

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 23 February 2021
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 the site visits or items on the agenda.

2. Minutes (*Pages 3 - 6*)

To receive the minutes of the meeting held on 24th November 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 east of Sheffield Road, Hoyland, Barnsley - 2020/0999 - For Approval (*Pages 7 - 26*)

4. Land off Keresforth Close , Barnsley - 2021/0015 - For Approval (*Pages 27 - 42*)

5. Land at Hall Gardens, Brierley, Barnsley, S72 9HT - 2019/1530 - For Approval (*Pages 43 - 58*)

Planning Appeals

6. Planning Appeals - December 2020 to January 2021 (*Pages 59 - 62*)

Consultations

7. Member Consultations - November and December 2020 (*Pages 63 - 68*)

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, W. Johnson, Leech, Makinson, Markham, McCarthy, Mitchell, Noble, Phillips, Smith, Spence, Stowe and Wright

Matt Gladstone, Executive Director Place
Paul Castle, Service Director Environment and Transport
Kathy McArdle, Service Director Regeneration and Culture

Joe Jenkinson, Head of Planning and Building Control
Matthew Smith, Group Leader, Development Control
Andrew Burton, Group Leader (Inner Area), Development Management
Bob Power, Senior Legal Officer (Locum)

Parish Councils

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

Monday, 15 February 2021

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 24 November 2020
TIME:	2.00 pm
VENUE:	THIS MEETING WILL BE HELD VIRTUALLY

MINUTES

Present

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

1. Declarations of Interest

There were no declarations of Pecuniary/Non-Pecuniary interest in respect of any of the applications on the agenda.

2. Minutes

The minutes of the meeting held on 20th October 2020 were taken as read and signed by the Chair as a correct record.

3. Land at Barugh Green Road and Cannon Road Junction, Barugh Green, Barnsley - 2019/1567 (LBC) and 2020/0027 (PP) - For Approval

The Head of Planning and Building Control submitted a report on Planning Application 2019/1567 (LBC) & 2020/0027 (PP) - Highways works comprising construction of new roundabout to create a road link into MU1 Local Plan allocation site and associated alterations to existing road alignment and relocation of grade II listed milepost, Land at Barugh Green Road and Cannon Road Junction, Barugh Green, Barnsley.

RESOLVED that both applications be approved in accordance with the Officer recommendation, subject to the imposition of a further condition requiring painting and refurbishment of the listed milestone as part of its relocation.

4. Land at Higham Common Road, Higham, Barnsley - 2020/0028 - For Approval

The Head of Planning and Building Control submitted a report on Planning Application 2020/0028: Highways Infrastructure Proposal at Higham Common Road at land at Higham Common Road, Higham, Barnsley

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

5. Former Belmont Care Home and adjacent farmland between Garden Close and Back Lane, Monk Bretton, Barnsley, S71 2DY - 2019/0991 - For Approval

The Head of Planning and Building Control submitted a report on Planning Application 2019/0991: Demolition of former care home, existing farmhouse and farm buildings and erection of residential development of up to 82no. dwellings (outline with all matters reserved apart from means of access) at Former Belmont Care Home and adjacent farmland between Garden Close and Back Lane, Monk Bretton, Barnsley, S71 2DY.

RESOLVED that the application be approved in accordance with the Officer recommendation and subject to the completion of a S106 Agreement on the terms explained within the report and the list of conditions

6. Enforcement Quarterly Report - July to September 2020

Planning Regulatory Board Members were provided with an update on Planning Enforcement Service activity covering the Quarter 3 period of this reporting year 2020/2021 (July to September 2020). The report included a breakdown of the requests for service received and included details of key actions and enforcement case outcomes during the quarter

RESOLVED that the report be noted.

7. Member Consultations - October 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 Planning Regulatory Board meeting held on 20th October 2020.

RESOLVED that the consultation report be noted.

8. Planning Appeals - 1st to 31st October 2020

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

The report indicated that 3 appeals were received, none were withdrawn and 5 appeals were decided in October 2020.

It was reported that 21 appeals have been decided since 01 April 2020, 18 of which (86%) have been dismissed and 3 of which (14%) have been allowed.

RESOLVED that the appeals update be noted.

Chair

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Ref 2020/0999

Applicant: Mr G Pardoe (Newlands Developments Ltd)

Description: Earthworks to create plateaus for the creation of football pitches and an archery range and associated changing facilities, vehicular access, car parking, drainage works and boundary treatments

Site Address: Land to the east of Sheffield Road, Hoyland, Barnsley

11 objections have been received from 9 addresses.

Site Location and Description

The site is located approximately 900 metres south east from the existing Rockingham Sports facilities on Sheffield Road and 1.4km south west of Hoyland town centre. To the north and east are dwellings, to the south are agricultural fields allocated for housing under HS68 and to the west of Sheffield Road is employment site ES13 recently granted planning permission for 3 very large commercial buildings including the MyHermes unit that is now under construction.

The application lies on the east of Sheffield Rd Hoyland. It comprises, an existing greenspace known as Parkside Road Recreation Ground, a rectangular greenspace adjoining the rear boundary of dwellings of Parkside Road which lies to the north west. Dwellings on Stead Lane lie beyond the eastern boundary. A wedge shaped part of an agricultural field forms the southern part of the site. The site has pedestrian access from a green area adjacent to 64 Parkside Road bounded by dry stone walls and opposite number 80 Stead Lane. The site is part of a former colliery.

Shrubs and bushes provide boundaries between the greenspace and the agricultural field, and between the site and dwellings to the eastern boundary. A tall wire mesh fence with concrete posts forms the boundary to Sheffield Road and a mix of domestic fences and walls from the northern boundary of the site. The land falls from north to south with views towards Wentworth Church in the middle distance. Public Footpath 30 (Hoyland Nether) runs along the north eastern boundary.

Background

A planning application (Ref: 2020/0647) for employment uses nearby the site on land to the west of Sheffield Road Hoyland for (use classes B1, B2 and B8) and associated works including access roads, drainage and landscaping was granted planning permission by Members on 20th October 2020, subject to a legal agreement. The proposal involved utilising some land currently part of the Rockingham recreation and Sports facility¹ to enable a link road to be constructed. The S106 legal agreement with 2020/0647 required the following in relation to this application:

1. Carry out temporary sports facility works south of Parkside Road
2. Provide a contribution for seeding the new and replacement pitches at Parkside
3. Provide a contribution towards maintenance for a period of 5 years

The provision of the infrastructure and facilities described within this proposal has been agreed as an appropriate solution for the relocation of the Rockingham football pitches and archery facilities with BMBC. As part of the pre-application process significant consultation has been undertaken with the Forge Community Partnership to ensure that the proposals are supported by them and that the football and archery facilities (both temporary and permanent) are of an appropriate standard. The site area of 2.93 for the existing greenspace and a further 1.46 of the existing agricultural field.

Proposed Development

Planning permission is sought in full for the following: -

Formation of an access into the site from Sheffield Road, earthworks to provide a development plateau for future football pitches, the laying out of an archery range, the provision of a portacabin for temporary changing/storage facilities, provision of temporary car parking, drainage and associated boundary treatments. The PROW is proposed to be retained with a 3m width and fencing. The works would comprise two phases:-

Phase 1 is proposed to include:-

- Undertake site clearance to form new entrance off Sheffield Road;
- Provide a temporary surfaced access way and car park area;
- Undertake earthworks and re-modelling to create plateaus for new archery zone area and sports pitches.
- Subject to the timing of the land exchange the archery area is proposed to be part turfed (to the archery runs) and part grass seeded to the remainder.
- The provision of new archery zone will be located on the lower plateau.
- Provision of the container storage.
- Perimeter fencing

Phase 2 would come forward at a later date and be funded by BMBC and/or other parties and would include:-

- Finalise clearance and earthworks re-modelling to create required level plateau for sports pitches
- The playing areas are to be partially created. They would be given a topsoil surface ready to receive seeding/turf as part of BMBC phase of works;
- Formation of a new permanent entrance off Sheffield Road together with underground electricity and surface and foul water supplies to serve the future community building;

The three football pitches would comprise one over 17's/adults, one youth (under 9/10) and one mini soccer (under 7). The archery zone will be at a lower level, separated from the football pitches by a hedgerow and with a 50m long overshoot area. The football pitches would be at a lower level than the existing land level, the closest to Parkside dwellings being 2.0m - 2.9m below existing levels. The footpath will remain but would be fenced from the pitches for security and safety.

Relevant Planning History

None

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 Local Plan is the statutory development plan for the borough. The Council has also adopted a series of Supplementary Planning Documents which are also material considerations.

In addition the site is located immediately adjacent the land that is included within the Hoyland West and South Masterplan Frameworks.

Local Plan

Local Plan Allocation – Green Space (Parkside Road Recreation Ground) and HS68.

Policy ES13 – This policy related to the associated development under 2020/0647 recently granted – and requires

“Relocation of the area of Rockingham Sports Ground that falls within the site boundary to an appropriate location within Hoyland Principal Town. The replacement pitch and associated facilities must be constructed and available before development on the existing sports ground commences”

HS68 - Land between Stead Lane and Sheffield Road, Hoyland Common Indicative number of dwellings 237. The development will be subject to the production of a masterplan framework covering a number of sites including housing references HS61, HS62, HS65, HS58 and HS68.

GS1 Green Space - Proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:

- An assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or
- The proposal is for small scale facilities needed to support or improve the proper function of the green space; or
- An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.

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

GD2 allows temporary buildings where it can be demonstrated that a permanent building is not suitable or that urgent accommodation is needed pending completion of a permanent building. Sites visible from the highway or public areas will normally not be given a temporary permission that exceeds 5 years.

GS2 Green Ways and Public Rights of Way - Where development affects an existing Green Way or Public Right of Way it must:

- Protect the existing route within the development; or
- Include an equally convenient and attractive alternative route.

I2 Educational and community Facilities – Supports the provision of schools, educational facilities and other community facilities.

Policy BIO1 states that development will be expected to conserve and enhance the biodiversity and geological features of the borough.

D1 – Design – High quality development will be expected to respect, take advantage of and reinforce the distinctive character and features of Barnsley, particularly heritage, townscape

and landscape character including the scale, layout, building styles, and materials of the built form in and around Barnsley Town Centre and within and adjacent to Conservation Areas.

Poll1 – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water, and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

T3 New development and Sustainable Travel

T4 New development and transport safety

CC1 states that the Council will seek to reduce the causes of and adapt to the future impact of climate change

Policy CC3 requires that proposals of more than 0,4ha within Flood Zone 1 should demonstrate how the proposal will make a positive contribution to reducing or managing flood risk

H3 Uses on allocated housing sites – other uses on sites will only be allowed where they are small and ancillary to housing elements and provide a service or other facility for all residents.

Hoyland North Masterplan adopted xxxx

The site is located just outside of the Hoyland North Masterplan Framework. But the Rockingham Sports Ground falls within it and the Parkside site is identified as having the capacity to occupy at least two adult football pitches and the archery facilities.

Hoyland South Masterplan adopted 26th November 2020

The adopted masterplan identifies the archery zone as relocated recreational facility adjoining the Parkside recreational field, which lies just outside the Hoyland South Masterplan area.

NPPF

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

Paragraph 92 of the Framework states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should (inter-alia) plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments.

Paragraph 97 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Adopted Supplementary Planning Documents

- Parking
- Biodiversity and Geodiversity
- Trees and Hedgerows
- Planning Obligations
- Sustainable Travel

Consultation responses

Biodiversity – Mitigation measures are required.

Culture Sport and Tourism – No objections.

Culture and Visitor Economy – No objections.

Highways Drainage – No objection subject to planning conditions and informatives.

Highways DC – No objections subject to conditions and informatives.

Forestry – No objection subject to conditions.

Pollution Control – No objection subject to conditions.

Public Rights of Way – No objections subject to an informative.

SYMAS – No objection subject to a condition.

