'human scale' frontage to assist with legibility. The Design Panel considered it was important to consider the scale of the buildings in the context of the landscape setting and scale also needs to be considered in context with the residential allocations. However, Matters of scale are not fixed by this outline application but will be subject to reserved matters approval but cross sections have been submitted which shows a series of industrial units of modern design of various sizes in the 2 phases.

There would however be opportunity to address this at reserved matters stage, and detailed conditions are proposed to require photomontages, perspective views and elevational drawings of proposals in their settings so that the landscape and visual impact can be properly assessed at reserved matters stage subject to the height limits set out above.

Residential Amenity

The relationship between the proposed new development and the adjacent existing residential properties has been considered in detail. Guidance is found in the adopted SPD Residential amenity and the Design of Buildings but detailed design would be considered at the reserved matters stage.

Unit 1 of ES15 is shown on the indicative masterplan (Rev L) plan as being over 150m away from the closest dwelling at Shortwood Villas. These new buildings should be considered in context with the existing commercial/employment uses at Gateway 36 and Shortwood Business Park but would be considered in detail at reserved matters stage.

Units 1 and 8 in ES17 in phase 2 to the south of Dearne Valley Parkway are the plots closest to closest (200+m away) to residential developments at Upper Hoyland Road and the southeast of the site towards the junction off Hawshaw Lane and Upper Hoyland Road. As a result of the condition requiring the units to be no more than 10m to eaves, and the considerable distances from the residential properties, outlook and visual amenity is preserved. With respect to the proximity to the allocated housing sites located immediately south of the site, following discussions with the applicant, the height of the units has been lowered and the distance from the buildings to the southern boundary has been increased significantly during the consideration of the application and is more closely allied to the masterplan framework. The greater distance (now a minimum of 50m) would allow landscaped screening bunds and additional tree planting to be undertaken to provide a more appropriate scale of development to the housing sites than the 21m high initially proposed and the possible future cricket ground.

Local Plan Policy POLL1 seeks to protect residents from the impact of new industrial and warehouse development and the Pollution Control officer has proposed conditions which will protect the amenity of residents.

In assessing the engineering operations, there may be significant but temporary impacts on the adjacent properties for the duration of the site preparation in terms of noise and dust, Shortwood Villas would particularly be at risk of impacts during the engineering operations. However, the duration of these engineering operations is expected to be a maximum of 8 months and the Pollution Control Officer is satisfied that conditions can be attached to the permission to manage and mitigate this noise and dust impacts.

The indicative layout of the proposed buildings suggests there would be a significant distance between future buildings on site and the existing residential properties and that during the operational phase noise impacts would be unlikely. Nevertheless, conditions are suggested for the construction and operational phases of the development including noise of mobile and fixed equipment, security lighting and ensuring that glare is minimised which was raised by one objector), all to protect residential amenity.

Suitable mitigation will be expected when measured against the guidance set out in the adopted SPD "Residential Amenity and the Siting of Buildings" and taking in to account the allocation of the land as an employment site and the number of jobs which could be realised. All these are matters which would be assessed at reserved matters stage.

As a result, the proposal is considered to comply with Local Plan Policies D1 and GD1 on this point.

Impact on trees

P51 of the masterplan states that developers will need to justify any loss of green infrastructure, particularly important ecological areas, and set out a clear strategy for mitigation and/or compensation as part of future planning applications, where the loss of existing green infrastructure is unavoidable.

Large swathes of both parts of the site are covered by young and semi mature trees predominantly comprising plantation woodland of oak, rowan, ash, birch, alder, grey willow, field maple, hazel, aspen, hawthorn, white poplar and osier which were planted following the reclamation of the site following coalmining. There are also some broadleaved hedgerow and smaller stands of trees and scrub.

Site specific policy ES17 states that the proposal should "*Protect and retain the areas of woodland, species-rich neutral grassland, pond and stretches of older hedgerow*".

The Hoyland North Masterplan set out the following expectations and the table below shows what is proposed:

Layout Masterplan	Masterplan	Planning App
Retained woodland/ ecological asset	4.05ha 14%	2.33ha 8%
Proposed woodland planting	4.37ha 16%	4.95ha 18%

The land currently has very uneven topography and an extensive cut and fill exercise is necessary in order to provide level development platforms for modern day employment uses. This will inevitably result in the loss of approximately 90% of the existing trees. It is acknowledged that it would not be possible to deliver the strategic amount of employment development whilst retaining all the existing woodland on site.

However, extensive replacement planting of approximately 7.4ha is proposed on site within both ES15 and ES17, between the buildings and particularly in the areas around the drainage ponds, and a further 0.64 ha off site as part of wider biodiversity offsetting measures. This would result in a post development tree cover of 8.6ha. The applicant has set out the composition in more detail below:

Base Tree cover- 13.71 ha -100%
Retained Trees - 1.18 ha 9%
Trees Created- 7.42 ha 54% (excludes 0.64ha of wet woodland at Barrow Colliery)
Post dev Tree total- 8.6ha 63% (excludes 0.64ha of wet woodland at Barrow Colliery)

Whilst the Forestry Officer confirms that the level of retention and planting on the site itself is as expected is content that every practical area which can accommodate tree planting has been used, this 13.5 ha of existing trees relates to the masterplan area only which covers ES 17 and does not include the existing tree cover or proposed tree loss on ES15. The existing canopy coverage over the whole application site is approx. 22 ha with an anticipated loss of 12.95 ha over the whole site a post development tree cover of 8.6 ha (39%) is proposed.

Mitigation is proposed in the applicants Arboricultural Impact Assessment for off-site tree planting to sufficient to deliver a net gain of tree cover within the borough, together with a 40-year management proposal. A planning condition is proposed to secure this scheme.

Ecology and Loss of Habitat

The Hoyland Masterplan framework states that at least 10% biodiversity net gain required and also that new woodland areas within high wall zones and high value wetland swamp grass land area to be retained. As is management and maintenance, governance and stewardship of green infrastructure.

Although the site is reclaimed colliery land, it has regenerated significantly and now comprises grassland/pasture and young trees in semi broadleaved woodland with attendant ecological interests. Therefore a programme of ecological surveys was undertaken to inform an ecological assessment. Updated reports and surveys have been submitted as the application has progressed. The proposal would have a significant impact on the semi broadleaved woodland trees, grassland and hedgerows as a result of the need to undertake significant earthworks to create the flat development platforms necessary for employment units.

The applicants consider that temporary short-term negative impact of a limited extent would be experienced on the nearby areas of interest at Shortwood and Hay Green Local Wildlife sites are anticipated. Additionally, ecological improvements are proposed to help achieve the

10% net gain required by the Hoyland North Masterplan at the Barrow Pit site under the ownership of the applicant.

A variety of surveys and assessments have been undertaken to support the application and on-site mitigation is proposed in the form of impact avoidance measures, creation of areas of open grassland and management of retained ecological areas, together with creation of extensive areas of woodland and scrub as part of green infrastructure proposals to contribute towards a biodiversity net gain.

Initial evaluations of the submitted ecology reports found that the baseline surveys underestimated the value of existing vegetation. Updated surveys and reports have been submitted throughout the consideration of the application for ecology, birds and protected species as have proposals for achieving the 10% net gain.

The Biodiversity Officer is now satisfied that ecology and biodiversity matters can be addressed appropriately subject to conditions and subject conditions requiring detailed searches close to the pond areas and fencing to protect amphibians prior to commencement, and to a section 106 agreement to secure the 10% net gain both on and off-site together with conditions to secure ecology mitigation and enhancement on plots as well as in public areas. This approach is also supported by the Yorkshire Wildlife Trust. Overall the proposal complies with the Local Plan Policy BIO1 on this point. As the 10% Biodiversity Net gain requirement is draft rather than final legislation at the current time the proposals that have been put together to achieve that are considered to be a major positive and something that attracts significant weight in favour of the proposal.

Green Infrastructure

The outline proposal contains ponds open spaces, and significant amounts of planting, together with footpaths on site. These shall be maintained through a management agreement.

Air Quality

Air quality was highlighted as an issue at pre-application stage due to the emissions during construction and operational phases and has therefore been addressed in detail in the Environmental Statement accompanying the planning application. The impact on air quality has also been raised by objectors.

The closest AQMA to the proposed development site is Barnsley AQMA No. 1 which is located 0.7 km west-south-west of the site boundary. As part of the air quality assessment receptors within the AQMA were assessed to determine any effects in air quality as a result of the proposed development.

The main emissions during construction are likely to be dust and particulate matter generated during earth moving (particularly during dry months), or from construction materials. With the proposed good practice measures (including a Construction Management Plan) it is not considered that further mitigation measures will be required during the construction phase.

For the operational phase the number and type of proposed vehicles has been assessed as changes in road vehicle emissions are the most important consideration during this phase of the development. Detailed modelling has been undertaken as part of the Air Quality Assessment produced for the site. Using the provided traffic data, the effect of the development is predicted to be negligible at all receptors in the assessment year of 2029.

Best practice measures are included in the Travel Plan for the site which will seek to reduce reliance on single occupancy vehicle trips and EV charging points are proposed in the car parks which can be secured by condition.

Overall, the air quality impact is predicted to be negligible taking into account the changes in pollutant concentrations and the operational air quality effects. The Air Quality officer has no objections subject to a planning condition.

The application is therefore considered to be consistent with the aims of Local Plan Policy AQ1.

Pollution Control

Noise pollution, dust, and light pollution were raised by objectors as concerns to the proposal as was impact on lives and wellbeing. There are several elements of the proposal to consider: the noise and dust from the cut/fill operations; the noise and dust generated by construction operations; and the noise and potential light pollution during operational activities.

The nearest residential properties are only 30m distance away from the boundary of the site, the nearest at Shortwood Villas. However, the nearest building on the indicative masterplan would be over 150m northwest of the nearest indicative building in ES15, Properties at Upper Hoyland Road for ES17 over 200m away from the nearest building. The impacts created as a result of the first two elements are of a temporary nature only, but have the potential to be significant, particularly for the cut/fill operations, but a condition is proposed to control noise and dust emissions which could impact on these properties. For operational activities, it has been demonstrated that noise from service yards and vehicle movements would not impact upon residential dwellings. However, the Pollution Control Officer has proposed conditions to limit the maximum noise levels from both fixed plant and operational activities in order to safeguard residential amenity.

With respect to the potential for light pollution, this would be an aspect to be considered at reserved matters stage and a planning condition is proposed to ensure light pollution does not affect residential amenity or harm wildlife.

Overall, and taken in context that this site is allocated as a strategic employment site, the pollution control officer is satisfied that noise, dust and impacts can be adequately controlled as well as impacts in relation to light pollution during all phases of the development. As a result, the proposal is unlikely to cause significant negative impacts on people's lives and wellbeing and is considered to accord with Local Plan Policy POLL 1.

Drainage and Flood Risk

The Hoyland North Masterplan expects the employment uses to deliver appropriate SuDs provision as well as substantial landscaping and open space.

Drainage is considered in outline at this stage. Sustainable surface drainage is proposed via pond(s) on-site attenuation for the application similar to that developed in the junction 36 phase 1 development. The indicative scheme shows a detention pond to the western part of the southern element (ES17 site within the Hoyland North Masterplan area, and a detention pond to the northeast corner of the northern part of the site (ES15). A narrow pond on the southern side of the Dearne Valley Parkway close to the Shortwood roundabout is also proposed. Details would be submitted at a later date. The indicative plan also shows significant landscaping to the ES17 pond together with open space, the pond also having a dual function of both drainage and ecology/amenity. The pond to ES15 is also shown to

have substantial planting to its boundaries. It would also provide a soft edge to the development and provides separation from Shortwood Villas.

The Authority's drainage engineer considers the drainage proposals to be satisfactory subject to the imposition of conditions requiring the subsequent agreement of formal details for foul and surface water drainage at reserved matters, including future management and maintenance arrangements for the lifetime of the development. Yorkshire Water Authority concurs. As such the application is in compliance with Local Plan Policy CC1.

Archaeology and Historic Environment

A desk-based Heritage Statement, by Prospect Archaeology, was submitted with the application. This demonstrates that the proposed site has been subject to extensive open cast operations in the 20th century. This ground disturbance will have reduced the archaeological potential of the site to negligible. The South Yorkshire Archaeology Service recommend that no archaeological investigation is required. The proposal is therefore in accordance with Site specific policy ES15 and HE1.

Public Rights of Way

The masterplan framework which related to the southern part of the site ES17, requires pedestrian and cycle routes to be enhanced and retained where possible. The importance of such routes is also emphasised in the site specific policy for ES 15 which states: The development will *"Protect and retain the Green way, Public Footpaths and Bridleways, cutting through and along the periphery of the site, and make provision for them in the design of the layout"*.

Minor diversions are required to existing footpaths in ES17. A new route is also shown running along the southern boundary of the Dearne Valley Parkway so that a peripheral route of multiuse footpath/cycleway and bridleway will run around ES17.