Air Quality – No objections.

Coal Authority – A coal mining risk report has been submitted there are no objections subject to an informative.

Sport England – No objection subject to conditions.

SYAS – The site has been almost completely disturbed by previous coal mining, no archaeology work required and no conditions or objections.

Yorkshire Water – No objections subject to conditions.

Ward Councillors - Cllr Chris Lamb supports the application as it will offer enhanced amenity value to the local community. Councillor Nicola Sumner - would like the existing dog walking route around the field to be retained as walkers will have nowhere else to go when the field is developed.

Representations

The application has been advertised by way of a press notice, site notices and neighbour consultation letters. 11 objections have been received from 9 addresses. Three of these are immediately adjacent to the site.

Issues raised are as follows:

- The sports development will be too noisy.
- A 3m wide footpath is too narrow due to the pandemic.
- Many hundreds of people use the Parkside field every day, mainly for dog walking and no alternative is proposed, leading to rise in dog fouling incidents.
- Disturbance to a valuable wildlife habitat, especially hedgehog's habitat.
- Issues relating to the publicity surrounding the masterplan framework.
- Proposed weldmesh fencing is not characteristic of fencing in the area and would prefer post and rail fencing.
- Kestrels are known to make sorties over the field but has not been addressed in submitted documentation.
- Permanent loss of open and free green space for informal sports or recreational activities including dog walking.
- Archery is exclusive and should be placed more centrally in the borough, and other existing football pitches and sports facilities should be used.
- Noise impacts generated during construction and by players and spectators.
- There is already an adequate facility at Rockingham, which should remain, this area of grassland should be left.
- Light pollution.
- Loss of amenity leading to anti-social behaviour.
- Existing problems of access and parking will increase.
- Existing road safety problems of highway safety concerns relating to the A6135 Sheffield Road, particularly for children during rush-hour traffic.
- Historic remains of the battle of Tankersley Moor 1644 and a WWII Prisoner of War camp.

Assessment

Principle of Development

The majority of the site is allocated as greenspace (Parkside Recreation Ground). The Local Plan Policy GS1 Green Space identifies greenspaces as open areas which are valuable for amenity recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks.

The proposal is to re-use a currently underused informal recreation ground with two large football pitches and a mini soccer pitch. An archery range which will replace those being lost at Rockingham sports ground nearby due to the building of a link road.

The archery zone lies within HS68 and is within the Hoyland South Masterplan area which was adopted on the 26th November 2020. The masterplan identifies this area of land as being used for the Parkside Sports Facility together with the Parkside Recreation Ground which lies just outside, but adjoining the Hoyland South Masterplan area.

As the proposal is in accordance with Local Plan Policy GS1 and the adopted Hoyland south masterplan framework and the adopted Green Space SPD it is considered to be acceptable in principle.

Provision of Replacement Sports Facilities

Local Plan site allocation policy ES13 requires the 'Relocation of the area of Rockingham Sports Ground to an appropriate location within Hoyland Principal Town' and that 'The replacement pitch and associated facilities must be constructed and available before development on the existing sports ground commences'. Planning application 2020/0647 therefore included a S106 Agreement requiring replacement of the facilities being lost and that they would be provided at this particular site to the south of Parkside Road, subject to an acceptable planning application being made to the Council in relation to the specific details (as well as commuted sums for seeding and initial maintenance).

This proposal does not replace Rockingham Sports Ground in full, not least because it makes no provision for cricket and does not provide a permanent building. However, there is no requirement at this stage to provide those facilities as they will continue to be available for use on a consolidated and reconfigured Rockingham Sports Ground. Accordingly, the requirements of policy ES13 will only have to be met in full prior to the remaining area of Rockingham Sports Ground being redeveloped (if planning permission is forthcoming). Such a scenario is accounted for in the the Hoyland North Masterplan Framework, which shows a replacement cricket ground within site allocation HS68. Permanent buildings are also required to be constructed and available for use on both that site and this site (subject to planning permission being forthcoming) prior to development of the remainder of Rockingham Sports Ground.

The proposal would result in an increase in the amount of football pitches compared to those available at the Rockingham recreation ground, which will be consolidated as a result of the routing of the link road. It will also relocate and improve facilities for archery, providing a proper range and overshoot area. Sport England and the Football Federation (FF) have been consulted and are content with the proposals. The planning application is also acceptable to Archery GB as a replacement site to the facilities lost at Rockingham Sports Centre.

The FF raised comments in relation to the to the quality of the playing field proposed. However, Sport England are satisfied this matter can be dealt with by way of a planning condition. The FF have also raised the issue of ball strike given the proximity of housing. Ball strikes have the potential to constitute a nuisance under the Environmental Health legislation and as such could prejudice the sporting use of the proposed football ground. Whilst the ball stop netting/fencing could be dealt with by way of a planning condition, Sport England considered that the matter of the design and height of any required ball stop netting/fencing should be resolved prior to permission being granted in order for it to be acceptable to the planning authority and appropriate fencing is proposed on the plans.

Archery GB requested more details in respect the height and design of rear fence. They also raised the issue that due to the two-tiered levelling of the site, football and footballers could come down the slope onto the archery range. Therefore, some form of ball stop mitigation will be required to prevent this. Sport England are satisfied that a hedgerow is appropriate, with fencing, details to be secured by condition.

The facilities will still be managed by Forge and for a period of time, both the existing recreation facilities and the temporary replacements will be operational. Although one objector considers that archery is exclusive and should be played more centrally in the borough, the facility will replace (and improve upon) an existing archery facility just a few hundred metres away at Rockingham Recreation Ground.

Sport England also require a condition to ensure there is a mechanism in place so that clubs and local residents can access the sports facilities in a managed way.

Sport England, the Football Federation and Archery GB all support the proposals and are the replacement facilities will be of a better quality than existing. This is welcomed and will allow a greater range of participation by more people. The proposal is therefore in compliance with the masterplan, ES13, I2 and para 97 of the NPPF.

Residential Amenity

Residential dwellings bound the site on two sides. The rear boundaries of dwellings on Parkside Road abut the public right of way which runs along the north-western boundary of the site. Boundaries are a mix of domestic fencing and concrete panels. Properties on Stead Lane overlook the site to the front, separated from it by Stead Lane itself with post and rail fencing and hedgerows which are more substantial along the north eastern boundary mixed with sporadic mature trees.

To give examples of expected distances from existing properties, as measured from the submitted plan the pitches will be set below existing ground level closest to the Parkside Properties and the nearest pitch will be approx. 29m from the rear elevation of 52 Parkside Rd and 35m from the rear elevation of 58 Parkside Rd. The nearest pitch would be 52m for the front elevation of 6 Stead Lane. The archery zone competitor area will be approx. 150m from the front elevation of properties on Stead Lane, separated by Stead Lane and fence/hedgerow.

It is considered that due to the difference in levels with respect to the football pitches, together with the distances involved from the boundaries and the archery zone, there will be no detrimental impact on residential amenity as a result of loss of privacy or overlooking from players or spectators or loss of outlook. There are no proposals to use floodlighting.

Visual Amenity

The current green field will be replaced by grassed playing fields at a lower level than the existing ground levels. The open aspect will remain although there will be fencing for security purposes and ball stop. This is likely to be of weldmesh fencing. The benefits of it are that whilst robust, it is not visually intrusive. Whilst objections have been received regarding the type of fencing proposed, there is already chain link fencing to the Sheffield Road Boundary and post and rail to Stead Lane. Planting would enhance existing hedgerows and soften the boundary fencing when viewed from the south. Towards Sheffield Road will be a car park and temporary container storage/portacabin type facility. Overall, whilst there will be little impact visually, it can nevertheless be softened by requiring soft landscaping to the boundaries by planning condition.

Noise Impacts

There will be a potential for noise and dust impacts associated with the engineering operations to create level plateaus and topsoil the football pitches. Although these will be of a temporary nature a detailed Construction Environment Management Plan and Noise Impact Assessment has been submitted. The Pollution Control Officer is satisfied that

potential noise impacts during construction operations will be controlled and mitigated against satisfactorily, subject to planning conditions.

During operational activities, the use of the site for playing football will be more significant in terms of activity and noise than the current underused greenspace generates. However, despite concerns from objectors, amateur games with limited space for supporters are unlikely to cause significant noise impacts and the site will be used intermittently rather than all day every day.

Overall the proposal is in accordance with Local Plan Policy D1 and GD1 in terms of residential amenity subject to proposed conditions.

Air Quality Officer

An assessment of vehicle emissions associated with HGVs movements compared to the Institute Air Quality Management guidance (IAQM/EPUK 2017). These emissions are subsequently considered to be negligible and not significant. The Air Quality Officer has assessed the proposal and has no objections. The proposal is in accordance with Local Plan Policy Poll1 on this point.

Mining Legacy Risks

The application has been accompanied by a Coal Mining Risk assessment and Geoenvironmental and Geotechnical risk assessment. The South Yorkshire Mining Advisory Service notes that the report identifies a variety of potential mining and geotechnical risks to the proposals, namely extensive opencast backfill, quarry highwalls, potential shallow coal and/or ironstone workings etc; and further recommends phase 2 works to establish any required remediation. SYMAS concurs with the findings of this report and a planning condition is recommended. The Coal Authority are also satisfied with the report subject to an informative from their perspective in that they are content that the risks of mining issues affecting the development are considered to be low to very low.

As such the proposal is considered to comply with NPPF 178 a,b,c. 179 and 170 e & f, based around Land Stability and Local Plan Policy CL1.

Ecology

A preliminary ecological appraisal has been undertaken which demonstrates there are no statutory or non-statutory nature conservation designations. The site is dominated by poor semi-improved grassland and arable habitat of negligible to low ecological value and is bordered by native hedgerows, scrub, trees and garden boundaries. As a result no significant implications are envisaged for protected species including bats, birds and badgers.

Several of the objectors raised concerns about impacts on hedgehogs which are now a protected species. Conditions are proposed to ensure measures are implemented to allow movement of animals through the site.

The post development habitat creation plan shows a combination of amenity grassland, semi-natural habitats. Hedgerows and trees will be retained along with boundary trees at the north and north eastern boundaries. Additional biodiversity interest will also be provided by the approximately 130m of native species hedgerow, which will be planted to separate the football pitches from the archery range, and by enhancing boundary hedgerows on the southern boundary. Those provisions will be secured by condition.

The assessment of the overall proposals carried out by Wildscapes welcomes that the proposals would achieve no net loss/net gain of biodiversity all within the site boundary. It is also notable that the application follows on from planning application 2020/0647 for the 3 large commercial units that was approved subject to a requirement to achieve 10% biodiversity net gain via a mixture of on site and off site provisions at Bell Ground (wood) and to the south east of Darfield adjacent to the River Dearne.

Overall the proposal is considered to be in accordance with Local Policy BIO1.

Highway Safety

The application site is situated to the east of the existing Sheffield Road (A6135) and will be accessed via a new access taken at the north western corner of the site.

The access will provide the appropriate visibility splays onto Sheffield Road (currently 30mph at this point) and a 20 metre stretch of tarmacked access road constructed to adoptable standards will be provided into the site from the public highway. Approximately 20 car parking spaces will be provided on a temporary surface adjacent to the pitches on the western side of the site.

Construction (and operation) of the site access will not commence until such time as the road closure on Sheffield Road to facilitate the approved new link road connecting to the A6195 Cross Keys roundabout has been enacted. This will be secured by planning condition together with other conditions and informatives to ensure measures are taken to ensure that the development is undertaken with appropriate highway safety measures. Those measures are sufficient to ensure that the proposal is in accordance Local Plan Policies T3 and T4.