In considering the northern parcel ES15, the indicative layout proposes the existing footpaths to the west of ES15 to be retained. The existing route which runs diagonally across ES15 is proposed to be diverted north and provide perimeter footpath bridleway all-round the ES15 site linking up with existing footpaths including a new footpath running along the northern side of the DVP

The proposed pedestrian paths will improve links between the development and its surroundings. The peripheral routes ensure safe cycle access to the plot entrances, reducing conflict with other vehicular movement and increasing safety. The applicant has confirmed that all footpaths will be up to a standard for multiuser footpath/Bridleway/cycleway.

The route through the ES15 is not being retained and the proposal does not accord with policy ES15 on this point. However, its retention would, in this case, seriously impact upon the ability of the ES15 site to deliver a large employment unit which could generate a significant number of jobs. Equally, a footpath running through an employment site could and impact upon the potential safety of users of the footpath. The route is however, being diverted to the north as a footpath/bridleway to allow safe access rough the periphery of the site to the north to link up with existing footpaths. Although one objector had concerns about loss of footpaths, the Public Rights of Way Officer considers that overall, sufficient new footpath, bridleways and improvements are proposed and that these could provide satisfactory links to existing footpaths/bridleways in the area and provide peripheral routes around the site. A condition is also proposed to provide signs for directing users to the Trans Pennine Trail nearby, in accordance with masterplan requirements.

Overall, there are no objections on this point and the proposal is considered to accord with the Hoyland North Masterplan on this point, and Local Plan Policy ES 17 and partly to ES15 and Local Plan Policy GS2.

Other matters

The following concerns were raised by objectors which do not constitute material planning considerations and cannot affect the determination of the application:

- One objector was concerned that new houses being built nearby would remain unsold as potential purchasers would not want to live near to a large employment site.
- The jobs will be transferred from elsewhere and not new jobs
- Potential impact on existing infrastructure such as schools and GP practices,

Conclusion

The assessment has established that the main issues are:-

- Whether or not the proposals comply with the Local Plan and Hoyland North Masterplan
- Economic Impact
- Landscape Impact and Visual amenity, including the effect on Hoyland Lowe Stand as a designated heritage asset
- Other considerations including the highways implications, residential amenity, biodiversity and public rights of way

The proposal complies with the Local Plan in land use planning policy terms in that the proposed development is for a variety of B use buildings that is required by site specific allocation policies ES15 & ES 17 and E3 'Uses on Employment Sites'. These are highly important considerations that attract substantial weight in favour therefore.

As do the economic development benefits associated with the proposal in that the development is forecast to yield approximately 2,500 jobs at the operational stage. This is a vast site (38.5ha = approximately 13% of the total land allocated for employment in the Local Plan). In addition the indicative plans include a mixture of different size of units that would be suitable for a variety of end users. Its location directly adjacent to the M1 Motorway means that it is ideally located in relation to the strategic highway network. Very substantial weight needs to be afforded to the economic benefits therefore.

A negative consequence of the development shall be the effects on landscape and visual amenity in the local area. The overall site area is vast approaching 40ha and the site is in a highly prominent location adjacent the Dearne Valley Parkway and near to junction 36 of the M1 as one of the gateways into the Borough. Residential properties are located nearby in Birdwell, Hoyland at Shortwood Villas and the grade II Hoyland Lowe Stand is located approximately 500m away. The majority of the site will be cleared of trees as a result of the necessary engineering operations to provide level development platforms and this would represent a considerable change to the local landscape. Furthermore the scale and massing of large warehouse type industrial buildings are such that they cannot be concealed. A positive is that the indicative plans include a wide variety in the mixture of different sizes of units rather than a lesser number of larger buildings, however it shall be the combined effects of all of the building being amassed together which would lead to moderate adverse landscape and visual impacts when the development is first undertaken.

Some of these effects are envisaged in the Hoyland North Masterplan which sets out a number of requirements to mitigate the impacts of the development on the landscape. The

indicative layout has been designed to retain and include as much vegetation as possible, although there is a need for some of the compensatory tree planting and ecological mitigation/biodiversity net gain off site. In addition the facing materials are proposed to be of a neutral colour palette as per the requirements of the masterplan to assist with blending the development into the landscape. Furthermore discussions with the applicants mean that the maximum parameters are set at 10m to the eaves and 12m to ridge for all of the units with the exception of Unit 2 on site 3B (12.5m eaves, 15.5m ridge). In combination with the retention of existing woodland and addition of new embankment planting this is a considerable improvement upon the proposals as originally submitted, which included maximum heights of up to 18.5m in one case and 21.5m in another. This would materially reduce the impact of the proposal on visual amenity and landscape character compared with the initial plans, albeit the impact would remain moderate adverse from many of the locations identified within the LVIA to start off with, reducing to slight adverse after 15 years once the landscaping has established. These considerations retain significant negative assessment weight therefore to a degree.

Concerning the other assessment issues the application has successfully demonstrated that adequate access can be achieved without compromising highway safety and the link from the Dearne Valley Parkway south to serve the employment site and ultimately the allocated housing sites when they come forward during the plan period. The early delivery of the link road will help to bring forward the employment uses at an early date. It has also been demonstrated that the development would not give rise to severe residual impacts in network capacity terms. In addition the development includes a sustainable travel package of measures and has been designed to include bus stop laybys to enable use by a future bus route as per Local Plan and Masterplan requirements.

On the issue of trees the Forestry Officer is satisfied that whilst the indicative proposals show significant replanting on site it does little to mitigate for the loss of so many hectares of tree cover and the applicant is reluctant to provide replacement woodland offsite. However, a condition is proposed to provide tree planting in accordance with a scheme based on the submitted arboricultural assessment. The overall effects of the development should be relatively neutral on trees in the longer term therefore.

Regarding biodiversity a short-term negative impact of a limited extent would be experienced on the nearby areas of interest at Shortwood and Hay Green Local Wildlife sites. However ecological improvements are proposed to help achieve the 10% net gain required by the Hoyland North Masterplan at the Barrow Pit site under the ownership of the applicant. Given this is achieved prior to the proposed new National legislation being confirmed through an Act of Parliament this gain is considered to something that attracts significant weight in favour of the proposal.

The proposed conditions will ensure that the site would be acceptable from a highway, air quality, residential amenity and drainage. The engineering operations to prepare the development platforms would be undertaken over a very short period of time, and conditions are proposed to manage and mitigate any potential impacts on the adjacent residential properties. Substantial negative weight is avoided therefore either individually or cumulatively to weigh against the planning policy and economic development considerations in favour, which assume much greater weight.

Overall it is judged that the contribution that the development would make towards the aims of the local plan being fulfilled, i.e the development of an indicative number of 11 industrial units on approaching 40ha of land, 13% of all of the land allocated for employment uses in the Local Plan and yielding an estimated 2,500 jobs attract very substantial weight. The assessment has identified that significant adverse effects would occur to the landscape. However it is considered that the effects would be mitigated to a reasonable degree as a

result of the parameters that have been agreed during the course of the assessment process which would see sensitive receptors protected by good separation distances, the retention of existing vegetation on the southern boundary in particular, the planting of new vegetation, restrictions imposed on the heights of the new buildings and a requirement imposed on the development to use a neutral colour palette of external facing materials stipulated by the masterplan. The economic benefits attract much greater weight therefore. Also the effects on the landscape would reduce over time as the landscaping becomes established.

Furthermore the assessment has established that levels of harm in relation to considerations such as Highways, Biodiversity, Trees and Residential Amenity would be in no way significant enough to weigh against the very substantial reasons in favour of allowing the development. Indeed in the case of biodiversity the development would achieve a 10% net gain which is added to the reasons in support of the development. The Officer recommendation is therefore one of approval subject to the proposed conditions and S106 Agreement.

Recommendation

Grant subject to conditions and a S106 to address off site ecology mitigation and biodiversity offsetting improvements to deliver 10% net gain, to avoid a ransom strip for future developers to link to the access road, to comply with the requirements of a Travel plan to promote sustainable travel

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

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

- Site Location Plan 12006-1-100
- Existing Phase 3 Site Plan 12006-1-101
- Existing Phase 2 Site Plan 12006-1-102
- Existing Site Sections 12006-1-103 Rev A
- Existing Site Section 12006-1-104 Rev A
- Constraints Plan 12006-1-105
- Proposed Parameters Plan 12006-1-106 Rev C rec 17/7/20
- Proposed Masterplan 12006-1-110 Rev L rec 17/7/ 20
- Proposed Phase 2 Site Plan 12006-1-111 Rev J rec 17/7/20
- Proposed Phase 3 Site Plan 12006-1-112 Rev H rec 17/7/20
- Section 1 12006-1-118 Rev C - submitted 17th July 2020
- Section 2 12006-1-119 Rev C - submitted 17th July 2020
- Section 3 12006-1-120 Rev C - submitted 17th July 2020
- Section 4 12006-1-121 Rev D - submitted 17th July 2020
- Section 5 12006-1-122 Rev C - submitted 17th July 2020
- Section 6 12006-1-123 Rev C - submitted 17th July 2020
- Proposed Earthwork Levels - 4652-2-JPG-SW-00-DR-C-1200-S4-P07 rec 24/4/20.
- Phase 2 Cut/Fill Analysis - 4652-2-JPG-SW-00-DR-C-1201-S4-P12 rec 15/7/20

- Phase 3 Cut/Fill Analysis - 4652-2-JPG-SW-00-DR-C-1203-S4-P07 rec 15/7/20
- Phase 2 Proposed Earthworks - 4652-2-JPG-SW-00-DR-C-1200- S4 Rev P11 rec 15/7/20 20
- Phase 3 Proposed Earthworks - 4652-2-JPG-SW-00-DR-C-1202-S4-Rev P07 rec 15/7/20
- General Arrangement S38 - 4652-2-JPG-SW-00-DR-D-1600-S2-P13 rec 15/7/20
- General Arrangement S278 - 4652-2-JPG-SW-00-DR-D-1601-S2-P10 rec 15/7/20
- Geological Plan and remastered key to geology plan rec 16/6/20
- Geological Plan with British Coal Overlay FPCR Plan Figure 1 - submitted 16th June 2020
- Design and Access Statement 12006010DA01B amended (June 2020) rec'd 1st June 2020
- Transport Statement (including access plans) December 2019
- Transport Assessment May 20 received 26/5/20
- Proposed Footpath Diversion 12006-1-115 REV B rec 26/5/ 20
- Travel Plan REV 2 June 2020 rec 3/6/20
- Transport Note -Rockingham Phases 2 & 3, Modelling of Amended Proposed Roundabout. 12th June 2020
- Flood Risk Assessment and Drainage Strategy December 2019
- Ecological Appraisal 2019 - December 2019 rec 17 2 19
- Ecological Appraisal 2018 - March 2018 rec 20 5 2020
- Ecological Appraisal 2016 - September 2016 rec 22 5 20
- Great Crested Newt Report - May 2020 rec 21 5 20
- Reptile Survey - May 2020 (submitted 20th May 2020)
- Confidential Badger Plan - 6424/E/03 (submitted 17th December 2019).
- Water Vole Survey (June) - rec 17 12 2019
- Bat Survey FPCR - rec 2nd July 2020
- Breeding Birds Survey FPCR June 20 updated Submitted 4th June 2020
- Biodiversity Net Gain Offsetting Report Rev B - May 2020
- Biodiversity Net Gain Calculation Submitted 8th July 2020
- Planning Statement (Incorporating Statement of Community Involvement) December 2019
- Noise Assessment - December 2019
- Environmental and Geotechnical Site Investigation 322368-R02(01) May 2020 rec 29 5 20
- Remediation Strategy - 322638-R04(00) May 2020 recd 3 6 20
- Arboricultural Impact Assessment V2 Feb 2020 The Environment Partnership recd 3/6/20
- Air Quality Assessment - December 2019
- Air Quality Mitigation Strategy - dated 5th May 2020
- Environmental Statement
- Phase 1 Habitat Plan - Appendix 12 of ES Ref: Figure 7.3 ref: 6426-E-7.3 amended by: Figure 4 Rev B submitted January 2020
- Figure 4 Rev B (submitted 20th May 2020) are these two both correct?
- Figure 5 offsite habitat creation rec 20 5 20

- Landscape Mitigation Plan - ref: 3334,ES 01 Rev A Submitted 6th July 2020
- Aerial GCI Plan of site as existing - ref: 12006- CGI-001 Rev B Submitted 6th July 2020
- Landscape Technical Note by Wildscapes dated 13th July 2020
- Heritage Assessment (archaeology) December 2019

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

- 3 No earthworks, engineering cut/fill operations or highway construction shall take place, including any works of demolition, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the period of engineering operations or highway construction. The Statement shall provide for:
- i. The parking of vehicles of site operatives and visitors;
 - ii means of access for construction traffic
 - iii. Loading and unloading of plant and materials;
 - iv. Storage of plant and materials used in constructing the development;
 - v. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - vi. Wheel washing facilities;
 - vii. Details of the provision of an on-site water supply or water storage facility;
 - ix Measures to control the emission of dust and dirt during earthworks or cut/fill;
 - viii Measures to control noise emissions during earthworks or cut/fill;
 - x. A scheme for recycling/disposing of waste resulting from earthworks or cut/fill
 - xi. temporary surface treatment of all development plots within the site following completion of cut/fill operations.
 - xi additional measures to protect the amenity of residents in Shortwood Villas from noise, dust or other impacts during engineering or cut/fill operations

Reason : To protect residential amenity in accordance with Local Plan Policy POLL1.

- 4 No development or other operations being undertaken on site shall take place until tree protection is erected in accordance with the method statements in the approved Arboricultural Impact Assessment V2 dated Feb 2020 by The Environment Partnership. Thereafter the development shall be implemented in accordance with the approved documents.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

- 5 No vegetation clearance shall take place between the months of March and August inclusive unless nesting birds have been shown to be absent by a suitably qualified ecologist in accordance with written details to be submitted and approved by the Local Planning Authority.

Reason: In the interests of biodiversity and in accordance with Local Plan Policy POLL1 Pollution Control and Protection.

- 6 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1300 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

- 7 Prior to commencement of development any areas proposed for works within 60 m of Pond 1 and Pond 2 shall be subject to a 'finger-tip' search for all amphibian species by a qualified ecologist immediately prior to works commencing and outside of the hibernating season (typically November - February inclusive). Vegetation shall thereafter be removed within 24hrs of the search and measures taken to avoid creation of new habitat. In the event that Great Crested Newts are found works shall immediately cease and advice sought from the LPA ecologist.
Reason: In the interests of protected species in accordance with Local Plan Policy BIO1
- 8 Prior to commencement of development Herras fencing (or similar suitable protective fencing shall be installed around all ponds and surrounding terrestrial habitat and shall remain in place for the duration of works. No machinery / plant or construction material shall be stored within fenced area.
Reason: To avoid potential harm to GCN and their habitat through pollution in accordance with Local Plan policy BIO1 and POLL1.
- 9 Prior to commencement of construction, a Construction and Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority as specified in the Ecological Appraisal by FPCR at para 5.2(page 13) of Appendix 7 of Vol 3 of the Environmental Statement to protect nearby Shortwood and Haygreen Local Wildlife Site during construction operations. Thereafter the development shall proceed in accordance with the approved plan.
Reason: To ensure that the LWS is not affected during construction, including through habitat degradation arising from dust deposition, accidental damage or pollution incidents and in accordance with Poll1 and BIO1.
- 10 Development of the proposed roundabout to serve Phase 3 shall not be commenced until full engineering, drainage and street lighting and constructional details of the proposed roundabout have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.
Reason: In interests of highway safety and in accordance with Local plan Policy T4 New development and Transport Safety.
- 11 Development of the proposed link road and connection to Shortwood roundabout shall not be commenced until full engineering, drainage and street lighting and constructional details of the proposed link road and connection to Shortwood roundabout have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.
Reason: In the interests of highway safety and in accordance with Local plan Policy T4 New development and Transport Safety.
- 12 Prior to any works commencing on-site, a scheme for the restoration of any damage to the adopted highway to be arising from the development shall be submitted to and approved by the Council. The scheme shall include provision for
 - (i) a condition survey (including structural integrity) of the adopted highways to be used by construction traffic to be carried out in association with the Local Highway Authority. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken which shall comprise
 - a. A plan to a scale of 1:1250 showing the location of all defects identified
 - b. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

- (ii) The methodology of subsequent surveys of the state of the highways, on completion of each phase of development (or other milestone in the development) identifying defects attributable to the traffic ensuing from the said phase of the development.
- (iii) The timing of any necessary remedial works to be completed which shall be at the developer's expense.
- The scheme once approved shall be carried out in accordance with the said approval.
- Reason: To ensure that any damage to the adopted highway sustained throughout the phases of the development process is identified and subsequently remedied at the expense of the developer in interests of highway.**
- 13 The development of each plot or plots hereby permitted shall not be commenced unless and until approval of the following reserved matters for each plot or plots has been obtained in writing from the Local Planning Authority:-
- (a) the layout of the proposed development.
 - (b) scale of building(s)
 - (c) the design and external appearance of the proposed development.
 - (d) landscaping
- Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations**
- 14 Application for approval of the reserved matters shall be made for Gateway 36 Phase 2A (Units 1-6 south of Dearne Valley Parkway) as shown on indicative masterplan 12006-1-110 REV L within the expiration of 5 years of the date of issue of this permission. Thereafter development shall be begun before the expiration of 2 years from the date of approval of the last reserved matters to be approved.
- Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990 and in accordance with Hoyland North Masterplan**
- 15 Application for approval of the reserved matters shall be made for Gateway36 Phase 2B (Units 7-8 as shown on indicative masterplan12006-1-110 REV L) within the expiration of 8 years of the date of issue of this permission. Thereafter development shall be begun before the expiration of 2 years from the date of approval of the last reserved matters to be approved.
- Reason: In accordance with the powers allowed under Section 92 of the Town and Country Planning Act 1990 due to the scale of the development and phasing arrangements**
- 16 Application for approval of the reserved matters shall be made for Gateway36 Phase 3 (Units 1 and 2 on land to the north of Dearne Valley Parkway as shown on indicative masterplan 12006-1-110 REV L within the expiration of 13 years of the date of issue of this permission. Thereafter development shall be begun before the expiration of 2 years from the date of approval of the last reserved matters to be approved.
- Reason: In accordance with the powers allowed under Section 92 of the Town and Country Planning Act 1990 due to the scale of the development and phasing arrangements.**

- 17 Buildings shall be located no closer to the southern boundary of the site than is shown on indicative masterplan 12006-1-110 REV L
Reason: In order to provide sufficient space for landscape screening to reduce impacts on visual amenity and to satisfy Local Plan Policy GD1 and D1.
- 18 The proposed layout in reserved matters submissions shall substantially accord with the approved masterplan 12006-1-110 REV L. Buildings shall be located no closer to the southern boundary of the site than is shown on the indicative masterplan 12006-1-110 REV L.
Reason: To ensure the development conforms with the approved outline planning permission and to protect residential amenity and in accordance with Local Plan Policy D1 and GD1
- 19 Buildings heights shall not exceed 10m to eaves other than Unit 2 on Gateway 36 Phase 3 as shown on indicative masterplan 12006-1-110 REV L which shall not exceed 12.5m to eaves.
Reason : In the interests of visual amenity in the locality and wider landscape.
- 20 Notwithstanding condition 19 above, where a prospective occupier of a plot or plots can demonstrate that, the prospective use cannot physically be undertaken in a building or buildings of the approved heights as set out in condition 19 above or where the alternative is to bring forward speculative development which exceeds the heights specified in condition 19, then the reserved matters submission shall be accompanied by an amended landscape and visual assessment, including photomontages, which shall clearly demonstrate that there would be no harm to the wider landscape or other sensitive receptors, including impacts on the housing allocations adjoining the site. The visual assessment shall use the same viewpoints previously agreed with the Local Planning Authority and used for outline planning application 2019/1573.
Reason: To determine the potential impacts of taller buildings on landscape and visual amenity within the locality and wider landscape in accordance with Local Plan Policy D1 and GD1.
- 21 The development hereby approved shall not exceed a maximum of 102,193sqm of employment use floorspace (use classes B1/B2 and B8), of which a maximum 75% may be B8 uses , the details of which shall be submitted as part of the application for approval of reserved matters.
Reason: To ensure the development conforms with the approved outline planning Permission and stays with the maximum assessed level of development
- 22 Prior to the approval of the first reserved matters the applicant shall submit to the Local Planning Authority for approval a scheme for the specification and provision of
1. new/improved/replacement public rights of way on a phased basis , which shall all be of adoptable multi user standards and shall be completed prior to the occupation of each building
 2. Landscaping of the common areas on a phased basis, based on Landscape Mitigation Plan 334-ES-01 REV A
 3. Ecological Habitat creation and management relating specifically for protected and notable species based on Landscape Mitigation Plan 334-ES-01 REV A and Biodiversity Impact Assessment REV B
 4. boundary treatment (excluding on-plot boundary treatment) on a phased basis
 5. Fencing to Public Rights of Way on a phased basis

6. management responsibilities and maintenance schedules for all the common areas of the development on a phased basis.

Thereafter the agreed scheme shall be implemented prior to the occupation of any development plot and shall be maintained for the duration of the development.

Subsequently, with each reserved matters application, the approved scheme shall be updated and submitted to the Local Planning Authority for approval in writing for each subsequent plot. The approved document shall be implemented prior to the first occupation of the plot to which it refers. Any trees or shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason: To safeguard the visual appearance and character of the area.

- 23 Prior to the submission of reserved matters a feasibility study shall be undertaken and a report submitted to the LPA for approval in writing. The study and report shall assess the feasibility of using heat from minewater in the development, and shall set out information in a manner which could be used to inform future funding proposals for the use of heat from minewater

Reason: To promote and support the delivery of renewable and low carbon energy in accordance with Local Plan Policy CC1 Climate Change.

- 24 The first reserved matters submission shall be accompanied by a report of intrusive site investigations undertaken to locate mine entries identified in Phase 2 Geo-environmental and Geotechnical Site Investigation, dated May 2020 by RSK. The report shall establish the exact situation in respect of coal mining legacy features on the site and will be accompanied by a plan which identifies:

- (a) the location of the mine entries established as being present on the site
- (b) any no build zones deemed necessary
- (c) identify the highwall/fault present on site in order to demonstrate that built development avoids this area.

Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no construction works shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to and approved in writing by the Local Planning Authority

Following implementation and completion of the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details prior to the first occupation of the development in that area. Responsibility for securing a safe and development rests with the developer and/or landowner"

Reason- To satisfactorily deal with unstable land, in accordance with Local Plan Policy CL1 Land stability NPPF sections 178 a,b,c. 179 and 170 e & f

- 25 The following detailed plans shall accompany the application for the approval of reserved matters;
- a) Details of the proposed external facing materials for each plot. The details, specifications, and colours shall be the same as or similar to those colours on the "colour palette based on the surrounding landscape" on page 14 of the adopted Hoyland North Masterplan Framework and shall be shown on the elevation plans and any associated imagery that is submitted in support of the application.
 - b) photo montages of the proposals within a Landscape and Visual Impact Assessment.
 - c) 3D aerial view and 3D perspective views shall be submitted to illustrate the submitted details, the latter as seen from ground level which shall show the buildings in their setting of:

- 1.the Dearne Valley Parkway and existing employment units located on Dearne Valley Parkway,
 - 2.the proposed housing and open spaces of the Hoyland North Masterplan Framework area,
 - 3.Hoyland Lowe Stand and St Peter's Church,
 - 4.existing housing bordering the Hoyland North Masterplan Framework Area.
- Thereafter the development shall be carried out in accordance with the details approved by the Local Planning Authority
- Reason: to enable the built form to be considered in their wider setting, and to ensure their visual impact on important views and existing residential properties is able to be adequately assessed and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**
- 26 Each reserved matters application shall be accompanied by a plan identifying the location and details of boundary treatments and fencing for that development plot. The boundary treatment shall thereafter be erected before the building is occupied and in accordance with the approved details
- Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policy D1.**
- 27 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.
- Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Local Plan Policy D1 design.**
- 28 Notwithstanding the details submitted within the ecological assessment detailed plans shall be submitted with each Reserved Matters application indicating biodiversity mitigation and enhancement measures, including long term management, for each plot. Thereafter the development shall proceed in accordance with the approved details.
- Reason: To conserve and enhance biodiversity in order to achieve 10% net gain from FPCR baseline in accordance with Local Plan Policy BIO1.**
- 29 Each Reserved Matters submission shall be accompanied by a scheme detailing the improvement and retention of existing or provision of alternate footpaths/cycleways within the plot or plots, together with timetable for implementation. Thereafter the development shall proceed in accordance with the proposed details.
- Reason: In the interests of residential amenity and to ensure that pedestrian access is facilitated in accordance with Local Plan Policy T4.**
- 30 Each reserved matters application shall be accompanied by a scheme which sets out:
1. full foul and surface water drainage details
 2. works to provide outfall or surface water
 3. full details of the relevant phases of Sustainable Urban Drainage including attenuation, storage and treatment capacities as detailed in the CIRIA SUDS Manual (C697).
 4. the scheme shall include the following details: - Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; - A timetable for its implementation; and - A management and maintenance plan for the lifetime of the development

which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

The development of each phase shall thereafter be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan

Reason: To ensure proper, sustainable drainage of the area in accordance with Local Plan Policy CC3 and CC4 and to reduce the risk of contaminating surface water run-off and to reduce the risk of localised flooding and downstream flooding accordance with Local Plan policy Poll1 Pollution Control and Prevention