Other matters

- Historic importance of site – one objector described the site as having historic importance. The South Yorkshire Archaeology Service notes that Coal Authority surface mining data show that the vast majority of the site has been subject to open cast mining. This extensive ground disturbance reduces the archaeological potential of the site to negligible. SYAS, therefore, recommend that no archaeological investigation is required.
- Some residents and Councillor Sumner would like to keep the exiting dog walking route around the field. However, this would lead to issues of security and dog fouling. There is a public right of way along the north of the site and along Stead Lane, and others in the area which could be used as an alternative for dog walkers. In addition, the Hoyland South Masterplan makes provision for significant enhancements to Stead Lane as well as new walking routes throughout the area.
- A 3m wide footpath is too narrow due to the pandemic – the footpath is currently undelineated but 3m is an appropriate width for modern footpaths and the Public Rights of Way Officer has not raised objections and is in compliance with GS2 and NPPF para 97.
- Issues relating to the publicity surrounding the masterplan framework – this is not a material planning consideration for this application.
- Loss of amenity leading to anti-social behaviour – The provision of new and improved sports facilities are likely to reduce the incidence of anti social behaviour as a result of organised activities on the site.

Conclusion

The proposal is related to Local Plan allocation Policy ES13, the subsequent Hoyland West Masterplan Framework and the planning permission for the 3 large commercial units, including MyHermes on the land to the west and north west of the site (Planning application reference number 2020/0647).

Local Plan site allocation policy ES13 required the 'Relocation of the area of Rockingham Sports Ground to an appropriate location within Hoyland Principal Town' and that 'The replacement pitch and associated facilities must be constructed and available before development on the existing sports ground commences'. Planning application 2020/0647 went a stage further as it required the same applicant to enter into a S106 Agreement with the Council to provide the replacement facilities at this particular site to the south of Parkside Road, subject to an acceptable planning application being made to the Council in relation to the specific details (as well as commuted sums for seeding and initial maintenance). This represents the application that is now before Members. This proposal delivers on those requirements in that it includes the following provisions:-

- 1 x adult football pitch
- 1 x youth pitch
- 1 x mini soccer pitch under 7/8
- Separate archery zone with 5 x 5m lanes with 90m range plus overshoot area

This proposal does not replace Rockingham Sports Ground in full, not least because it makes no provision for cricket and does not provide a permanent building. As such, the requirements of policy ES13 will only be fulfilled at such time as these facilities are provided as per the proposals within the Hoyland North Masterplan Framework, which shows a replacement cricket ground within site allocation HS68, and permanent buildings are constructed and available for use on both that site and this site (subject to planning permission being forthcoming).

The proposals have been reviewed by a combination of Council Officers, Sport England, the Football Foundation and Archery GB in respect of the relevant technical standards and as they would represent an improvement upon the existing facilities being lost at Rockingham. The proposed site layout is acceptable therefore in the sense that it would deliver the requirements of planning permission 2020/0647 and represents a first phase of a package of measures to satisfy Local Plan policy ES13. It is also deemed acceptable having regard to Local Plan policies including GS1 'Green Space' and 'I2 Educational and Community Facilities'. However specific conditions are needed including a community use requirement and ground conditions work to ensure adequate drainage and turf planting.

In addition, consultees have confirmed that the proposals are acceptable with regards to other material considerations including highway safety, biodiversity, tree protection, drainage, archaeology, coal mining risk subject to the conditions listed. The post development habitat creation plan shows a combination of amenity grassland, semi-natural habitats. Hedgerows and trees will be retained along with boundary trees at the north and north eastern boundaries. Additional biodiversity interest will also be provided by the approximately 130m of native species hedgerow, which will be planted to separate the football pitches from the archery range, and by enhancing boundary hedgerows on the southern boundary. This will ensure no net loss/net gain of biodiversity as secured by condition.

The site is located to the south of existing street of dwellings on Parkside Road and Stead Lane to avoid undue levels of noise and disturbance and the site is already a public recreation facility. In addition conditions are proposed to limit the impacts of the development

during the construction phase including a temporary acoustic fence. The proposal is therefore judged acceptable in residential amenity terms.

In summary therefore the proposals are acceptable in planning policy terms and in relation to the detail of the application itself as a means of satisfying the requirements of planning permission 2020/0647, Local Plan Policy ES13 and the Hoyland West Masterplan on the matter of providing replacement and enhanced football pitches and archery ground for those to be lost at Rockingham Sports Ground. The Officer recommendation is therefore one of approval subject to the conditions listed below.

Recommendation - Grant planning permission subject to conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Nos) and specifications as approved unless required by any other conditions in this permission:
4400-SP02 P5 Proposed sports facility with hedgerow
1652 P03 Cross sections
DR-CR-0895 P01 Access Proposals
DR-C-1650 P01 Earthwork Volumes
4400 SP001 P1 Existing site extent with red line boundary
DR-CR-0893 P01 link Road swept Path analysis (sheet 4)
4400 L007 P3 Location Plan
DR-D-1351 P01 Proposed Drainage
DR-C-1651 P01 Proposed Levels
CEMP REV 01 rec 11 01 21
Transport Statement V1.0 Fore Consulting
Noise Impact Assessment VC0102110-EN-RP-002 REV01- Vanguardia
Flood Risk Assessment by RPS Group
Coal Mining Risk Assessment
Ecological Appraisal - FPCR August 2020
Air Quality Assessment - Vanguardia
Arboricultural Assessment - FPCR
Infrastructure Phasing Maps received 27/01/21
Biodiversity Net gain Assessment Jan 21
Biodiversity Net Gain Plan January 21
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 3 No works shall take place, 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 period of engineering operations and 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

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 the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details

Tree protection plan

Arboricultural method statement

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

- 5 No development shall take place unless and until full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the proper drainage of the area

- 6 No Development hereby approved shall take place until Sheffield Road has been stopped up and thereafter the development shall not be brought into use until the new link road approved by Planning Permission 2020/0647 is constructed and operational.

Reason : In the interests of Highway Safety and Local Plan Policy T4

- 7 No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation into the watercourse has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with an approved programme and details.

Reason: To prevent the increased risk of flooding and in accordance with Local Plan Policy CC3

- 8 Prior to any works commencing on site full detailed highway engineering, drainage, street lighting and signing / lining details shall be submitted to and approved in writing by the LPA. The works shall subsequently be constructed in accordance with the approved details.

Reason: In interests of highway safety, in accordance with Local Plan Policy T4.

- 9 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. Appropriately timed interim surveys will be agreed with the Local Planning Authority prior to commencement of initial survey. On completion of the development a final condition survey

shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Agreement 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 plot or 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 details once approved shall be carried out in accordance with the said approval.

Reason: In the interest of highway safety, in accordance with Local Plan policy T4.

- 10 Prior to works commencing on site, that part of the site to be used by vehicles shall be laid out, marked and drained in a manner to be approved by the Local Planning Authority. The site shall be surfaced in a solid bound material and adequate measures shall be designed into the proposed access to avoid the discharge of surface water from the site on to the public highway.

Reason: In interests of highway safety, in accordance with Local Plan Policy T4.

- 11 No works commence until a Construction Traffic Management Plan (CTMP) is submitted to and subsequently approved in writing by the LPA. The approved plan shall be adhered to throughout the construction phase. The CTMP shall contain information relating to (but not be limited to):

- i Volumes and types of construction vehicles
- ii Identification of delivery routes
- iii Identification of agreed access point
- iv Contractors method for controlling construction traffic and adherence to routes
- v Construction period
- vi Temporary signage
- vii Measures to control mud and dust being transferred to the public highway
- " Temporary traffic management arrangements required to the existing highway network

Reason: In the interests of highway safety , in accordance with Local Plan policy T4

- 12 Prior to the commencement of the development an Ecological Mitigation and Enhancement Management Scheme shall be submitted for approval in writing. The scheme shall include but not be limited to:
- I. Suitable measures for protecting hedgehogs during engineering and other operations
 - II. Removal protocols for reptiles prior to and during engineering and other operations
 - III. Plan and specification for the provision of suitable access holes in any fencing for wildlife and in particular for hedgehogs

IV. Enhancement of retained hedgerows to improve connectivity and species mix using native species

Thereafter the approved scheme shall be implemented in full.

Reason : For the protection, mitigation and enhancement of ecology and biodiversity interests in accordance with Local Plan Policy BIO1

- 13 No development shall commence on the football pitches and associated playing field until the following documents have been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England:
- a) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the new playing field and football pitches as shown on plan drawing number SP002, revision P3, which identifies constraints which could affect playing field quality; and
 - b) Based on the results of the assessment to be carried out pursuant to a above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
- The approved scheme shall be carried out in full before the new playing field is brought into use. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.
- Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy D1.
- 14 On commencement of development a scheme shall be submitted for the provision of a hedgerow and fence in the location identified on approved plan ref 4400-SP02 P5. The scheme shall comprise shall comprise a hedgerow planted as a double staggered row at 20cm centres. Species shall comprise 60-70% hawthorn/blackthorn and 30% of a mix of hornbeam, fruit and holly or other suitable native species. Standard trees of native species shall be placed every 30m. The hedgerow shall be fenced on both sides with chickenwire or other suitable rabbit proof barrier and affixed to wooden posts with 3 strand high tensile wires. Once approved, the scheme shall be implemented prior to the occupation of the site.
- Reason: For the safety of spectators and as a ball stop barrier, in accordance with Local Plan Policy D1 Design
- 15 On commencement of development, the temporary acoustic barrier/fence shall be erected and the other noise mitigation measures set out in approved document Construction Environmental Management Plan REV01 dated 11 January 2021 shall be implemented in full and shall be retained for the duration of the Phase 1 temporary works/engineering operations.
- Reason: In the interests of residential amenity and in accordance with Local Plan Policy POLL1

- 16 On commencement of engineering/construction, details of temporary lighting shall be submitted to and approved by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting and shall be designed to ensure light pollution does not affect residential amenity or harm wildlife. Thereafter the approved details shall be implemented in full.
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.
- 17 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 at no time on Saturdays, 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.
- 18 Upon commencement of development, full details of soft landscaping works, including details of the species, positions and planted heights of proposed trees and hedges; 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. Thereafter the approved scheme shall be implemented in full in prior to commencement of use.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making
- 19 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 and in accordance with Local Plan Policy CC3.
- 20 The site has been identified to be at risk from potential coal mining legacy issues due the presence of opencast backfill, shallow coal and/or ironstone, and quarry high walls.. Site investigations must therefore be undertaken by a suitably qualified person as detailed by the Applied Geology Ltd coal mining risk assessment ref: HOY-AG-VGT-XX-RP-CEAG3080D-20-AK84; dated August 2020. The site investigations and subsequent development must address the issues raised in the recommendations of this report and should be in compliance with Construction Industry Research and Information association publication C758D "Abandoned mine workings manual" where applicable. A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details. In the case of further works being required, then the condition will not be discharged until details of such works have also been submitted. Responsibility for securing a safe development rests with the developer and/or landowner.

Reason - NPPF 178 a,b,c. 179 and 170 e & f, based around Land Stability and in accordance with Local Plan Policy CL1 Contaminated and Unstable Land.