- 31 Each reserved matters submission shall be accompanied by a scheme which shall identify the location and number of each air quality mitigation type to be installed on each plot as set out in the approved document (including damage cost calculation) A115145 Rockingham AQ Mitigation Strategy 5 May 20 by WYG, noting that the WYG Mitigation Strategy A115145 proposes the total number of mitigation types for the entire site. Thereafter the air quality mitigation measures shall be installed prior to occupation of the plot(s).
Reason: In the interests of minimising the impact of the proposal on air quality in accordance with Local Plan Policy Poll1,
- 32 Details shall accompany each reserved matters application setting out a preliminary assessment of the buildings BREEAM rating which shall be submitted for approval in writing to the Local Planning Authority. The assessment shall:
a) Identify what measures shall be used to achieve BREEAM standard of 'very good' or equivalent;
b) consider the use of green roofs or partial green roofs to achieve BREEAM standard of "very good" or equivalent standard
c) Where the BREEAM standard of 'very good' or equivalent standard cannot reasonably be achieved the assessment shall justify why not; and
d) Shall identify what standard shall be achieved.
e) Upon completion of the development, a certificate shall be provided to the Local Planning Authority demonstrating that the agreed standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.
Reason: To enable delivery of efficient and sustainable design and construction in accordance with Local Plan Policy CC2.
- 33 No building construction phase or plot development shall take place, including any works of demolition, until a Construction Method Statement and Air Quality Management Plan for that phase or plot 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:
i. The parking of vehicles of site operatives and visitors;
ii. Means of access for construction vehicles
iii. Loading and unloading of plant and materials;
iv. Storage of plant and materials used in constructing the development;
v. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
vi. Wheel washing facilities;
vii. Details of the provision of an on-site water supply or water storage facility;
viii Measures to control the emission of dust and dirt during construction;
ix Measures to control noise emissions during construction;

- x. A scheme for recycling/disposing of waste resulting from demolition and construction.
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, and in the interests of retaining highway efficiency and safety in accordance with Local Plan Policy T4 New Development and Transport Safety
- 34 Prior to construction of any substation, full details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved plans .
Reason: For clarification and in accordance with Local Plan Policy D1 Design
- 35 Prior to the commencement of development of each plot, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of each building.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.
- 36 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas for each plot, 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 specifications shall thereafter 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 and Geodiversity
- 37 No construction works shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary of each plot have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe 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 water main, 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 the interest of public health and maintaining the public water supply and in accordance with Local Plan Policy Poll1.
- 38 Prior to the start of construction of each phase details of measures to facilitate the provision of high speed full fibre broadband for the development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development of each phase shall thereafter be carried out in accordance with the approved details.
Reason: In order to ensure compliance with Local Plan Policy I1 Infrastructure and Planning Obligations.

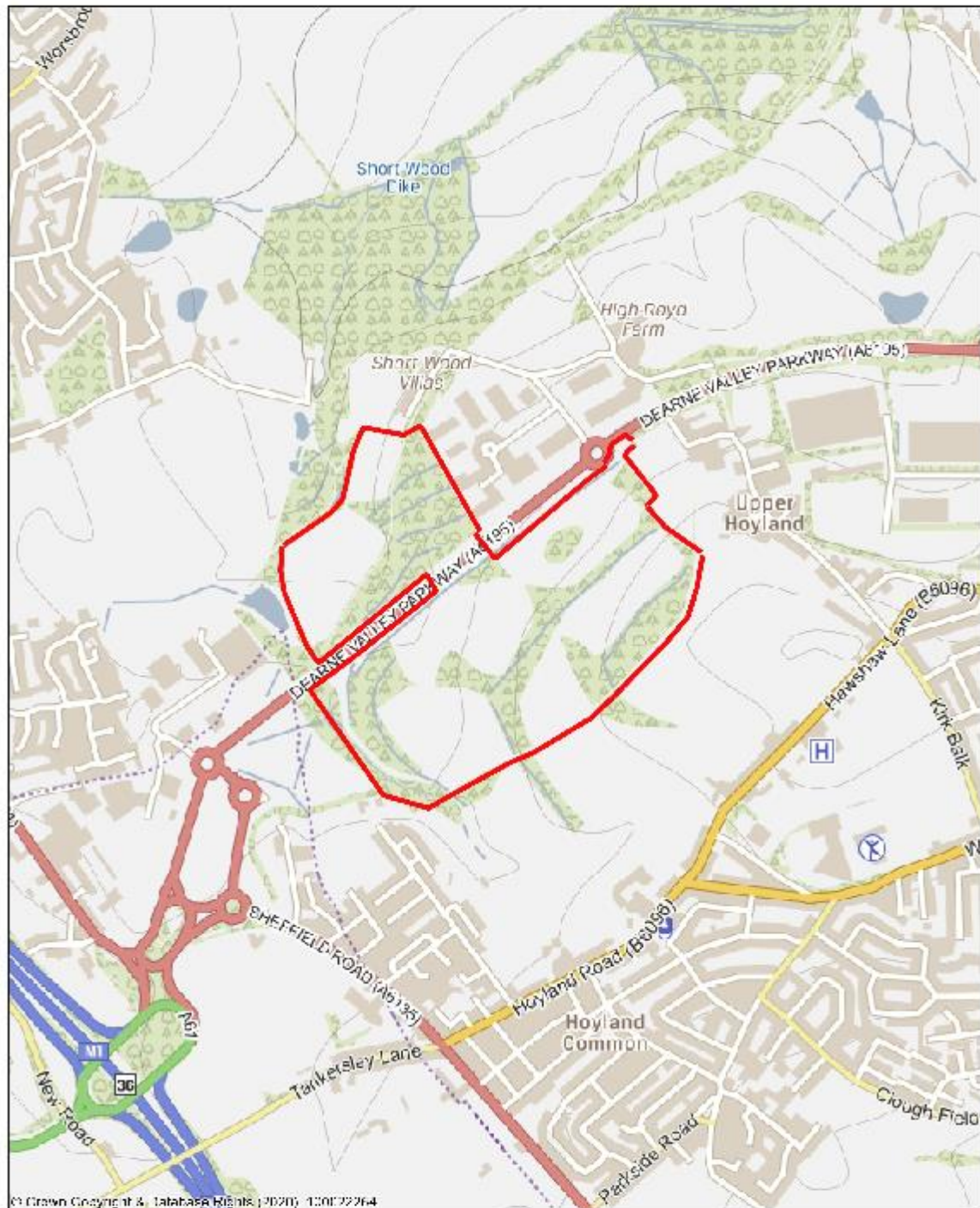
- 39 Prior to construction of any building, a detailed scheme for off-site tree planting shall be submitted to the Local Planning Authority for approval in writing. The scheme shall detail a tree planting strategy for off-site tree planting in accordance with mitigation measures in para 4.28 The amended Arboricultural Impact Assessment version 2.0 dated 12th February 2020 by The Environment Partnership, submitted on 3rd June 2020. The scheme shall include location of planting, area of planting, planting specification, size, species and programme of planting and maintenance for a period of 40 years. The agreed scheme shall thereafter be implemented in full.
Reason: To mitigate and compensate for tree loss as a result of the development and in the interests of sustainable development.
- 40 Prior to occupation of any building in the first phase of the development (see condition 14) the drainage basin to west of ES17 together with any swales, landscape corridors and greenspace shall be provided.
Reasons: For clarity and to ensure the development is in accordance with the outline approval and in accordance with (in accordance with Hoyland North Masterplan Appendix 1 page 100)
- 41 Prior to the occupation of any building a scheme for the provision of bus stops on the link road shall be submitted to the Council for its approval in writing. The scheme shall include details of the location, shelter design, seating, realtime information provision and the timing of provision of the bus stops. Thereafter the approved scheme shall be carried out in accordance with the approved timing of provision
Reason: For clarification and in accordance with Hoyland North Masterplan Appendix 1 page 104).and Local Plan Policy D1 High Quality Design and Place Making
- 42 Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan General Arrangement S38 4652-2-JPG-SW-00-DR-D-1600-S2-P13 or subsequent amendment thereof. The splay shall thereafter be maintained at all times free from any obstruction exceeding 900mm above the level of the adjacent highway carriageway.
Reason: In interests of highway safety and in accordance with Local Plan Policy T4.
- 43 Prior to first occupation, the roads and footways shall be constructed to binder course level from the building to the adjoining public highway in accordance with details of a completion plan to be submitted and approved in writing by the LPA. Thereafter the development shall be implemented in accordance with the approved details
Reason: To ensure streets are completed prior to occupation and satisfactory development of the site and in accordance with Local Plan Policy T4.
- 44 Prior to the first occupation of the development hereby permitted , sufficient space shall be provided within each plot for pedestrian and bicycle access and egress, and for bicycles and motorised vehicles to park, turn and re-enter the highway in a forward gear. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the LPA and retained thereafter available for that specific use.
Reason: In interests of satisfactory development and highway safety in accordance with Local Plan Policy T4 new development and Transport Safety

- 45 Prior to occupation of any building a scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the design, number and location of signs and links which to the TransPennine Trail for pedestrians and other users. The agreed scheme shall thereafter be implemented in full.
Reason: To ensure pedestrian and other non vehicular users can easily find access to the Trans Pennine Trail, in accordance with Local Plan Policy GS2 and in accordance with the Hoyland North Masterplan.
- 46 Prior to the occupation of each plot full details of security 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 on each plot prior to occupation of the building of the use and retained as such thereafter.
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
- 47 Prior to occupation of any units, a validation report to certify the remediation works, highlighted within RSK report (ref 322638-R02). This report should include the following.
i Details of who carried out the work.
ii Details and justifications of any changes from the original Remediation Statement.
iii Records of chemical characteristics of any imported capping soils/materials.
iv Gas protection measures.
v Laboratory and in situ test results
vi Records of any materials disposed of off site and their disposal locations.
vii Confirmation that remediation objectives have been met.
Reason - to protect the environment and ensure the site is suitable for the proposed use.
- 48 Any oil and chemical storage tanks to be constructed within the application site shall be sited on an impervious base and surrounded by a liquid retentive bund wall. The bunded area shall be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges shall be enclosed within its curtilage. The construction should be in line with the most up to date guidance for design of storage tanks.
Reason: For the purposes of avoiding pollution of groundwater and in accordance with Local Plan Policy POLL1.
- 49 Noise from fixed building services plant associated with the proposed development shall not exceed the Noise Rating Level Design Limits stated in Table 5.1 of the WYG Noise Assessment Report (Ref: A115145, dated 16th December 2019) at free field locations representing facades of nearby dwellings.
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.
- 50 Noise from deliveries and servicing associated with the proposed development shall not exceed the predicted Noise Rating Level Design Limits stated in Table 5.2 of the WYG Noise Assessment Report (Ref: A115145, dated 16th December 2019) at free field locations representing facades of nearest dwelling.
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

- 51 No phase or plot development shall take place, including any works of demolition, until a Construction Method Statement and Air Quality Management Plan for that phase or plot 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:
- i. The parking of vehicles of site operatives and visitors;
 - ii. Loading and unloading of plant and materials;
 - iii. Storage of plant and materials used in constructing the development;
 - iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v. Wheel washing facilities;
 - vi. Details of the provision of an on-site water supply or water storage facility;
 - vii Measures to control the emission of dust and dirt during construction;
 - viii Measures to control noise emissions during construction;
 - ix. A scheme for recycling/disposing of waste resulting from demolition and construction.
- 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**
- 52 Outside storage will only take place in specified locations and at maximum heights to be defined on plans submitted and approved as part of the Reserved Matters
Reason: In the interest of visual and residential amenity in accordance with Local Plan Policy POLL1.
- 53 No building or other structure including landscape features shall be located over or within 3 (three) metres either side of the centre line of the public 150 mm diameter foul sewer i .e. a protected strip width of 6 (six) 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. (In order to allow sufficient access for maintenance and repair work at all times).
Reason: To prevent damage to the existing sewer or watercourse and to allow sufficient access for maintenance and repair work at all times.
- 54 Drainage maintenance and management of drains, sewers, and other drainage infrastructure including detention pond shall be undertaken in accordance with approved document Drainage and flood Risk Statement by JPG dated Dec 19 referenced 4652-JPG-XX-XX-RP-D-0620-S2-P01
Reason: In the interests of long term maintenance of drainage infrastructure.

PA Reference:-

2019/1573



BARNLEY MBC - Regeneration & Property

Scale: 1:10000

2017/0753

I Group PLC

Outline application including for development of 250 dwellings and associated works (all matters reserved apart from means of access)

Bleachcroft Way Stairfoot Barnsley S70 3PA

5 representations have been received in two rounds of consultation. The recommendation is the subject of a proposed S106 Agreement.

Site Location & Description

The site lies to the south east of Barnsley Town Centre adjacent to the Stairfoot Retail Park. Access is along Bleachcroft Way.

The site is irregular in shape, 10.38 ha in total and is currently vacant. To the north lie commercial premises in the ownership of the applicant, and the currently vacant former B and Q store. To the west the site is bounded by the Sheffield-Barnsley Railway line, with open space beyond. To the northwest is an allotment site and Hunningley Primary School beyond the railway line. The south east is bounded by Dob Sike with Green Belt beyond, the east by the disused Barnsley canal with the rear elevations Tesco superstore beyond with other commercial premises of Stairfoot adjacent.

The site is undeveloped, although the applicant also controls the Blackmores and Wilsons Carpets, and the two further commercial units located off Stairfoot Way, purchased from the previous owners in May 2016. Vegetation currently comprises with scrub, grassland, bushes and trees which are predominantly to the east, and west boundaries and southern portion of the site and along the line of Dob Sike and the disused canal, forming substantial vegetated boundaries.