- 21 Before the archery range is brought into use, a management and maintenance scheme for the archery range shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The scheme will include:
- a) A management and maintenance schedule,
 - b) Measures to ensure the fencing and hedgerow between the football pitches and archery range is installed,
 - c) A mechanism for review and a timetable for the implementation,
- The measures and details set out in the approved details and scheme shall be complied with in full, with effect from commencement of use of the archery range.
Reason: To ensure that the archery facility is managed and maintained and can operate safely and in accordance with Local Plan 1
- 22 A barrier minimum 0.8m high of marine plywood or similar (1 inch thick) shall be installed within the external perimeter fence line opposite 30 and 32 Stead Lane prior to commencement of use. The barrier shall be retained thereafter for the duration of the development .
Reason: To ensure all arrows are retained within the site boundary in accordance with Local Plan Policy D1.
- 23 The gradient of the access shall not exceed 1 in 12 for the first 5m into the site 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.
- 24 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. 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 in accordance with Local Plan policy T4
- 25 Prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.
Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Local Plan Policy D1
- 26 No hedges or trees on the site (except those shown to be removed on the approved Tree Retention Plan (drawing ref 9295-T-11) which forms part of the Arboricultural Assessment), or their branches or roots, shall be lopped, topped, felled, or severed unless deemed necessary on health and safety grounds by the Councils tree managers. If any retained tree is removed, uprooted or destroyed or dies as a result of the development activity, another tree shall be planted at the same place and that tree shall be of such a size and species,

and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

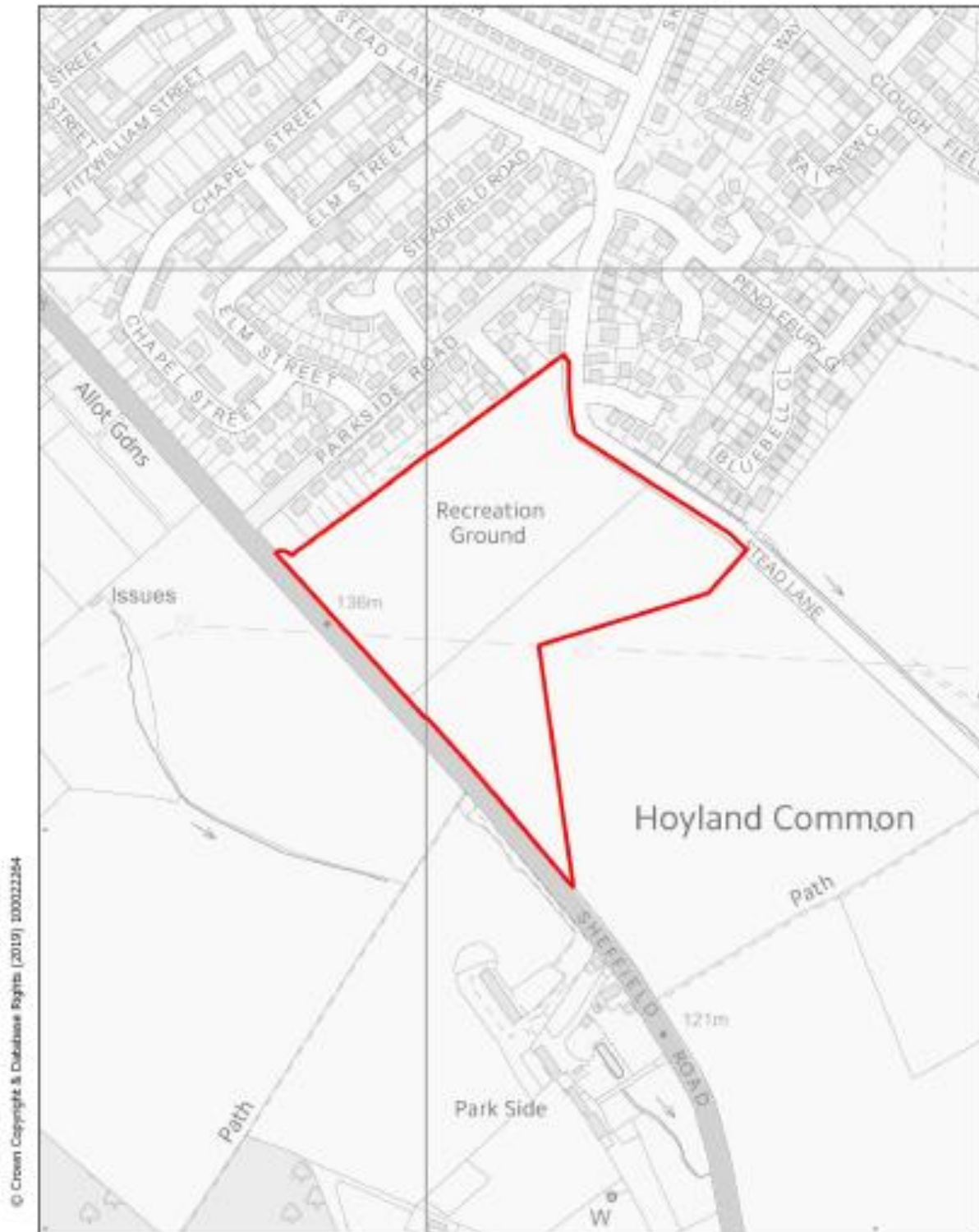
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality.

- 27 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the development being brought into first use; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

PA Reference:-

2020/0999



BARNSELY MBC - Regeneration & Property



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Ref 2021/0015

Applicant: The Department for Education

Description: Erection of Temporary Secondary School and associated works including access road, parking and external play areas

Site Address: Land off Keresforth Close, Barnsley

12.No Objections have been received. One objector has requested to speak at PRB against the application.

Site Description

The application relates to part (0.9Ha) of an open field which is bound by Keresforth Close to the North, Broadway to the West (A6133), allotments and residential development to the South and the Keresforth Centre (vacant NHS buildings) to the East. The site is mainly laid to grass and has previously been used as a playing field.

Beyond Keresforth Close to the North, adjacent to the junction with Broadway, is Keresforth Court, an existing residential apartment development. Immediately adjacent to the recent residential conversion of existing NHS buildings which form 13no. dwellings.

The site is allocated for new housing development and green space in the Local Plan under policy MU4, with an indicative number of dwellings of 150 to be delivered.

Background

In December 2018 a Secondary School Place Planning Cabinet Report (Cab.12.12.18/6) identified that there was demand for at least 744 additional secondary school places (87 in September 2020 plus 657 additional places between 2020-27). The following recommendations were therefore approved:

- That the Council continues to engage with, and support, Multi Academy Trusts that express an interest in opening a Free School within Barnsley.
- That the Council as a nominated eligible local authority applies to receive the new Presumption Free School Grant.
- That the Council supports the provision of temporary accommodation for the academic year commencing September 2020, which may be run by a Free School in the event of a Multi Academy Trust application being successful as a new Free School would not be built by this date.
- That in the event of a Free School application being unsuccessful, that the Council accommodate the demand for pupils in 2020 within its existing estate.

On the 18th March 2020, Cabinet approved a report (Cab.18.3.20/18) recommending the a free school as the preferred use for the Keresforth Close site (which was allocated as a mixed use site in the Local plan) and that the site be transferred to the Secretary of State for Housing, Communities and Local Government (DHCLG), subject to the necessary planning consents being achieved. This was accompanied by the following recommendations:

- The Corporate Asset Manager works with the DfE and Trinity MAT to agree Heads of Terms for a transfer of the land and the delivery of a free school on the site.
- The Executive Director Core Services be authorised to complete the above transaction with legal completion being subject to gaining the necessary planning consents, noting the assurance of the minister through his agents that the planning proposal will include the provision of a publicly accessible area of open space as an integral part of the development of the site.
- Cabinet approves the principles set out in this report and supports the continued collaborative working with public sector partners under the One Public Estate Programme.
- The Council will continue to work with the other parties who have expressed interest in this site to accommodate them elsewhere on council owned assets
- The objections to the Local Government Act Notice be noted and considered by Cabinet.

The approval of this recommendation was based on a requirement for a new secondary school in the central Barnsley area from September 2021 and in recognition of Trinity being identified by the DfE as the successful multi academy trust to provide a new secondary free school within the central school place planning area. Prior to Cabinet approving the recommendation, Trinity MAT and LocatED, in consultation with Council officers, concluded a comprehensive site search and identified this Keresforth Close site as the only site in the central planning area that meets with the requirements for a new secondary school. This was in part because it is in the freehold ownerships of the public sector and can be delivered relatively quickly.

Given the lead in times, including the need to obtain planning permission, it had already been recognised that a permanent school would not be available for use by September 2021 and so the DfE began working up a planning application for the proposal described below.

Proposed Development

Due to an increasing demand for student places there is a local requirement to provide suitable teaching and learning accommodation for 360 students over the next 2 years starting from September 2021. The current proposal seeks to provide this accommodation in a temporary school on the site identified by Cabinet as the location of a permanent secondary school until such time as the permanent school is provided (anticipated September 2023 opening, subject to planning permission being forthcoming).

The proposed development comprises the erection of a temporary school building and associated hard-surfaced play and sports facilities, access and parking.

The building would be located to the North East of the existing playing field and would be central between two hard-surfaced play areas to the North and South. The building would be constructed from modular units stacked 2 storeys high and have a gross internal area of 1,942sqm.

The building will be faced in painted steel in dark and light grey and have a simple, repeating elevational pattern/fenestration.

The site will be secured with 2.4m high boundary fencing.

Vehicular access to the site would be taken from Keresforth Close. With the site there will be 4 visitor spaces and 2 accessible spaces to the West of the building. Staff Parking and pupil drop off/pick up will be provided to the East, making use of the existing parking areas (43 spaces) at the Keresforth Centre.

While the entire building would be constructed at once, a cohort of 180 pupils will enter the school in 2021, with the next 180 entering in 2022, resulting in a total of 360 pupils.

Policy Context

The site has a mixed-use allocation (MU4) in the Local Plan and the following policies are relevant;

Local Plan

Policy GD1 – General Development
Policy GD2 – Temporary Buildings and uses
Policy T3 – New Development and Sustainable Travel
Policy T4 – New Development and Transport Safety
Policy D1 – Design
Policy GS1 – Green Space
Policy GS2 – Green Ways and Public Rights of Way
Policy CC1 – Climate Change
Policy CC2 – Sustainable Design and Construction
Policy BI01 – Biodiversity and Geodiversity
Policy Poll1 – Pollution Control and Protection
Policy RE1 – Low Carbon and Renewable Energy
Policy MU4 Site specific policy

SPD's

- Parking
- Residential Amenity and the Siting of new buildings
- Sustainable travel

Other

Sport England provide statutory planning guidance on developments which may affect playing fields. The latest version of the guidance was published in March 2018.

The Playing Fields policy states:

“Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- All or any part of a playing field, or
- Land which has been used as a playing field and remains undeveloped, or
- Land allocated for use as a playing field.

Unless, in the judgement of Sport England, the development as a whole, meets with one or more of five specific exemptions.”

Secondary School Place Planning Cabinet Report – 12th December 2018

A report was submitted to Cabinet for approval on 12th December 2018 which highlighted the rising demand for school places in the ‘central planning area’, which covers central Barnsley, within which the application site is located. It indicates that

“from September 2020 to September 2027 the cumulative peak demand indicates a requirement for an additional 657 places. There is a demand for an additional 87 places in September 2020”.

Keresforth Close Barnsley – Free School Proposal Cabinet Report – 18th March 2020

Further to the above, a report was submitted to Cabinet on the 18th March 2020 for approval to ‘designate’ the Keresforth Close site as a site for the Free School and to work with the DfE and Trinity MAT to deliver the site.

NPPF

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

Paragraphs of relevance to this application include:

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

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

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

Para 94 - notes that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- Work with schools’ promoters to identify and resolve key planning issues before applications are submitted.

Para 97 - considers that existing open space, sports and recreational buildings and land, including playing fields should not be built on, unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

- the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

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

Para 111 - requires all developments that generate significant amounts of movement to be supported by a Transport Assessment.

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

Status of the Cabinet Decision

The approval of the recommendations to cabinet within report Cab.18.3.20/18 represent another material consideration to be weighed against the site-specific local plan policy (MU4).

Consultations

Highways England – No comment.

SYAS – No comments.

Sport England – No objections subject to conditions.

Yorkshire Water – No objections.

Air Quality – No Objections.

Regulatory Services – No Objections subject to conditions.

Highways – Concerns over the lack of operational assessment.

Public Rights of Way – No objections.

Education – No objections.

SYMAS – No objections subject to conditions.

Coal Authority – request further information.

Contaminated land Officer – No objections subject to conditions.

Tree Officer – No objections subject to condition.

Drainage – No objections subject to condition.

Broadband – No objections subject to condition.

South Yorkshire Police ALO – No objections.

Ward Cllrs –Councillor Mitchell requested the application goes to PRB & a neighbouring Ward member for Dodworth Ward (Cllr Fielding) raised the following points-

- Concerned as to the reason for delaying PRB to the 23rd February.
- Dodworth Ward members were not consulted despite the application affecting residents in the adjacent Dodworth Ward.
- Findings of the site search have not been published
- No information submitted regarding the permanent school alongside the temporary school application
- Concerns raised regarding the number of parking spaces and number of car journeys expected. Need more information on active travel.
- Potential impact on the residents of Keresforth Close as a result of increased traffic

Representations

The application was advertised by neighbour notification letters, site notice and Press Advert. 12 letters of objection were received. The main points of concern are:

- Reduced highway safety
- Increased noise and disturbance
- Ecological/environmental impact to the wildlife
- Would set the principle for a larger permanent school
- Site unacceptable for a school
- Close to an existing secondary school
- Potential pupil rivalries with neighbouring schools
- Loss of Green Space

Assessment

Principle of Development

The site is allocated for mixed use in the Local Plan comprising of residential use and greenspace with an indicative residential yield of 150 units. If this site were to be used for other purposes then, in theory, these units would have to be provided elsewhere but it should be borne in mind that this proposal is temporary for 2 years in comparison to the Local Plan Period which runs to 2033 and so site allocation MU4 could still come forward as one of the future options for the site within the plan period. Also establishing the significance of this it is important to note that 150 units represents less than 0.7% of the 21,546 net additional homes anticipated during the period 2014 to 2033. In addition, when the Local Plan was being examined, the Council adopted a relatively cautious approach to our windfall allowance (i.e. the number of new homes anticipated to come forward on sites not allocated specifically for residential development). Such windfall development generally involves future brownfield development or conversion of buildings to residential use. The rationale for this conservative approach was in recognition of the fact that, inevitably, not all site allocations would come forward as per the indicative yields. Typically, this will be because landowners may change their minds and decide not to make their land available for residential use or because of constraints are subsequently identified that could not have been foreseen when the Local Plan was being examined. This conservative approach therefore means that, all things being equal, we should still be able to meet the anticipated new additional homes identified in the Local Plan even if sites such as MU4 do not provide the anticipated housing yield. Also a 2 year temporary permission delays rather than prevents site allocation MU4 coming forward at a later stage of the plan period as one of the future development options for the site.

Also since the Local Plan was adopted the Government has proposed changes to permitted development rights to include conversions from business uses to residential this could result in additional windfall development. Accordingly, only limited weight is attributed to the loss of housing capacity as a result of this alternative proposal not least as it is only temporary in nature pending a separate application for a permanent school.

Paragraph 94 of the NPPF notes that Local Planning Authorities should take a proactive, positive and collaborative approach to meeting the requirement of there being a sufficient choice of school places available. Further to this, paragraph 94 also states Local Authorities should “*give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications*”.

Local Plan Policy I2 ‘Educational and Community Facilities’ states ‘we will support the provision of schools, educational facilities and other community facilities. New Schools...should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling and public transport.

The supporting text to policy I2 sets out that one of the borough’s ambitions is to invest in education and skills to support the development of the economy and increase educational attainment. It is important that everyone has access to a good education.

Policy GD2 provides specific support for temporary buildings especially where it can be demonstrated that urgent accommodation is needed pending the completion of a permanent building. In this case, the proposed development of a temporary school is essential in order to provide school places to children from September 2021 onwards, in advance of the completion of a permanent school.

The Secondary School Place Planning Cabinet Report published in December 2018 makes clear that there is a demand for at least 744 additional secondary school places (87 in September 2020 plus 657 places between 2020-27), although noting that with the number of dwellings proposed in the draft Local Plan at the time that this demand could increase to 1,360 secondary places.

Further, the Keresforth Close Barnsley – Free School Proposal Cabinet Report (March 2020) makes clear that the LPA approved the designation of the Keresforth Close site as suitable for a Free School and that the LPA would work with the DfE and Trinity Multi-Academy Trust to deliver the site, subject to planning permission.

Given the comments above, the principle of development of a temporary school is acceptable, given the urgent need for additional school places within the Borough and the national aim of delivering additional school places as identified in the NPPF.

All new buildings must ensure that overall standards of residential amenity are provided or maintained to an acceptable level for existing and future neighbouring residents and land users. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

Design

The proposed building would be located centrally within the site and be constructed of modular units, stacked 2 storeys high, and positioned in a repeat pattern. The units would be painted in light and dark greys.

Given the site is within the North Eastern corner of the existing playing fields, the building would be set back from Broadway and also set in from Keresforth Close. As such, given the modest height of the building and its incorporation of a flat roof, it would not be a prominent feature within the streetscene, in accordance with Local Plan Policy D1. Views of the site are further restricted by the row of trees along the South Eastern and South Western boundaries of the wider site, as well as the level drop from Broadway to the Eastern boundary.

Although set away from the residential development to the South of the site, it would be viewed in the context of the buildings along Keresforth Close, including the 3-storey block on the corner of Broadway and Keresforth Close. As such, the building would not appear isolated. It should also be noted that this building is only temporary for a period of 2 years, the building can simply be removed, and the ground restored after the required period. Any future permanent buildings on or around this site will be assessed on their own merits through future planning applications.

Residential Amenity

The residential properties to the South of the site would be separated from it by the remaining playing fields/green space. There are 13 dwellings off Keresforth Close which have recently been converted from NHS buildings and there is also an apartment block, Keresforth Court, on the corner of Broadway and Keresforth Close. However, again, there is a significant separation distance between the proposed building and the residential properties, in accordance with SPD 'Residential Amenity and the Siting of new Buildings'.

Furthermore, the proposed building is only 2 storeys high with a flat roof, as such, it would be a relatively modest addition. Therefore, it would not significantly increase overshadowing or be an overbearing feature, in accordance with Local Plan policy GD1.

A school would inevitably result in some noise and disturbance, especially during pick up/drop off times as well as break times. However, this site has been earmarked for development in the local plan and is surrounded by relatively dense development. Furthermore, it is immediately adjacent to the Keresforth Centre, a noise generating use, which is significantly larger than the proposed temporary school and would have ceased operations by the time the school opens.

The school is also only proposed for a temporary period of 2 academic years and the first year the school would be at half capacity. In anycase, the school would only be operating during sociable hours during weekdays, as such, any noise and disturbance generated would not be to an unreasonable degree and would maintain residential amenity, in accordance with Local Plan policy GD1.

Highways

As outlined above, vehicular access to the site would be taken from Keresforth Close. It is noted that Keresforth Close is not an adopted highway, however, it is a long-established access to the Keresforth Centre, which is now largely vacant, and also serves Keresforth Court and the 13 residential dwellings which were recently converted from NHS buildings. Future permanent developments on and around the site would likely require the road being brought up to adoptable standards, however, given its current and previous use it is acceptable as it stands to serve the temporary permission, especially as the Keresforth Centre is due to fully close prior to the school opening.

Within the site itself there would be 4 visitor spaces and 2 accessible spaces provided to the West of the building, alongside a turning area. The staff parking and pupil drop-off/pick-up would be provided to the East, making use of the existing, vacant parking areas at the Keresforth Centre which equates to a further 43 spaces, 49 spaces in total across the 2 sites. The existing one-way system in operation at the site will be retained.

SPD 'Parking' requires 2 spaces per staff member and 1 space for every 15 students, in this case that equates to a requirement of 45 spaces, as outlined above 49 are proposed.

The pick-up and drop-off bay will be 2.5m wide allowing for cars to park parallel to the road and then drop students onto the new footpath to the west of the car park. This footpath then connects into the existing footpath along Keresforth Close and then to the school.

NPPF Paragraph 109 states '*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*'. To help understand whether this is the case, a Transport Statement has been submitted alongside the application. The statement assesses the current proposal against the Keresforth Centre, which utilises the same access. The Keresforth Centre is due to fully close in April 2021, prior to the opening of the temporary school in September 2021. The Keresforth Centre provides 6,200sq.m of clinic, care and therapy facilities split across 8 buildings. The proposed school is for 1942sq.m of floor space within a single building.

The Transport Statement concludes that the temporary school, when fully occupied, would result in a positive (reduction) of trips across the PM peak and typical school PM peak periods, as well as throughout the day. There is a net increase predicted during the AM peak hour period, in comparison to the Keresforth Centre, but the expected level can be accommodated on the local highway network without detriment to the operation of the network or highway safety.

The Councils Highways team have stated their preference for a detailed Transport Assessment rather than a Transport Statement as this would have included an operational assessment to fully understand the existing and future operation of the transport network. However, it should be noted that the school plans a phased intake of pupils with only 180 pupils due in September 2021. The site would not be fully operational or fully occupied until September 2022 and that would only be for 1 academic year until a permanent solution is agreed.

By the time the school is fully occupied transport improvements would have taken place within the area, namely the gyratory at Penny Pie Park to the North West of the site which links junction 37 of the M1 with one of the principal routes into Barnsley town centre on Dodworth Road and also links to the hospital via Pogmoor Road, as well as the application site via Broadway.

It is acknowledged that there could still be pressure on other junctions within the surrounding area. However, given the urgent need to provide accommodation, that the proposal is temporary and that it has a phased opening, it is accepted that a detailed Transportation Assessment could not have been undertaken within the available timescale. In any case, even if the was available time, accurate surveying would have been difficult given reduced traffic levels on the network due to the impact of the pandemic. Importantly, the opening of the second phase in September 2022 would

coincide with the completion of the nearby Dodworth Road/Broadway gyratory. The absence of a transport assessment nonetheless inevitably create an element of uncertainty but, based on the above, the impact on the highway network would be not considered unacceptable or severe.

It should also be noted that this site was allocated for a mixed-use development (MU4), including up to 150 dwellings during the local plan process, as such, it has been identified that development in and around this site, including traffic generating schemes, is acceptable in principle.

Granted if an application for a permanent development on the site comes forward, this would be subject to a full Transport Assessment and any necessary improvement works and mitigation measures would be identified and considered under that application. This temporary application would not set a precedent as each application has to be assessed on their own individual merits.

Highways identified some areas in the application where further clarity was required, they agreed that these details could be dealt with via condition and have recommended suitably worded conditions to attach to the permission.

Other Matters

Loss of Playing pitches/Greenspace

The proposed development would result in a temporary loss of 0.9ha of playing pitches as well as part of an area identified as greenspace. Sport England's Playing Field Policy makes clear that any loss of playing field land which does not meet one of their exceptions is considered to be unacceptable and would result in an objection from Sport England to a planning application.

Although the proposal is not included in the exceptions, it should be noted that the Playing Field Policy is intended to address developments which would result in a permanent loss of playing field land, and not necessarily temporary loss which would be outweighed by the future reinstatement of those playing fields.

Sport England have been heavily involved during pre-application discussions where they raised no objections in principle with the temporary loss of part of the playing field. This has further been confirmed through their consultation on the planning application where again no objections were raised, subject to suitably worded conditions.

The proposal will result in the temporary loss of land identified as playing fields and greenspace but on the basis that an extensive area of land will still be available for community use, and the fact that the scheme will bring with it clear benefits in terms of meeting the need for school places, it is considered that the proposal does not conflict with Policy GS1 and is acceptable under the terms of Policy GD2.

Furthermore, Sport England gathered the views of a number of National Governing Bodies for sport including the Football Foundation (FF), the Rugby Football Union (RFU) and England Cricket Board (ECB). All of the bodies confirmed that they were not currently using the playing field and raised no objections to the temporary loss.

Ecology

The applicant has submitted an Ecological Impact Assessment alongside the application. The report concludes that the proposed temporary development would

not significantly affect ecology. The report does outline a number of mitigation measures which will be conditioned.