The topography of the site falls from west to east by approximately 20m, with some embanked areas within the site. There are existing pedestrian links to the Field Lane/Hunningley Lane and the commercial area of Stairfoot.

Site History

2009/0779 - Erection of 272 dwellings with ancillary services and facilities (Outline). Employment allocation. Refused as was not in accordance with the former development plan (the UDP) and appeal dismissed.

Proposal

The applicant initially sought outline planning permission for up to 230 dwellings on 10.38ha, including means of access. However, after the adoption of the Local Plan, the applicant submitted a revised masterplan seeking outline permission of up to 250 dwellings. The appearance, landscaping, layout and scale are reserved for later determination although an indicative masterplan has been submitted, together with a suite of supporting documents.

The revised Planning Statement notes that net developable area is 6.13ha (a reduction from 7.4ha in the initial submission) at approximately 40.7 dwellings per ha and would provide 10% affordable homes . The illustrative masterplan shows a mix of unit types. Several areas of Public open space is proposed with linked enhanced pedestrian access routes throughout the site.

The former B&Q remains vacant after an application to convert the building into an Argos Clearance store was withdrawn towards the end of last year.

Policy Context

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

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

The site is allocated as Housing Site HS27 and affordable requirement in the adopted Local Plan is 10%.

The site specific policy is as follows:

Site HS27 Bleachcroft Way Industrial Estate indicative number of dwellings 230

The development will be expected to:

- Provide off site highways capacity works at Stairfoot;
- Retain the wet woodland on the site's southern boundary which forms part of a habitat corridor;
- Retain the areas of more species-rich grassland within the railway cutting and in the site's north-eastern corner;
- Provide landscape screening to the site's open southern aspect to the Green Belt which is formed by Dob Syke;
- Retain the grasslands at the south-west and north-east of the site plus the woodland/stream corridor to the east; and
- Safeguard the setting of the Listed Buildings at Swaithe Hall and Ardsley Cemetery.

Archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary) that must include the following:

- Information identifying the likely location and extent of the remains, and the nature of the remains;
- An assessment of the significance of the remains; and
- Consideration of how the remains would be affected by the proposed development

Local Plan Policy

Policy GD1 General Development

CC1 Climate Change

CC2 Sustainable Design and Construction

CC3 Flood Risk

CC4 Sustainable Drainage Systems

H2 Distribution of New homes
H6 Housing Mix and Efficient Use of Land
H7 Affordable Housing – 10% requirement in this location
HE6 Archaeology
T3 New Development and Sustainable Travel
T4 New Development and Transport Safety
D1 High Quality Design and Place Making
GS1 Greenspace
Bio1 Biodiversity and Geodiversity
Poll1 Pollution Control and Protection
I1 Infrastructure and Planning Obligations

Relevant Supplementary Planning Documents and Advice Notes

- Designing New Housing Development
- Open Space provision on New Housing Developments
- Parking
- PAN 33 Financial contributions to School Places

NPPF (2019)

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.:

Para 120	Policies and decisions need to reflect changes in the demand for land
Para 10&11	Presumption in favour of sustainable development, approve development proposals that accord with an up to date development plan or grant permission where there are no relevant development plan policies or the policies are out of date
Para 109	Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
Section 12	Achieving well-designed places
Para 180	Planning decisions should ensure that new development is appropriate for its locations taking into account effects of pollution on health, living conditions and the natural environment, including noise

Consultations

A further round of consultations was undertaken following the submission of the amended masterplan with the increase in housing numbers.

Air Quality – no objections subject to a planning condition

Affordable Housing – the policy requirement is for 10% affordable housing, it is likely that a mix of up to 20% intermediate housing and 80% social rented will be acceptable.

Biodiversity – no objections subject to planning conditions

Contaminated Land Officer – The submitted report has not identified any elevated contamination on the development site. No requirement for any remediation measures, or submission of further reports. No conditions are proposed.

Design – detailed comments on design to inform reserved matters application

Enterprising Barnsley (BMBC's Investment & Development Team) - support the proposed development

Education – No objection but increased contribution required to address deficit in school places

Environment Agency – No comments or objections

Highways – Require a contribution for off-site highway works

Highways Drainage – No objection subject to conditions

Network Rail – No objection in principle subject requirements during the construction phase relating to protection of rail infrastructure.

Policy Greenspace - No objections subject to offsite contribution secured by condition.

Pollution Control – Dust:-The proposed methodology and mitigation methods for the construction phase assessment for the control of dust and airborne particulates are satisfactory. Noise. No objections subject to condition to secure mitigation details

Public Health - The key elements of the rapid health impact assessment have been taken into consideration. No further comments from Public Health

PROW – Since the application was submitted footpaths on or close to the site have been formally recognised. No objections subject to improvements/diversion of footpaths and links to public rights of Way at Reserved Matters stage.

South Yorkshire Archaeology Service – No objections subject to a condition requiring an archaeological evaluation of the site.

Superfast Broadband – No objection subject to condition securing highspeed broadband

SYMAS – The site is not located in a Coal Mining Referral Area. Coal Authority standing advice is advised.

Trees – No objections, subject to conditions

Yorkshire Water – No objections subject to conditions requiring drainage proposals.

Representations

The application has been publicised by way of a press notice, site notices and letters were sent to 63 addresses in the locality. Three letters were received from the initial submission which entailed:

- Letter from Business Manager of Hunningley Primary who raised issue of potential safeguarding risk for children who could view the site through the fence from school at the other side of the railway.

- One letter was received on behalf of Barnsley Biodiversity Trust supports the recommendations contained in the ecology report submitted and suggests increased provision for hedgehog habitat.
- One other letter raised concerns about the potential increase of pedestrian traffic along Field Lane. A number of changes were suggested including additional footpaths to Hunningley Lane/Ardsley Road; an area of green space in the estate to connect Swaithe to the countryside for dog walking access for existing and additional dog users.

Following the submission of the amended proposals, a further round of public consultation was undertaken.

Two further comments were received, comprising a second from the Barnsley Biodiversity Trust which considered that the insufficient commitment to secure biodiversity mitigation and maintenance has been provided. The other comment received was an objection which raised loss of view, traffic and risk of crime as concerns.

Assessment

Principle of Development

The NPPF (2019) confirms planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Para 11 states that where an application is in accordance with an up to date development plan then it should be determined without delay.

The site lies within Urban Barnsley, where priority is given to development in accordance with Local Plan Policy H2 the Distribution of New Homes. Recently the site has been reallocated for residential development in the adopted Local Plan. The proposal is intended to deliver 250 dwellings, 20 more than the indicative number of dwellings in the site specific policy HS27 of 230 and meets Policy H6 in terms of density. The site is therefore acceptable in principle although other material considerations must be considered.

Residential Amenity

There were a number of concerns with the scheme as originally submitted and the relationship between this proposed residential development and the neighbouring retail scheme (to the east at Stairfoot Retail Park). Discussions with both applicants have resulted in changes to the schemes, removing dwellings closest to Tesco and pulling other dwellings further away from the retail park.

A parameters plan has been provided showing for the residential development showing key areas of green space, buffer zones, trees to be retained and the developable area.

A key issue in relation to residential amenity for new residents is the relationship with the proposed retail development both in terms of noise disturbance and the potential for an overbearing impact from the retail building. With regards to noise, provisions have been proposed including acoustic fencing and enhanced acoustic insulation for those dwellings closest to the retail site and the siting of dwellings to provide a noise barrier for rear gardens. These are conditioned as part of that application and it is therefore accepted that there would not be an unacceptable impact from the retail store and its environs. Due to the distances shown on the indicative plan it is not considered that commercial buildings would have an overbearing impact.

The indicative layout and noise report has demonstrated that the site can be used as residential development, subject to confirmation of final mitigation measures at the reserved matters stage.

There is minimal impact in residential amenity terms on existing residents in the surrounding area with the majority located on the other side the railway line and allotments at Hunningley Lane and Lockeafish Crescent. A small number of houses are located to the northeast on Wombwell Lane beyond the Tesco car parks. Subject to required separation distances being achieved at the reserved matters stage it is accepted that the proposed residential development can be achieved in compliance with and Local Plan Policy GD1 and D1 in relation to the impact on future residential amenity.

Highways

As the application is in outline, the internal road layout will be assessed at reserved matters stage.

In terms of impacts on the highways, Members may recall that the adjacent former B and Q building previously gained permission as a supermarket in 2014 (2014/0075), subject to providing highway mitigation to address traffic impacts. The supermarket use (and therefore the mitigation), has not been fully implemented.

There are no concerns with regard to the access from Bleachcroft Way. However, Members will be aware of the congestion issues surrounding the Stairfoot roundabout and a scheme has been submitted which would involve the removal of the bus lane exiting Bleachcroft Way to allow three traffic lanes, thereby allowing extra waiting capacity. After thorough consideration and detailed traffic modelling assessments this has found to be acceptable in Highway safety terms. As the work would be undertaken within the extent of the public highway, it is recommended that the developer provides funding to enable the Highways Authority to implement the scheme. The applicants transport consultants have provided an initial estimate of £164,000 for the works and liaison with the Highway Authority is ongoing to determine the final scheme cost. A S106 agreement is therefore proposed to secure the requisite funding for to the scheme to be constructed.

Assessment of the proposed mitigation has been carried out , and it has been demonstrated satisfactorily that with the proposed mitigation the residual cumulative impact of the proposed residential development on the road network cannot be considered to be 'severe'. According to the NPPF therefore, there are no traffic or highways related reasons why planning permission should be refused and the application is therefore in accordance with Local Plan Policy T4.

Visual Amenity

The site is currently a greenfield site, and covered is scrub vegetation, grassland and trees to the boundary. A tree survey has been provided and although some trees will need to be removed, the parameters plan indicates that the majority will be retained and this reflects the requirements of the Local Plan policy specific to this site. In addition, replacement planting can be secured on the greenspaces and buffers zones though the landscape details at reserved matters stage.

Although the masterplan is only indicative at this stage, the overall quantum of open space complies with the SPD in terms of on- site provision, and on the whole appear adequately overlooked and are an improvement on what was originally submitted. These include one large central space which could be used for children's play area with a broad swathe to the east of species rich grassland providing a buffer to the retail park(including the old canal

area); a swathe to the southeast and an area in the north of the site. It is expected that the reserved matters would propose on site provision of children's play area and potentially a youth facility as well as open land for formal play.

Based the number of dwellings set out in the indicative plan, it would be possible to design a scheme that would deliver an attractive residential environment which would enhance the existing area and comply with the external spacing standards in the SPD and BFL12 criteria. To ensure this, it would be necessary to maximise assets within and on the boundary of the site such as mature trees and hedgerows. The Forestry Officers recommends that a tree survey and arboricultural implications assessment are provided at reserved matters stage to ensure that any trees worthy of protection are incorporated into the final design. A condition is proposed to ensure that this is carried out to inform the layout design. Subject to this, it is considered that the proposal adheres to the objectives of Local Plan Policy H6, and D1 which stress the importance of achieving high quality design with a suitable mix of house types

Noise

The main concern is the level of amenity that will be afforded to occupants of the houses proposed along the western boundary, adjacent to the railway line, and to the north-eastern boundary close to the service areas of Tesco and the Stairfoot Retail Park. The close proximity to service yards means there is some potential for conflict and this has been cited by Regulatory Services.

Through discussions with the applicant, proposed mitigation measures including re-orientating potentially affected dwellings, enhanced acoustic insulation and introducing acoustic barriers would be employed to protect residential amenity at reserved matters stage. The Pollution Control Officer is satisfied with these measures subject to a planning condition controlling materials and specifications to be used in the acoustic mitigation at reserved matters. As such the proposal is in accordance with Local Plan Policy Poll1 on this point.

Ecology

The Biodiversity Officer initially raised concerns with regards to loss of ecology on the site. However, additional proposals including a range of ecological mitigation measures and enhancements are proposed including the creation/ enhancement of 1.4 ha of species-rich grassland, and retention of boundary vegetation giving a total of 1.75ha for biodiversity enhancement/mitigation. Whilst one representation was received suggesting additional measures for hedgehogs and further comments from the Barnsley Biodiversity Trust had concerns about the level of commitment for biodiversity enhancement and mitigation, this is only an outline application and the Biodiversity Officer is satisfied with the principle of the mitigation and enhancement proposals, subject to detailed landscape design plan and maintenance schedule at reserved matters stage. The application is therefore in accordance with Local Plan Policy Bio1 on this point.

Drainage and Flood Risk

The development site is in Flood Zone 1 (low risk of flooding). However, as the development area exceeds 1ha a Flood Risk Assessment has been provided with the planning application by way of evidence and to include indicative measures in relation to the management of surface water run-off. Detailed drainage has not been provided at this stage, albeit the site is well served by sewers so there is no objection in principle. A detailed drainage strategy is conditioned to be submitted with the reserved matters application, including consideration of

the use of SUDS. The application is therefore in accordance with Local Plan Policies CC3 and CC4.