Trees

The proposal only requires the removal of a small area of trees which encroach into the site. The nature of this group means that the removals will only have a very limited impact on the amenity of the group due to the relatively small size of the specimens to remove and the retention of those trees behind them.

The trees will require protection during the works. A full arboricultural method statement is not required in this instance as the works within the rooting areas will only be re-surfacing existing hard standing areas and as such the barrier details and a tree protection plan will suffice in this instance. Suitably worded conditions will be recommended for the required information to be submitted and approved.

Public Right of Way

There is a recorded public footpath running at the bottom of the banking between the temporary school building and parking area, however, this is not directly affected by the proposals.

The footpath is identified as heavily overgrown and not having been used for several years. Regardless of this, it is still a recognised public right of way as such an informative will be added to alert the developer that no new obstructions should be introduced, nor any works done that would prevent safe access onto the footpath at any time.

A long-term plan for the footpath will be required as part of any permanent development proposals at the site – either to improve the footpath in its current location or else formally divert it onto a new alignment.

Mining

The applicant has provided a coal mining risk assessment. The report indicates the potential for mining legacy risks such as ground instability and potential fugitive gas migration due the presence of shallow coal mine workings and a mine entry.

The report recommended intrusive ground investigations and gas monitoring to confirm the ground conditions so that a remediation strategy can be formulated. Such a ground investigation has recently been undertaken and this has identified a requirement to cap mine entries and consolidation of mine workings by grouting through suitable foundation design.

A suitably worded condition is therefore recommended to ensure such works are undertaken prior to the temporary units being brought onto the site.

Conclusion

The need to provide additional secondary school places across the central planning area attracts great weight, particularly in the context of a lack of alternative sites being available. The DfE has committed to meeting need initially by allowing the Multi Academy Trust to establish a temporary school on the application site. In contrast, the site-specific local plan policy, which identifies the site as a mixed-use allocation, and the concerns expressed by Highways regarding the absence of a Transport

Assessment only attract modest weight, especially taking into account that it is only temporary in nature pending a separate application for a permanent school which would need to address fully the issues associated with the loss of the allocation site for 150 dwellings and 3.25ha of playing pitches from the Local Plan. In light of this and taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of a temporary planning permission for the scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

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

Recommendation

Grant temporary planning permission subject to conditions

1. The temporary school hereby permitted shall be discontinued, the buildings removed and the land restored to its pre-development state prior to the 2023/2024 academic year.

Reason: In the interests of the visual amenities of the locality, residential amenity and highway safety, in accordance with Local Plan Policies D1, GD1 and T4.

2. The development hereby approved shall be carried out strictly in accordance with the plans (Nos L200357-102-B, L200357-301-A, L200357-701-A, WBA-NB-00-DR-A-PL-101-P1, WBA-NB-00-DR-A-PL-102-P1 & WBA-NB-00-DR-A-PL-103-WIP) and specifications as approved unless required by any other conditions in this permission.

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

3. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

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

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

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

5. No development shall take place on the proposed building unless and until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The

scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the proper drainage of the area

6. The site is located within a Coal Authority coal mining referral area due to the probable presence of shallow coal mine workings and a mine entry. As detailed in the Waterman coal mining risk assessment ref WIE17125-100-TN-001, dated Dec2020, the land could therefore be at risk from mining legacy risks such as ground instability and fugitive gas migration.

Prior to the commencement of development, and as advised by a suitably qualified engineer, intrusive site investigations must therefore be undertaken to evaluate ground conditions. The site investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication C758D "Abandoned Mine Workings Manual" where applicable.

A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner"

Reason- In accordance with Land stability NPPF sections 178 a,b,c. 179 and 170 e & f

7. No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. A survey of the extent, scale and nature of contamination.
2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
3. An appraisal of remedial options, and proposal of the preferred option(s).
4. A remediation statement summarising the works to be undertaken (if required).

A Validation Report to confirm remediation works have been undertaken (if required) must be submitted prior to occupation.

The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Local plan Policy CL1 'Contaminated and Unstable Land'.

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

Tree protective barrier details
Tree protection plan

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality, in accordance with Local Plan Policy D1 and SPD 'Trees and Hedgerows'.

9. The development shall be carried out in accordance with the mitigation measures set out in section 5 of the Ecological Impact Assessment (Ref: WIE17125-105-R-1-1-3-EcIA). The measures shall be complete prior to the occupation of the building and retained as such for the life of the development.

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

10. 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:

- 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. Measures to prevent mud/debris being deposited on the public highway.

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

11. 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.

12. The Development hereby permitted shall not be occupied until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The 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.

13. Prior to first occupation of the development hereby permitted, details for the provision of electric vehicle charging points shall be submitted to and approved in writing by the LPA. These EVCP's shall be installed in accordance with the approved details prior to first occupation of the development and retained thereafter available for that specific use.

Reason: In interests of promoting sustainable travel opportunities and in accordance with SPD 'Sustainable Travel'

14. Within six weeks of first occupation, a detailed school travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of measures / initiatives to be introduced to encourage sustainable travel to and allow for regular monitoring and reporting to be undertaken. The plan shall be fully implemented in accordance with the approved details thereafter.

Reason: To support sustainable transport objectives in accordance with Local Plan Policy T3 - New Development and sustainable Travel.

15. Within 26 months of the date of this permission, the following documents shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England:

- A) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the reinstated playing field as shown on plan titled 'Site Location Plan', revision P1, dated 10/12/2020, which identifies constraints which could affect playing field quality; and
- B) Based on the results of the assessment to be carried out pursuant to A above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a timetable/programme of implementation, including details of the maintenance and management.

The approved scheme shall be carried out in full in accordance with the approved details and approved timetable/programme of implementation. The playing field shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the approved details.

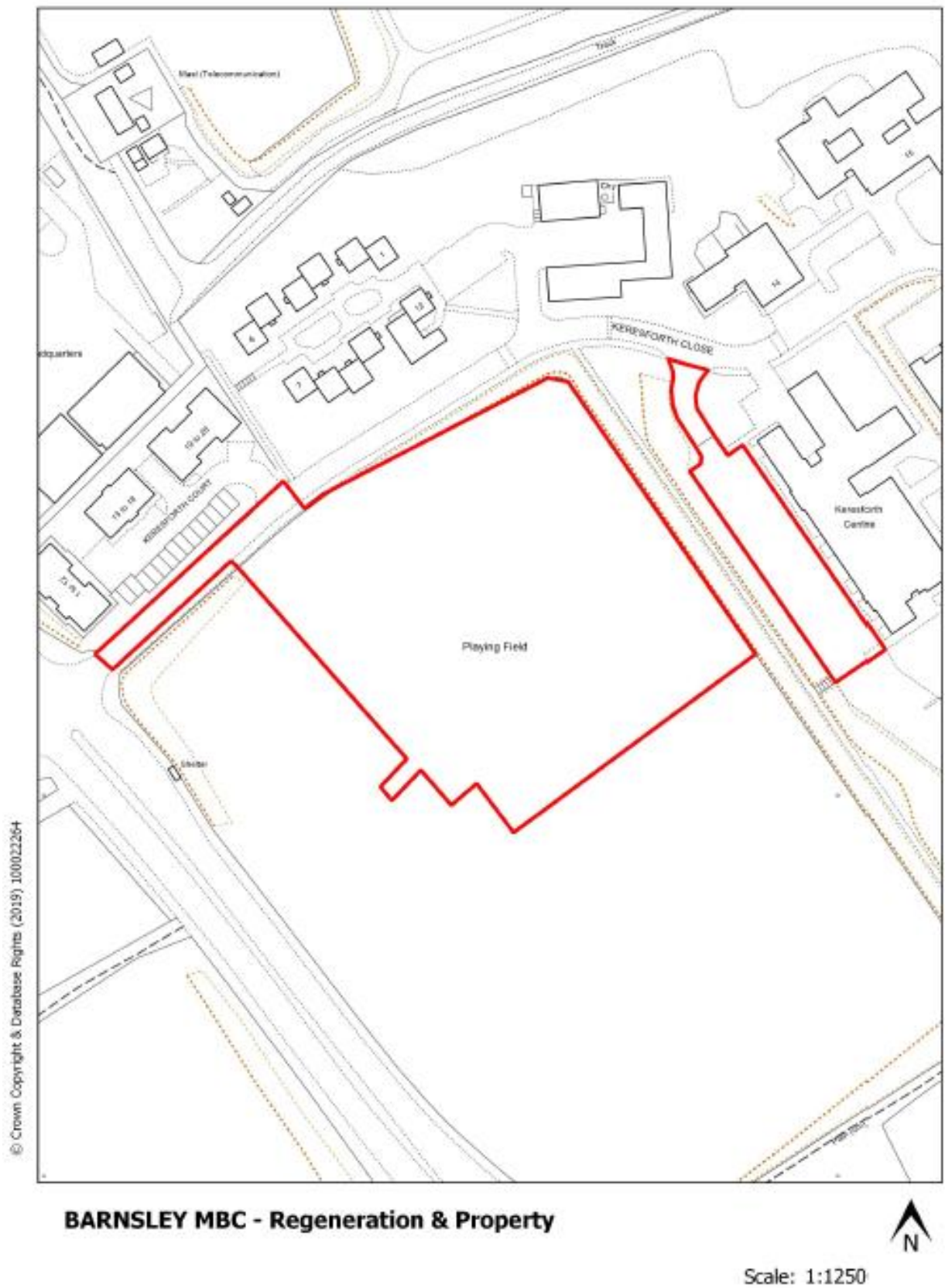
Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy GS1.

16. Within 26 months of the date of this permission, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy GS1.

PA Reference:-

2021/0015



2019/1530

Applicant: Saul Homes

Description: Residential development of 36 no. dwellings and associated works including associated garages and parking.

Site address: Land at Hall Gardens, Brierley, Barnsley, S72 9HT

Site Description

The site is to the north east of Brierley Village Centre. It currently consists of an agricultural field and area of greenspace, which has been added during the application process. The site overall is 2.02ha, relatively level and broadly rectangular in shape. There are several trees on the site, with a number protected by TPO's and there is some hedgerow along the northern and north-eastern edges.

There are public rights of way to the northern and southern boundaries, a bridleway running along the northern edge and a footpath linking Church Street and Holy Grove along the southern edge. There is also a hedge along the southern edge of the footpath, but this is outside the boundary.

The site is located to the rear of Hall Gardens, a recent residential development adjacent Brierley Hall. The Primary School is located to the south and houses along Spa Well Grove bound the site to the east. The northern edge of the site opens on to fields.

The site is within the Brierley Conservation Area and close to Brierley Hall, which is to the south-west of the site and is a Grade II listed building.

Proposed Development

This application is for a residential development of 36 units. These are proposed to be a mix of dwellings made up of the following:

- 3 x two bed houses
- 16 x three bed houses
- 10 x four bed houses
- 4 x two bed bungalows
- 3 x three bed bungalows

The site is laid out around a main spine road running south east to north west with some smaller roads and private drives spurring off this road. There is a new area of greenspace adjacent the access and Hall Gardens at the western edge of the development as well as a large L-shaped area of greenspace to the south east. Dwellings are orientated to front onto the greenspaces.

Access is from Hall Gardens to the south west. As there is a land level change between this site and the development site there will be a need to alter levels on the development to grade into this access.

Some trees are required to be removed as part of the development, however, in the main the majority will be retained.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight

for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

The site is located within Brierley which is identified as a village in the settlement hierarchy. The Local Plan states that villages vary in size from larger villages to small hamlets but are generally characterised by a more limited range of services and public transport compared with Urban Barnsley and the Principal Towns.

Site Allocation: HS95 Land at Hall farm, Church Street, Brierley – Indicative number of dwellings 29

Development is expected to:

- Retain the mature on-site trees and protect them from development;
- Retain and manage the intact hedgerow forming the north wester and north eastern boundary; and
- Respect the historic setting of the Brierley Conservation Area and Brierley Hall by use of appropriate site layout, sympathetic design and materials.

SD1 'Presumption in Favour of Sustainable Development'.

GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.

LG2 'The Location of Growth' sets out the priority given to development by location with villages at the lowest after Urban Barnsley and Principle Towns which are expected to accommodate significantly more growth.

E7 'Loss of Local Services and Community Facilities in Villages'

H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546

H2 'Distribution of New Homes' states 4% of new homes to be built outside of Urban Barnsley and the Principle Towns.

H4 'Residential Development on Small Non-allocated Sites'

H6 'Housing Mix and Efficient Use of Land' proposals for residential development are expected to include a broad mix of house size, type and tenure and a density of 30 dwellings per hectare is expected in the villages.

H7 'Affordable Housing' seeks 10% affordable housing in this area on sites over 15 units.

T3 'New Development and Sustainable Travel'. New development should be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

GS1 'Green Space' requires new development to provide or contribute towards green space in line with the Green Space Strategy. Proposals that result in a loss of greenspace will not normally be

allowed unless (amongst others) an appropriate replacement green space of improve or equivalent quality, quantity and accessibility is provided that will outweigh the loss.

GS2 'Green Ways and Public Rights of Way' seeks to protect rights of way from development.

HE1 'The Historic Environment'

HE2 'Heritage Statements and general application procedures'

HE3 'Development affecting Historic Buildings'

HE6 'Archaeology'

BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

I2 'Educational and Community Facilities'

SPD's

- Design of Housing Development
- Parking
- Open Space Provision on New Housing Developments
- Sustainable Travel
- Financial Contributions for Schools
- Trees and Hedgerows
- Affordable Housing
- Biodiversity and Geodiversity
- Planning Obligations

Other

South Yorkshire Residential Design Guide

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.

Consultations

Affordable Housing – There is a requirement for 10% affordable housing in the area and we would seek 2 x 2beds, and 2 x 3 beds.

Air Quality – 1 Electric Vehicle Charging Point should be provided per dwelling, this can be secured through condition.

Biodiversity – There are some concerns with the ecology report as submitted and the applicant has not demonstrated that there will be no net loss of biodiversity. However, the retention of the hedgerow is welcomed, and a condition can be added to ensure additional biodiversity mitigation is secured on site through the detailed landscaping. A Bat Roost Survey is required to ensure there are no bat roosts present in the trees to be removed.

Design and Conservation Officer – Regarding the changes between the original and revised layout I can confirm the differences are significant and welcomed. The revised open space arrangement to the east certainly opens up the overall grain of the development. Whilst the layout at the north end of the site does remain similar. the central and eastern part of the site is much more open. Houses address the open space directly and I feel this is a distinct improvement. In terms of the setting of the listed building, and the conservation area I agree this is an improvement and I do not object to this new revised layout.

Drainage – No detail is provided regarding drainage, however the site is well served by sewers therefore no objections subject to a condition requiring further drainage details.

Education – There is a requirement for a contribution to address a shortfall in school places at both Primary and Secondary schools. This should be secured through a S106 Agreement.

Forestry Officer – There has been poor management of the trees on site and the majority of trees being removed are in a poor or damaged condition as a result of this and livestock damage. This is regrettable but their retention cannot be insisted on. The removal of the Lime tree T26 is objected to as there is no physical reason to remove this tree. However, balanced against this, it is accepted there are benefits to the scheme associated with bringing an unmanaged site back into formal management.

Highways – Initial concerns with the layout have been addressed through the submission of an amended scheme. No objections subject to conditions.

Pollution Control – No objections but requested noise and dust considered as part of the construction method statement. This can be secured through condition.

PROW - There is a public bridleway running around the boundary of this site. The bridleway has a recorded width of 9 feet / 2.75 metres. The bridleway is separated from the development by a hedgerow and provided that there is no encroachment, the site does not appear to affect the right of way.

Superfast South Yorkshire – Request a condition securing high speed broadband.

SYAS – The Geophysical Survey is welcomed, and some further trial trenching can be conditioned.

SYMAS – No objections, the site is not in a coal mining referral area and the Geo-Environmental confirms the site is not at risk from legacy issues.

Yorkshire Water – No objections subject to conditions securing detailed drainage.

Representations

The application was advertised initially in February 2020 by a press notice, site notice and neighbour letters. 8 letters were received raising the following concerns:

- Concerns that the entrance to the existing housing estate is too narrow and cannot sustain additional traffic.
- Concern that there will be a negative impact on the Listed Brierley Hall and the current housing scheme which has been sensitively designed to complement the setting of the listed building.
- Loss of protected trees
- Impact from overlooking and overbearing development
- The site is in a conservation area
- Impact on habitats and wildlife
- Loss of greenspace
- Impact on the village from increased traffic
- Development should be at the edges of the village not in the middle.
- Services in the village cannot support more houses
- Will the footpath be kept?
- The community consultation document does not demonstrate that engagement has been taken seriously and residents' concerns fully considered
- No information on construction impacts
- Insufficient information on the transport impacts especially construction traffic and sustainable travel
- Impacts on residents off Spa Well Grove from traffic entering the site, this is worse because of the levels
- The change in levels on the site will cause surface water to flood on to existing properties
- The mitigation hierarchy needs to be followed in relation to biodiversity
- Trees should not be removed and the development is designed to their detriment
- Support to Brierley Residents Group and their efforts to green the village, looking at the southern part of the site

A second round of consultation was undertaken in December 2020, following amendments to the plan and red line. A total of 10 comments were received, raising the following:

- The access into the site isn't wide enough for two cars.
- There is already issues with teenagers congregating on the greenspace late at night, will the gap between the new houses and the existing ones be blocked to stop them gathering there?
- Objecting to the loss of green space which the resident's group have been trying to make into an educational and community project.
- Accept that some plots have moved further away but there is still concern with overlooking.
- The village does not need more houses and there are too many proposed on the site with issues of overlooking
- There are already too many developments in the village with many unfinished and inappropriate for the conservation area.
- Objecting to the removal of trees, particularly healthy ones
- There shouldn't be 3 storey houses on the site.

In addition to the above concerns the following has been raised:

Properties on the original phase were mis-sold because residents were told no building would occur on the greenspace at the back. – unfortunately, this is a private legal matter between the residents and the developer and is not a planning issue.

Object to the sale of the public land by the Council and its loss as a community facility. Why wasn't it advertised and sold for market value? – again this is not a planning matter and can be referred to the Council's Estates Team.

Assessment

Principle of Development

Most of the site is allocated in the Local Plan for housing under policy HS95 where residential development is acceptable in principle. Policy HS95 sets an indicative yield of 29 houses and the following requirements for new development:

Development is expected to:

- Retain the mature on-site trees and protect them from development;
- Retain and manage the intact hedgerow forming the north western and north eastern boundary; and
- Respect the historic setting of the Brierley Conservation Area and Brierley Hall by use of appropriate site layout, sympathetic design and materials.

In addition, part of the site is greenspace with Local Plan Policy GS1 applying. This protects greenspace from development unless, an appropriate replacement greenspace of equivalent or improved quality, quantity and accessibility is proposed which would outweigh the loss.

The layout originally proposed, was limited to the allocated housing site HS95 and was unacceptable because it was overly dense which impacted negatively on the setting of the Listed Brierley Hall and the proposed houses were located too close to trees and existing residential properties around the edges of the site. In addition, the layout turned its back on the greenspace to the south, an area which already had issues with antisocial behaviour and was not well overlooked with very limited natural surveillance.

This inclusion of the adjacent greenspace in the revised scheme is the result of negotiations with the applicant as well as discussions with the Council's Parks department and Estates, whereby it was established that the greenspace to the south is not accessible by vehicles making it difficult to maintain or manage appropriately. The amended layout replaces the greenspace lost, with some retained and additional provided on the wider site. In addition, it is now overlooked and fully accessible, making it safer and easier to maintain and manage appropriately. This addresses the requirements of Policy GS1 and will secure long term benefits for Brierley because the greenspace on site is public space accessible to all.

It is noted that residents and Ward Members have highlighted, through the consultation process, that there is a Brierley Residents Group operating in the area who had been progressing a community garden project on the site last year. This has suffered delays due to the current Pandemic. The applicant has agreed to work with the Local Residents Group and allow them access to part of the greenspace on site to manage as a community project. This can be secured through further discussion and the Legal Agreement.

The amended site layout also addresses other concerns leading to a better form of development which complies with Policy HS95. This is addressed in more detail in the assessment below.

Residential Amenity

The site layout as amended allows increased separation distance between existing properties on Spa Grove where these back onto the site. All the proposed houses along this boundary are two storey, set at an angle to the existing properties and exceed the minimum separation distances with circa 28m allowed when measured back to back. Separation distances with the existing houses on Hall Gardens also exceed the minimum separation distance requirements and the level change here reduces the impact further. Finally, trees located along the boundaries, are largely retained ensuring existing screening remains, reducing the impact of the new dwelling further.

Plot 19 remains close to the rear of No.22 Spa Well Grove. However, it is located side on to this property and is set forward of it so that the open aspect to the rear of the existing house is largely unaltered, looking over the garden of plot 19 to the fields beyond. There is some potential for overlooking of plot 19's garden by the existing house but this would be known to buyers. Permitted development rights can be removed from the proposed to ensure the impact of any future extensions is fully assessed.

The proposed new dwellings comply with the internal space standards and gardens are sufficient to meet the external amenity space requirements as set out in the Design of Housing Development SPD and the South Yorkshire Residential Design Guide.

Taking account of the above the impact on residential amenity is accepted to comply with Local Plan Policies D1 and Poll1.

Visual Amenity

It is accepted that the site is currently open, being greenspace and a field, therefore the development of it for residential will inevitably have some negative impact.

Nevertheless, the proposed development is a continuation of the existing housing scheme adjacent to Brierley Hall and is designed by the same house builder. This has the benefit of ensuring the continuation of the same design quality and character in this part of the Conservation Area and the setting of Brierley Hall.

There is a good range of housetypes with 15 different designs; this is particularly good for a scheme of this scale. They are mostly two storey houses with 7 bungalows and only 3 being 2.5 storeys. These are located at the entrance into the site, adjacent to some existing 2.5 storey houses. The house types and design are similar to those on the existing site with simple window and door details, vertically aligned and the use of a mix of brick and stone detailing.

The layout as amended is less dense overall, giving a more open feel to the development. This has been welcomed by the Conservation and Design Officer as has the improved relationship with the greenspaces on site which are now overlooked with houses fronting onto them. This has addressed concerns with the impact on the setting of the Conservation Area and Listed Brierley Hall.

Therefore, the proposed is acceptable in terms of visual amenity as assessed in accordance with Local Plan Policy D1 and the accompanying SPD Guidance and Local Plan Policies HE1 and HE3 with respect to the impact on the Listed Building.

Trees and hedges

The trees on site are, in the main, large mature specimens, however these have not been maintained in the best of condition with apparent livestock damage to many of the trees which has unfortunately rendered some of the larger protected trees unsafe along with several having major defects which massively limit their long term retention prospects. Several of these are requested for removal as part of the scheme and regrettably their impaired conditions mean that their retention could not be insisted on.

The removal of the Lime Tree T26 is a concern as it is not as physically impaired as some of the other species. However, this has come about due to the revision in the layout and the inclusion of the existing greenspace into the scheme. The loss of this tree enables the provision of housing looking over the greenspace to the benefit of surveillance of this area. Whilst the loss of the tree is regrettable, it is accepted that the scheme and its benefits as a whole must be looked at including the subsequent management of what was previously a space that could not be easily accessed by vehicles for maintenance or upkeep purposes.

In terms of the landscaping a landscape masterplan has been submitted. The species have been put forward as 'suggested species' are not acceptable in the main as those trees which have been or would be removed need to be replaced on a like for like basis where this is appropriate/desirable. In addition, the direct replacement of protected trees to be removed must be provided for. However, this can be secured through a suitable condition.