Sustainability and Sustainable Travel

The site is located in Urban Barnsley where the majority of new growth is planned. It is a sustainable location with good access to a range of services and facilities as being on a main bus route linking to Barnsley, Rotherham and Doncaster. There is also easy access to the Trans-Pennine close linking to Barnsley town centre and can be accessed from the other side of Wombwell Lane. A sustainable travel contribution would be required to support the development and improvement of sustainable travel in the borough at reserved matters stage. The proposal is therefore in accordance with Local Plan Policy SD1 and T3 Sustainable Travel.

Further consideration of sustainable construction and design can also be provided at the reserved matters stage.

Green space

Part of the proposal site is designated Green Space in the Local Plan (GS1516 Barnsley Canal) at Stairfoot. The indicative masterplan shows that this area is to remain undeveloped and would not result in a loss of existing green space and therefore compensation would not be required. There would however, be a requirement for a contribution for improvements to off-site greenspace at reserved matters stage.

S106 Contributions

There is a shortage of school places in the vicinity and a development of this size would contribute a number of extra pupils. A contribution would be required in order to provide additional capacity as a result. Exact level of contribution would be determined at reserved matters stage dependent on anticipated shortages of school places and number of dwellings proposed.

The NPPF requires that all major applications require a minimum 10% affordable housing, and Local Plan Policy H7 Affordable Housing also requires a 10% provision in this area. The nature and type of affordable housing will depend on local circumstances, but to give an indication, it is likely that a mix of up to 20% intermediate housing and 80% social rented will be acceptable

As the application is in outline with all matters reserved (except access) a S106 agreement will be entered into to secure contributions at reserved matters stage to mitigate the following:

- Additional School Places
- Improvements to off-site Greenspace
- 10% Affordable Housing
- Sustainable Travel
- Off-site highway contribution

The final figure will relate directly to the agreed quantum of development and mix of properties and as such will be calculated and agreed when the Reserved Matters application is submitted.

Archaeology

Whilst the Local Plan policy suggests that archaeological remains may be present on this site and that proposals must be accompanied by an appropriate archaeological assessment, South Yorkshire Archaeology Services advise that recent information has come to light to indicate that the majority of the site has previously been stripped which has implications for archaeological potential. A condition has therefore been proposed. The proposal is considered to be in accordance with Local Plan Policy HE6.

Other matters

One letter was received from the Business Manager of Hunningley Primary who raised the issue of potential safeguarding risk for children who could view the site through the fence from school at the other side of the railway. However, it is considered that safeguarding of children is a matter for the school and not for the developer, particularly as there is an intervening railway line between the school and the application site.

One objector raised concerns about loss of view and potential for crime. However, there is no legal right to a view and the potential for increase in crime as a result of new housing development is not a material planning consideration.

Conclusion

The application is in outline with all matters reserved apart from means of access. The parameters plan provided, now demonstrates that an acceptable residential scheme can be achieved which complies with relevant Local Plan Policies and no material considerations or other factors indicate otherwise. As such it is recommended that the application be approved.

Recommendation:-

Grant outline planning permission with conditions and a S106 in relation to

- Additional School Places
- Improvements to off-site Greenspace
- 10% Affordable Housing
- Sustainable Travel
- Off-site highway contribution

Conditions:

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
- (a) the layout of the proposed development.
 - (b) scale of building(s)
 - (c) the design and external appearance of the proposed development.
 - (d) landscaping
- Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.**
- 3 The reserved matters application shall be in general accordance with the parameters as shown on the approved plan Drawing ref: 18 5221 SK04 received 17th June 2019 unless required by any other conditions in this permission and shall provide a minimum number of 230 dwellings.
- Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 and GD1.**
- 4 The reserved matters submission shall substantially accord with the feasibility sketch layout drawing ref: 18 5221 SK04 received 17th June 2019 and shall include a central area of open space of sufficient size to accommodate children's play (minimum LEAP standard), a youth facility and open land for informal play in accordance with S11 of the adopted SPD Open space provision on new housing development.
- Reason: To provide for the needs of children and create an attractive and successful neighbourhood in accordance with Local Plan Policy GS1 and D1.**
- 5 The reserved matters submission shall be accompanied by details of actions for mitigation of air quality impact, taking into account the Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance, and submitted damage cost calculation.
- Reason: In the interests of minimising the impact of the proposal on local air quality in accordance with Local Plan Policy POLL1.**
- 6 Detailed plans shall accompany the reserved matters submission indicating finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.
- Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policy D1 and GD1.**
- 7 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 survey
 - Tree constraints plan
 - Arboricultural impact assessment
 - 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.**

- 8 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity and in accordance with Local Plan Policy BIO1.
- 9 Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.
- 10 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.
- 11 A detailed scheme of drainage shall be submitted with the reserved matters application for approval. The scheme shall comprise full foul and surface water drainage details.
Reason: To ensure proper drainage of the area in accordance with Local Plan Policy POLL1 Pollution Control and Protection.
- 12 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.
Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.
- 13 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 building or structure shall be placed or erected within 6 metres of the watercourse shown on the approved plan.
Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Local Plan Policy POLL1 Pollution Control and Protection.

- 14 No development shall take place until a scheme for disposing of surface water by means of a sustainable drainage system is approved by the Local Planning Authority. The scheme shall include the following details:
- Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - A timetable for its implementation; and
 - A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.
- The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.
- Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.**
- 15 A detailed scheme of ecological mitigation and enhancement and maintenance shall be submitted with the reserved matters application. The scheme shall broadly follow the measures set out in the Preliminary Ecological Appraisal and Addendum to Preliminary Ecological Appraisal dated 1st November 2017. The scheme shall identify a timetable for implementation and maintenance for 5 years. The scheme shall be accompanied by a plan which clearly identifies what ecological features are proposed to be retained, mitigated and enhanced. Thereafter the development shall be carried out in accordance with the approved measures.
- Reason: In the interests of biodiversity and in accordance with Local Plan Policy POL1.**
- 16 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- Reason: In order to ensure compliance with Policy I1 in the adopted Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.**
- 17 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.**
- 18 The reserved matters application shall be accompanied by a noise and dust management plan detailing how noise and dust shall be controlled during construction. Once approved the applicant shall adhere to the noise and dust management plan at all times.
- Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy POLL1.**

- 19 Prior to the submission of any reserved matters application, an archaeological evaluation of the application area will be undertaken in accordance with a written scheme of investigation that has been submitted to and approved in writing by the Local Planning Authority. Drawing upon the results of this field evaluation stage, a mitigation strategy for any further archaeological works and/or preservation in situ will be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented.

Reason: To ensure that the site is archaeologically evaluated in accordance with an approved scheme and that sufficient information on any archaeological remains exists to help determine any reserved matters and to comply with Local Plan policy HE6.

- 20 A noise impact assessment shall accompany the reserved matters submission which shall have been used to inform the layout and design of the scheme such that mitigation to achieve the following sound levels are achieved within all dwellings;
- o Bedrooms: LAeq (8 hours) - 30dB (2300 to 0700 hours);
 - o Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
 - o Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

The assessment shall be accompanied by a plan which clearly identifies the different types of mitigation measures proposed, where each type of mitigation is proposed and a programme of implementation. Thereafter the development shall be carried out in accordance with the approved measures.

Reason: In the interests of biodiversity and in accordance with Local Plan Policy POLL1.

- 21 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- i. A plan to a scale of 1:1250 showing the location of all defects identified
 - ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.
- On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety and in accordance with Local Plan Policy T4.

- 22 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

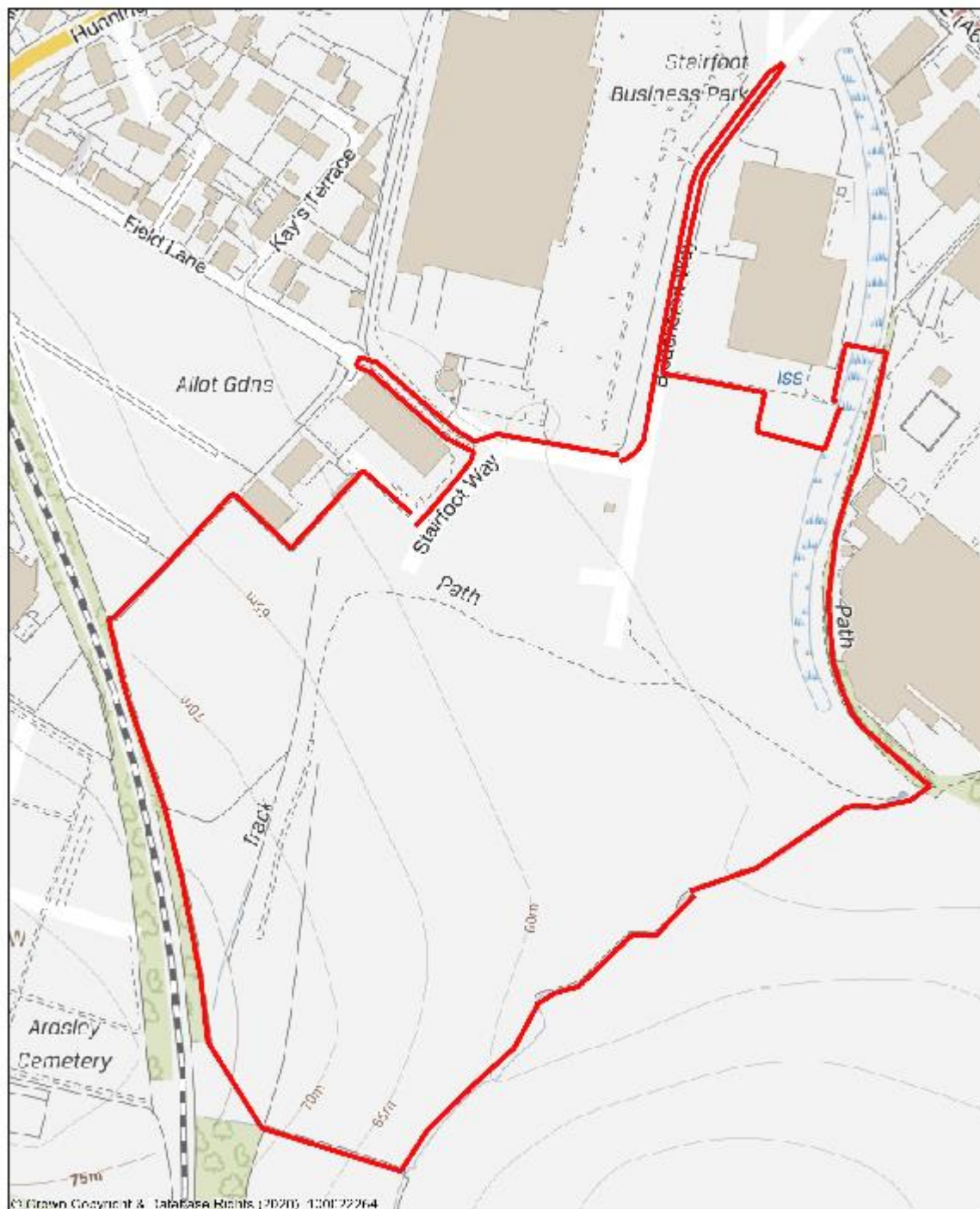
- Storage of plant and materials used in constructing the development
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - Wheel washing facilities
- Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4 New Development and Transport Safety and Local Plan Policy D1 High Quality Design and Place Making.**
- 23 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access
Reason: In the interests of highway safety and the free flow of traffic in accordance with Local Plan policy GD1 and D1.
- 24 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.
- 25 Prior to the commencement of construction works, details of Electric Vehicle Charging Points shall be submitted to and approved in writing by the Local Planning Authority. The works shall be installed in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details.
Reason: In interests of promoting sustainable travel opportunities and in accordance with Local Plan Policy T3 New development and sustainable travel and adopted SPD Sustainable Travel.
- 26 Prior to commencement of construction works a scheme for the parking of bicycles shall be submitted to and approved in writing by the LPA. The approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.
Reason: In interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T3 New Development and Sustainable Travel.
- 27 Prior to the first occupation of the development hereby a vehicular access (and / or pedestrian / cyclist access) shall constructed for the site and for each plot in accordance with the BMBC highway specification thereafter retained for the duration of the development.
Reason: In the interests of sustainable transport and highway safety in accordance with Local Plan Policy T3 and T4
- 28 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.
- 29 Prior to the commencement of development engineering and surface water drainage details shall be submitted for inspection and approval in writing by the (Local Planning Authority) Highways Authority.
Reason: In the interests of highway safety in accordance with Local Plan Policy T4.

- 30 Roads other than agreed shared private drives shall be constructed to an adoptable standard and offered for adoption on completion under (the provisions) Section 38 of The Highways Act (1980).
Reason: in the interests of highway safety in accordance with Local Plan Policy T4.
- 31 Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall, thereafter, be maintained at all times, free from any obstruction exceeding 900mm above the level of the adjacent highway carriageway.
Reason: In interests of highway safety and Local Plan Policy T4.
- 32 No building or use hereby permitted shall be occupied until pedestrian visibility splays of 2 x 2m to the back edge of the footway / verge shall be provided at the proposed access (or drive). Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.6m to the rear of the footway/ verge which would obstruct the visibility splay. The visibility splay shall be maintained free of obstruction at all times thereafter for the lifetime of the development.
Reason: To ensure drivers have clear and unrestricted views of approaching pedestrians when pulling out onto the public highway, in the interest of highway safety and Local Plan Policy T4.
- 33 Prior to the first occupation of the development hereby permitted, parking provision will be in accordance with the standards set out within Barnsley's Parking SPD. Driveways and vehicle parking areas accessed from the approved streets shall be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.
Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard and in the interests of highway safety in accordance with Local Plan Policy T4.
- 34 The gradient of individual vehicular accesses/driveways shall not exceed 1 in 12 as measured from the edge of adjacent carriageway.
Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4.
- 35 The driveway length in front of any garage(s) shall be at least 6m (5.5m with the use of a roller shutter door) measured from the garage doors to the highway boundary.
Reason: To ensure parked vehicles do not overhang the adjoin public highway thereby adversely affecting highway users in accordance with Local Plan Policy T4
- 36 No development shall be commenced until full engineering, drainage and street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.
Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety and Local Plan Policy T4.

- 37 The development hereby permitted shall not be commenced until a Travel Plan has been submitted, for the approval in writing by the Local Planning Authority.
Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with promoting sustainable travel in accordance with Local Plan Policy T3.

PA Reference:-

2017/0753



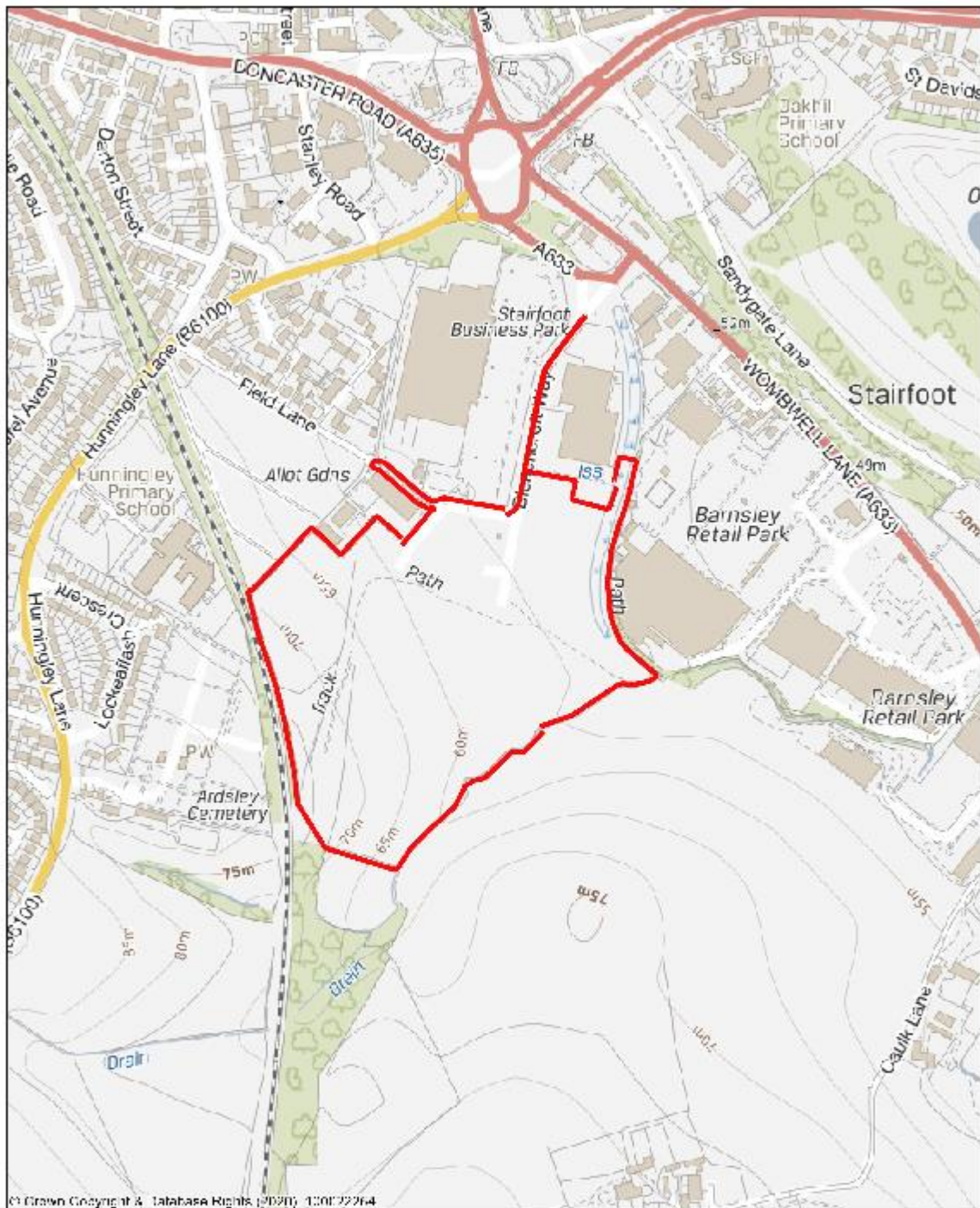
BARNSELY MBC - Regeneration & Property



Scale: 1:2500

PA Reference:-

2017/0753



BARNSELY MBC - Regeneration & Property

Scale: 1:5000



Item 5

BARNSELY METROPOLITAN BOROUGH COUNCIL

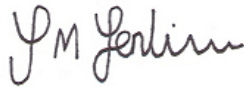
SUMMARY OF OUTCOMES -PLANNING APPLICATIONS AGENDA PACK ISSUED AS A BOARD MEMBER CONSULTATION IN ADVANCE OF THE PLANNING REGULATORY BOARD MEETING TO BE HELD ON 16th JUNE 2020

LIST OF APPLICATIONS WITHIN THE CONSULTATION PACK:-

<u>Reference</u>	<u>Details</u>	<u>Committee/ Delegated</u>
2020/0242	<p>Erection of a containerised battery storage facility and ancillary infrastructure including cable routing, power management unit, transformer, and track</p> <p>Hazlehead Battery, Hazlehead Wind Farm, Flint Lane, Sheffield</p> <p>Summary of consultation comments received: -</p> <p>Comments were received specifically stating that there were no objections to the proposal.</p> <p>Furthermore, it was stated that the development would assist with the Council's future Zero carbon agenda and would make the existing wind farm more efficient.</p> <p>It was also noted that the development is only for a form of temporary development lasting through until the year 2033.</p>	To proceed delegated for approval in accordance with the officer recommendation and conditions set out in the officer report.
2020/0195	<p>Conversion of building into 2no apartments and associated external alterations including replacement windows, new entrance doors, external amenity space and access steps and ramps,</p> <p>Prospect House, Prospect Street, Buckden Road, Barnsley</p> <p>Support was expressed for the proposal on the grounds that it would bring back into use a vacant building back into use. Also, that the proposed residential use is compatible with its surroundings.</p>	To proceed delegated for approval in accordance with the officer recommendation and conditions set out in the officer report.
2020/0395	<p>Extending cemetery into adjacent agricultural land,</p> <p>Silkstone Cemetery, Cone Lane, Silkstone, Barnsley, S75 4LY</p> <p>Support was expressed for the proposal based upon the impact of the development being very small.</p>	To proceed delegated for approval in accordance with the officer recommendation and conditions set out in the officer report.
2020/0395	<p>2020/0243 - Variation of condition 1 of application 2018/1360 to allow changes to Plot 5 and 6 (Variation of condition 2 of application 2015/0461 (demolition of farm buildings and erection of 9 no. dwellings and access road) to allow changes to plot types and layout alterations,</p>	It was agreed that site monitoring inspections should take place to ensure compliance. Subject to those terms to the decision is

	<p>Poplar House Farm, Low Cudworth Green, Cudworth, Barnsley, S72 8EF</p> <p>Concerns were expressed about the planning enforcement history of the site and that this is the latest in a sequence of retrospective applications seeking to regularise irregularities between the plans previously approved and what has actually been constructed on site.</p> <p>It was suggested there were no objections to the officer recommendation but that monitoring of the site should be undertaken to ensure that the proposed plans and conditions are adhered to.</p>	<p>proceed delegated for approval in accordance with the officer recommendation and conditions set out in the officer report.</p>
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Signed:



Joe Jenkinson
Head of Planning and Building Control

Item 6

BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

01 to 30 June 2020

APPEALS RECEIVED

8 appeals were received in June 2020

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
2019/1322	Single storey rear extension with a flat roof (Part Retrospective) 31 Croft Close, Mapplewell, Barnsley, S75 6FN	Written Reps	Delegated
2019/1479	Erection of wooden fence (Retrospective) Inglewood, Darton, Barnsley, S75 5NY	Written Reps	Delegated
2020/0012	Extension to existing building to create a third storey to allow the formation of 2 no. additional flats and alterations to access and parking provision Land at 21 to 24 Wentworth View, Wentworth View, Wombwell, Barnsley, S73 0LA	Written Reps	Delegated
2020/0213	Erection of digital advertisement board on gable wall FG Tyres and Garage, Race Street, Barnsley, S70 1BY	Written Reps	Delegated
2020/0366	Residential development of 4 no. bungalows (Outline with all matters reserved apart from access and layout) Land adjacent 137 High Street, Great Houghton, Barnsley, S72 0AZ	Written Reps	Delegated
2019/1411	Two storey side extension including provision of integral garage 6 Fearnley Road, Hoyland Common, Barnsley, S74 0AU	Written Reps	Delegated
2019/1136	Residential development of 4 no. dwellings Garage Site, Martin Croft, Silkstone, Barnsley, S75 4JS	Written Reps	Committee
2019/1572	Conversion of former public house into 10 no. flats. The Goldthorpe Hotel, Doncaster Road, Goldthorpe, Rotherham, S63 9J	Written Reps	Delegated

APPEALS WITHDRAWN

0 appeals were withdrawn in June 2020

APPEALS DECIDED

3 appeal were decided in June 2020

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2019/1106	Erection of double garage Middle Farm, Edderthorpe Lane, Darfield, Barnsley, S71 5EY	Dismissed	Delegated
2019/1102	Erection of detached triple garage 54 Jebb Lane, Haigh, Barnsley, S75 4BU	Dismissed	Delegated
2019/0239	Residential development of 250 dwellings with associated access, parking, engineering, landscaping and ancillary works. Land to the south of Lee Lane, Royston, Barnsley	Dismissed	None Determination

2020/2021 Cumulative Appeal Totals

- 6 appeals have been decided since 01 April 2020
- 6 appeals (100%) have been dismissed since 01 April 2020
- 0 appeals (0%) have been allowed since 01 April 2020

	Audit	Details	Decision	Committee/ Delegated
1	2019/0906	Removal of existing outbuildings and erection of two storey detached dwelling and associated works including provision of new private drive. 119 Cross Lane, Royston, Barnsley, S71 4AR	Dismissed 06/04/2020	Delegated
2	2019/1221	Erection of detached double garage Martins Nest Farm, Grime Lane, Whitley Common, Barnsley, HD9 7TG	Dismissed 09/04/2020	Delegated
3	2019/0864	Erection of detached 1 ½ storey building to be used as motorcycle garage at ground floor and storage within attic space South Grove House, South Grove Drive, Hoyland, Barnsley, S74 9DY	Dismissed 06/05/2020	Delegated
4	2019/1106	Erection of double garage Middle Farm, Edderthorpe Lane, Darfield, Barnsley, S71 5EY	Dismissed 01/06/2020	Delegated
5	2019/1102	Erection of detached triple garage 54 Jebb Lane, Haigh, Barnsley, S75 4BU	Dismissed 02/06/2020	Delegated
6	2019/0239	Residential development of 250 dwellings with associated access, parking, engineering, landscaping and ancillary works. Land to the south of Lee Lane, Royston, Barnsley	Dismissed 17/06/2020	None Determinatio n

Item 7

Planning Enforcement Report to Planning Regulatory Board

Quarter 1 April 2020 – June 2020 Inclusive

Introduction

This report is to provide elected members with an update on Planning Enforcement service activity covering the Quarter 1 Period of this reporting year 2020/2021 (April 2020 – June 2020). The report includes a breakdown of the requests for service received and includes details of key actions and enforcement case outcomes during the quarter.

Overall number of Planning Enforcement service requests Quarter 4:

April 2020	54
May 2020	78
June 2020	85

Total number of requests for service Quarter 1 2020/21 **217**

	Cases Received	Investigated/Resolved	Under Consideration
Quarter 1 2020/2021	217	130	87

Introduction

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

Most cases received by the service are resolved through negotiation and contact with the parties concerned as per our service policy and some cases are low level or considered technical breaches of planning control where formal action would not be appropriate. Other cases can take several weeks to resolve as they may require interventions by the Council and work with a variety of stakeholders including the submission of retrospective planning applications to be considered.

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

Summary of Case Activity

(a) Issuing of Formal Notices (displayed in order of date issued)

<u>Case Reference & Location</u>	<u>Breach of Planning Control</u>	<u>Details of Service/Appeal</u>
<p>2019\ENQ\00695</p> <p>Land west of Wellhouse Lane & North of Barnsley Road, Penistone.</p>	<p>Development has taken place pursuant to planning permission ref: 2014/0095 (Erection of 3no. dwellings and garages), granted by the Council on 25th June 2014. However, the development which has been constructed on site is not in accordance with the approved plans and conditions granted by the Council.</p> <p>The development has therefore been constructed in a way which is materially different to that approved by the Council and therefore does not have planning permission.</p>	<p>Enforcement Notice issued 27th May 2020 requiring:</p> <p>(i) Reinstate the boundary stone wall to its previous condition, including the agreed pedestrian access.</p> <p>(ii) Remove all related loose chippings on the parking/manoeuvring facility replacing it with a solid bound material.</p> <p>(iii) Amend the garage so that external walls are of coursed natural reclaimed stone walling, regularly coursed with stone quoins to major external corners.</p> <p>Effective: 26th June 2020.</p> <p>Time period for compliance Two Months (26th August 2020)</p>
<p>2019\ENQ\00385</p> <p>Land next to Thornhill, Holly Bush Drive, Thurnscoe, S63</p>	<p>The breach of planning control is the unauthorised change of use of vacant land to undertaking operational development for a residential dwelling with associated walls and boundary treatments which facilitate the change of use</p>	<p>Temporary Stop Notice issued 9th June 2020</p> <p>(i) Cease the unauthorised works</p> <p>Effective: 9th June 2020.</p> <p>All works have ceased, planning application anticipated.</p>
<p>2020\ENQ\00408</p> <p>Land to South the West of The Walk, Higham, S70 5UA</p>	<p>The breach of planning control is the unauthorised change of use of vacant land by substantial engineering operations, earth clearance manoeuvres and the</p>	<p>Temporary Stop Notice issued 12th June 2020</p> <p>(i) Cease the unauthorised works</p>

	formation of an access road	<p>Effective 12th June 2020</p> <p>All works have ceased, planning application anticipated.</p>
<p>2020\ENQ\00436</p> <p>Land at 6a Albert Street, Cudworth, Barnsley, S72 8AP</p>	The breach of planning control is the unauthorised change of use of the land and buildings for the Builders Merchants to a vehicular workshop.	<p>Temporary Stop Notice issued 24th June 2020</p> <p>(i) Cease the unauthorised works</p> <p>Effective 24th June 2020</p> <p>Officers are working with the landowner and tenant of the site to resolve matters</p>
<p>2020\ENQ\00455</p> <p>Hazelshaw Farm, Wortley, Sheffield. S35 7DG</p>	The breach of planning control is the unauthorised change of use of land to include the stationing of storage containers, portacabins and caravans including undertaking earthworks with heavy plant and machinery ('The Unauthorised Works') to Hazelshaw Farm, Bank Lane, Wortley, Sheffield, S35 7DG	<p>Temporary Stop Notice issued 29th June 2020.</p> <p>Cease the unauthorised activities listed in the notice.</p> <p>A site meeting with officers from community safety service and the appellant has taken place.</p>

(b) S215 Untidy Land and Buildings Action

<u>Case Reference & Location</u>	<u>S215 Notice Details</u>	<u>Details of Service/Appeal</u>
2019\ENQ\00077 Land at, Former Belmont Centre, Cross Street. Monk Bretton. Barnsley. S71 2DY	<ul style="list-style-type: none">i. Demolish any existing building on the land, disposing of all consequential demolition materials in an environmentally responsible manner.ii. Make safe any hazardous inspection chambers by replacing covers on the land.iii. Repair any existing boundary walls within the curtilage of the land and maintain any vegetation growth.	S215 Notice issued 18 th February 2020 Effective: 11 th March 2020 Time period for compliance two months. (11 th May 2020). Notice not complied with to date, a planning application is under consideration for the redevelopment of the site, prosecution action and/or works in default under consideration.

(c) Legal action

<u>Case Reference & Location</u>	<u>Case Details</u>	<u>Prosecution Status</u>
2020\ENQ\00202 Worsbrough Wood, Worsbrough Road, Barnsley, S70	Non-compliance with enforcement notice relating to formation of unauthorised access points into woodland.	Further enforcement notices served in March 2020 in relation to the unauthorised use as site for storing a caravan for human habitation and associated development Injunctive action and works in default being actively pursued due to breach of the Stop Notice.
2018/ENQ/00689 Land Off Sandybridge Lane, Shafton	Change of use of land for residential occupation of caravans and base for recovery business	Prosecution action been sought for non-compliance with the enforcement notice as compliance date passed on 19 th February 2020.

(d) Enforcement Appeals

<u>Case Reference & Location</u>	<u>Breach of Planning Control</u>	<u>Appeal Decision</u>
2018/ENQ/00526 Cliffe Lane, Brierley, Barnsley, S72 9HR	Laying of Hardstanding's, walls and block paving for the formation of caravan bays. Enforcement Notice and Stop Notice issued 25 th January 2019	Start letter received 6 th May 2020 for the appeals process to begin. Appeal now at final comments stage, councils' statement of case and application for costs has been submitted. The procedure for this appeal is a Hearing with a future date to be arranged. The enforcement notice seeks the removal of the caravan bays, fencing, hardstanding and associated development seeking reinstatement of the land.
2018/ENQ/00689 Sandybridge Lane, Shafton, Barnsley, S72	Change of use of land for residential occupation of caravans and base for recovery business Enforcement Notice and Stop Notice issued 25 th January 2019	Appeal Decision received 19 th November 2019 Dismissed. Time period for compliance amended from 1 month to 3 months by Planning Inspector. Enforcement Notice compliance required by 19 th February 2020. Notice not complied with – Prosecution/injunctive action being pursued in order to seek removed of caravans, vehicles and materials at the site. further correspondence issued to appellant regarding the councils' intentions.
Land adjacent Junction 38 of M1/A637 Huddersfield Road, Haigh, Barnsley, S75 4DE	Change of use of vacant land to base for a highway contractor, road and maintenance depot.	Appeal Decision received 7 th November 2019. Appeal Dismissed.

	<p>Enforcement Notice issued 20th April 2018</p>	<p>Time period for compliance amended from 1 month to 6 months by Planning Inspector.</p> <p>Enforcement Notice compliance required by 7th May 2020.</p> <p>2-month extension requested to arrange removal of equipment and material on site due to Covid situation. Follow up visit scheduled to check compliance.</p>
<p>2019\ENQ\000492</p> <p>35 George Street, Goldthorpe, Rotherham, S63 9AY</p>	<p>Development not in accordance with the approved plans and conditions granted by the Council. (pair of semi-detached dwellings)</p> <p>Enforcement Notice issued 7th June 2019</p>	<p>Appeal Allowed. Dated 9th March 2020</p> <p>Pair of Semi-detached dwellings have been allowed to remain by the Inspector subject to conditions, including provision of obscure glazing and landscaping.</p> <p>Site being monitored for compliance with the appeal decision.</p>
<p>2018\ENQ\00558</p> <p>37 Armroyd Lane, Elsecar, Barnsley, S74 8ET</p>	<p>Without planning permission, the material change of use of land to a mixed use as residential dwelling house and base for motor vehicle sales.</p> <p>Enforcement Notice issued 25th June 2019.</p>	<p>Appeal Dismissed, Decision Issued 15th April 2020.</p> <p>Compliance period One Month (15th May 2020)</p> <p>Steps Required: Cease the unauthorised change of use relating to the sale of motor vehicles at the property and ensure the only vehicles stored at the premises are those directly owned and operated day to day by the registered occupants of the dwelling house.</p>

		Notice Complied with. case resolved.
<p>2018\ENQ\00556</p> <p>Heritage Court, North side of School Street, Hemingfield, Barnsley, S73 0HZ</p>	<p>The breach of planning control alleged in the notice is without planning permission, the contravention of condition 7 of the grant of planning permission in respect of application 2006/0102. (operating outside of permitted hours)</p>	<p>Appeal Dismissed Decision Issued 23rd March 2020</p> <p>Requirements of the Notice:</p> <ul style="list-style-type: none"> (i) Comply with the condition 7 of the grant of planning permission application reference 2006/0102. (ii) Cease the commercial use of the office and warehouse outside of the hours of 08.00 to 17.30 Mondays to Fridays, 09.00 to 13.00 on Saturdays and at no time on Sundays or Bank Holidays. <p>Notice complied with. case resolved.</p>
<p>2019\ENQ\00472</p> <p>7 Spa Well Grove, Brierley, Barnsley, S72 9LS</p>	<p>Without planning permission, the erection of a fence adjacent to the highway</p>	<p>Appeal Dismissed Decision Issued 16th March 2020</p> <p>Time period for compliance One Month (16th April 2020)</p> <p>Requirements of Notice:</p> <ul style="list-style-type: none"> (i) Reduce the height of the existing fence panels (including gravel boards and pillars) that run adjacent to the highway as marked in Appendix 1 to panels which are a maximum of 1 metre. (ii) Reduce the height of the

		<p>existing fence panels (including gravel boards and pillars) that are affecting the neighbouring properties visibility as marked in Appendix 1 to panels which are a maximum of 1 metre.</p> <p>Period of compliance extended to 31st August 2020 due to Covid.</p>
<p>2019\ENQ\00505</p> <p>44 High Street, Bolton Upon Dearne, Barnsley S63 8LJ.</p>	<p>Development has taken place pursuant to planning permission ref: 2018/0581 (Demolition of existing garage and erection of detached annexe/garage to rear of dwelling), granted by the Council on 15th August 2018.</p> <p>However, the development which has been constructed on site is not in accordance with the approved plans and conditions granted by the Council. The development has therefore been constructed in a way which is materially different to that approved by the Council and therefore does not have planning permission.</p>	<p>Appeal Allowed, Decision issued 23rd March 2020.</p> <p>Inspector ruled the building causes no harm to wider street scene and considered the building an annex/ancillary to the existing dwelling house.</p>
<p>2019\ENQ\00758</p> <p>30 Huddersfield Road, Barnsley, S75 1DL</p>	<p>Without planning permission, The creation of a vehicular crossing onto a classified road.</p>	<p>Appeal Dismissed. Decision Issued 2nd April 2020.</p> <p>Time period for compliance 2 Months (2nd June 2020)</p> <p>Steps to be taken are:</p> <ul style="list-style-type: none"> (i) Reinststate a permanent boundary wall in materials similar to those that were in situ at a similar height prior to the development

		<p>which will prevent motor vehicle access over the verge to the front garden of the property and;</p> <p>(ii) Remove any related building materials from the land, including those that are obstructing the public footpath.</p> <p>Works not yet undertaken, time period has now expired, pre-prosecution correspondence issued.</p>
<p>2019\ENQ\00546</p> <p>204 Darton Lane, Mapplewell, S75 6AH</p>	<p>The breach of planning control as alleged in the notice is Without planning permission;</p> <p>(i) The erection of a detached building and;</p> <p>(ii) The unauthorised change of use of the land to a base for a vehicle recovery business and storage and parking of recovery vehicles.</p>	<p>Appeal decision issued 29th June 2020 – Split decision</p> <p>Time period for compliance Two Months (29th August 2020).</p> <p>The detached building needs to be removed, the recovery business allegation was deleted by the inspector.</p>
<p>2019\ENQ\00686</p> <p>5 The Brambles, Royston, Barnsley, S71 4TA</p>	<p>The breach of planning control as alleged in the notice is Without planning permission, the material change of use of the land to a mixed use as residential dwelling house and base for vehicular purchasing, sales and mechanical maintenance of motor vehicles.</p>	<p>Appeal Decision issued 26th June 2020 -Appeal allowed.</p> <p>The inspector allowed the appeal and quashed the enforcement notice but recognised that the amount of activity (vehicle repairs and maintenance) was higher than would normally be expected from a residential property and therefore the council was reasonable in its actions.</p>

Timescales for Determination of Appeals

The Planning Inspectorate is taking on average 41 weeks to determine enforcement appeals by written representation and longer for matters considered under the informal hearing and public inquiry procedure. These delays are leading to frustration for complainants, the Council and those wishing to appeal enforcement notices. The Planning Inspectorate has advised us they are working to improve this performance by recruiting additional planning inspectors to deal with appeals. The information above shows that increasing numbers of appeals have been moving through the system with several appeal decisions now received.

Website and customer contact improvements

Recent improvements have been made to the council's website in accordance with the Digital First agenda and it is now easier for customers to report breaches of planning control on-line. A new e-form enables us to identify the specifics of the complaint more easily and includes the ability for customers to attach photographs of the issues which are causing concern. This improved functionality helps the service assess the issue more quickly and improves customer service. The revised webpage can be found by following this link:

<https://www.barnsley.gov.uk/services/planning-and-buildings/carrying-out-building-work-without-planning-permission/>

Conclusion

The ongoing Covid crisis has not had a material impact on the demand for the service which remains high despite disruption to building activities and development sites particularly during April and May 2020. The number of formal actions undertaken by the service has significantly increased prior to additional resources being devoted to planning enforcement and this is filtering through to an increase in appeal work and the number of appeal decisions being received.

Please contact the service through the details provided below should you wish to make further enquires in respect of specific cases.

Email: Planningenforcement@barnsley.gov.uk

Customer Services 01226 773555