On balance the impact on trees will be neutral as although some trees will be lost, including the Lime Tree, this can be mitigated to some extent through replacement planting and there are benefits of bringing the site under appropriate management. This is acceptable under Local Plan Policy BIO1.

In terms of the hedges, the allocation policy requires the retention of the existing hedgerow on the north-western and north eastern boundaries which the revised scheme does. A condition is recommended to secure this and its future management.

Ecology

The applicant has submitted an ecology survey which states that the majority of the site is poor semi-improved grassland with low ecological value. The main wildlife value is in the trees and hedges. The Council's biodiversity officer has welcomed the retention of the hedges but has requested further on-site ecological improvements. The ecology recommends the integration of bat and bird boxes into the scheme as part of the improvements and the scheme itself proposes new tree planting. These and further improvements, can be conditioned, to ensure that the biodiversity impacts are adequately mitigated.

Highways

Initial concerns with the layout and maneuvering within the site have been addressed and the proposed is acceptable subject to conditions. The access into the site is considered acceptable and sufficient off-street parking is provided for the proposed dwellings. No objections are raised by the Highways Officer in relation to the access and the proposed is in compliance with Local Plan Policy T4.

S106 Agreement

Based on the current layout and mix of dwellings, assessed against the formulae in the published SPD's the following contributions would be required: -

Affordable Housing – 10% is required onsite.

Education – A contribution towards providing 8 primary and 5 secondary school places is required equating to £208,000

Sustainable Travel – Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel, where levels of accessibility through public transport, cycling and walking are unacceptable. Using the formulae in Appendix C of the SPD the figure required is £27,000. In addition, EV charging points would need to be conditioned for each dwelling as would cycle storage.

Greenspace – the site layout as proposed meets the requirement for informal greenspace onsite. However, in accordance with Local Plan Policy GS1 and the accompanying SPD there is a requirement both for a compensatory payment to offset the loss of greenspace (based on the whole site area, less the land retained as greenspace) and towards improvements to children's play space and formal recreation off site. This equates to £255,230 and is broken down as follows:

- £58,176.25 towards offsite improvements
- £197,053.77 compensation.

The applicant has provided a viability assessment for the development which has been assessed independently on behalf of the Council. It has been accepted that the site is not viable to deliver a policy compliant scheme. The total pot has been agreed to be £267,000 with no affordable housing achievable. Whilst most allocated sites are viable based on assessment undertaken during the Local Plan process, this site was added in late in the Local Plan process and as such there was less time available to rigorously test the viability of the site compared to those that were initially put forward. Therefore, in this case, entering into negotiations has been deemed appropriate in accordance with Local Plan Policy I1. The applicant can meet the education and sustainable travel requirements with £32,000 remaining which can be put to greenspace improvements within the area. Furthermore, the inclusion of the existing greenspace within the scheme allows the better management and upkeep of this area and, as has already been stated previously, the applicant has also agreed to work with the local Brierley residents Group to utilise part of the greenspace as a community project. These aspects should help to positively improve the upkeep and use of the existing greenspace which helps to provide some mitigation against the loss of monetary funding. Overall therefore, this provides sufficient mitigation in this case and the scheme is considered acceptable

Conclusions

The proposed development is mostly located on an allocated housing site where it is acceptable in principle. The inclusion of the adjacent greenspace into this site has allowed the redesign of the scheme so that the greenspace is overlooked and accessible for maintenance. This addresses an existing issue with this space and secures an overall improvement in greenspace both qualitatively and quantitatively, in accordance with Local Plan Policy GS1. The revised layout is also an improved design which now accords with Local Plan Policy HS95, design Policy D1 and Heritage Policies HE1 and HE3. Overall, these benefits are judged to outweigh the harm as assessed and approval is recommended.

Recommendation

Approve – Subject to a S106 Agreement and conditions:

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

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

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

Site Location Plan SH/HG/00 Rev B
Site Layout SH/HG/01 Rev C
House Type 'Aspen' - SH/ST/06
House Type 'Chestnut' SH/ST/10 Rev A
House Type 'Collingwood' SH/ST/12 Rev A
House Type 'Hawthorne' SH/ST/30 Rev A
House Type 'Holly' SH/ST/46
House Type 'Laurel and Hemlock' SH/ST/36
House Type 'Maple' SH/ST/38
House Type 'Marlowe' SH/ST/28 Rev A
House Type 'Mountain Ash' SH/ST/16 Rev A
House Type 'Mulberry' SH/ST/40
House Type 'Rosewood' SH/ST/42
House Type 'Rowan' SH/ST/22
House Type 'Swaine' SH/ST/24
House Type 'Willows' SH/ST/26 Rev B
Garages SH/ST/32

unless required by any other conditions in this permission.

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. Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policy D1, High Quality Design and Place Making.

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

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

5. Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.

6. Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure compliance with Local Plan Policy I1.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of plot 19, which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.

Reason: To safeguard residential amenity in accordance with Local Plan Policy GD1.

8. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

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

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

The programme and method of site investigation and recording.

The requirement to seek preservation in situ of identified features of importance.

The programme for post-investigation assessment.

The provision to be made for analysis and reporting.

The provision to be made for publication and dissemination of the results.

The provision to be made for deposition of the archive created.

Nomination of a competent person/persons or organisation to undertake the works.

The timetable for completion of all site investigation and post-investigation works.

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

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

10. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage to accord with Local Plan Policy CC3 and CC4.

11. No development shall take place unless and until full foul and surface water drainage details, have been submitted to and approved in writing by the Local Planning Authority.

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3.

12. 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 unless otherwise agreed in writing with the LPA.

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 in accordance with Local Plan Policy T4.

13. Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at Hall Gardens in accordance with details of a completion plan to be submitted and approved in writing by the LPA.

Reason: To ensure streets are completed prior to occupation and satisfactory development of the site in accordance with Local Plan Policy T4.

14. 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:

- 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. Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety in accordance with Local Plan Policy T4

15. 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 in accordance with Local Plan policy T4.

16. No works shall commence on site until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The 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
17. Prior to the commencement of construction works, details of EVCP's shall be submitted to and approved in writing by the LPA. 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 in accordance with Local Plan Policy T3.
18. The gradient of the vehicular access shall not exceed 1 in 12 for the first 5m (or longer if in connection with a commercial development) into the site as measured from edge of the adjacent carriageway.
Reason: In interests of the safety of persons using the access and users of the highway in accordance with Local Plan policy T4
19. No building or use hereby permitted shall be occupied (or use commenced) 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 in accordance with Local Plan Policy T4.
20. Prior to the first occupation of the development hereby permitted, the proposed accesses, driveways, on-site car and cycle parking, and turning shall be laid out in accordance with the approved plan. Driveways and vehicle parking areas accessed from the approved streets must 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 in accordance with Local Plan Policy T4.
21. No building or use hereby permitted shall be occupied (or use commenced) until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption as maintainable at public expense within the site have been submitted to and approved in writing by the LPA. On occupation of the first dwelling (or building) within the site, the streets shall be maintained in accordance with the approved management and maintenance details.
Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4.
22. The development hereby permitted shall not be commenced until an updated addendum Travel Plan has been submitted, approved and signed off by the LPA. The scheme shall then proceed in accordance with the approved plan
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 Local Plan Policy T3.

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

Tree protective barrier details
Tree protection plan
Arboricultural method statement

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Local plan Policy GD1.

24. Upon commencement of development, full details of soft landscaping works, including details of the species, positions and planted heights of proposed trees; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority.

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

25. All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

26. All out of curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

27. Prior to commencement of development, full details of the Ecological Mitigation proposed on site, including a timetable for their implementation and details securing the long term management, shall be submitted to and approved in writing by the Local Planning Authority. This shall include retention and enhancement of the existing hedgerow along the northern and north-eastern boundary of the site. The development shall be implemented in accordance with the approved details.

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

PA Reference:-

2019/1530



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Item 6

BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

01 to December to 31 January 2021

APPEALS RECEIVED

13 appeals were received in December 2020 and January 2021

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
20190689	Erection of 9 dwellings and associated access, landscaping Land South of New Smithy Avenue, Thurlstone, Sheffield, S36 9QZ and infrastructure.	Written Reps	Committee
2019/0690	Application for the approval of reserved matters for 21 dwellings pursuant to outline planning permission ref 2017/0088 appearance, layout, scale and landscaping. Land South of New Smithy Avenue, Thurlstone, Sheffield, S36 9QZ	Written Reps	Committee
2019/1340	Erection of 2 storey detached dwelling with off-street parking and ancillary works Land adjacent 4 Mount Crescent, Hoyland, Barnsley, S74 0HG	Written Reps	Delegated
2020/0239	Variation of condition 2 (approved plans) of planning permission 2018/0269 -Demolition of existing stables and hayloft and erection of detached dwelling 1A Hopwood Street, Barnsley, S70 2BW	Written Reps	Delegated
2020/0373	Erection of two storey side/rear extension 15 Bramham Croft, Darfield, Barnsley, S73 8BE	Written Reps	Delegated
2020/0558	Erection of 2no dwellings and associated works (Outline with all matters reserved apart from means of access). Hartgan House, Pinfold Lane, Royston, Barnsley, S71 4PQ	Written Reps	Delegated
2020/0670	Construction of overspill car park and access track. Spicer House, Spicer House Lane, Ingbirchworth, Barnsley, S36 7GG	Written Reps	Delegated
2020/0697	Erection of detached outbuilding including double garage to rear/side of dwelling. 1 Hunters Cottage, Pogmoor Lane, Pogmoor, Barnsley, S75 2JS	Written Reps	Delegated
2020/0877	Upgrade of existing 48 sheet advert to support digital poster 32 Summer Lane, Barnsley, S70 6BN	Written Reps	Delegated
2020/0984	Two storey side and single storey front extension to dwelling 5 Calverley Gardens, Wombwell, Barnsley, S73 0DT	Written Reps	Delegated
2020/1059	Replacement of existing paper and paste advertisement with digital advertisement board. Land at Grange Lane, Stairfoot, Barnsley, S71 5QQ	Written Reps	Delegated
2020/1077	Update of existing 48-sheet advertising display to a 48-sheet digital advertising display 20B Racecommon Road, Barnsley, S70 1BH	Written Reps	Delegated

APPEALS WITHDRAWN

0 appeals were withdrawn in December 2020 and January 2021

APPEALS DECIDED

7 appeals were determined in December 2020 and January 2021

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2020/0657	The erection and display of a freestanding 48-sheet digital LED advertising unit Land at Wakefield Road near Smithies Lane, Barnsley, S71 1NG	Dismissed 08/12/2020	Delegated
2019/1574	Conversion of former public house into 10 no. Flats. The Goldthorpe Hotel, Doncaster Road, Goldthorpe, Rotherham, S63 9JA	Dismissed 15/12/2020	Delegated
2020/0622	Erection of detached garage (part retrospective) 343 Darton Lane, Mapplewell, Barnsley, S75 6AW	Dismissed 18/12/2020	Delegated
2020/0492	Rendering to front elevation of dwelling. 24 Field Drive, Cudworth, Barnsley, S72 8RH	Dismissed 17/12/2020	Delegated
2020/0573	Erection of outbuilding for use as a Dog Grooming Parlour in rear garden 157 Wilthorpe Road, Redbrook, Barnsley, S75 1JQ	Dismissed 07/01/2021	Delegated
2020/0354	Single storey extension to front and first floor extension to side. 9 Haldane Close, Brierley, Barnsley, S72 9LL	Allowed 15/01/2021	Delegated
2020/0984	Two storey side and single storey front extension to dwelling 5 Calverley Gardens, Wombwell, Barnsley, S73 0DT	Dismissed 28/01/2021	Delegated

2020/2021 Cumulative Appeal Totals

- 31 appeals have been decided since 01 April 2020
- 27 appeals (87%) have been dismissed since 01 April 2020
- 4 appeals (13%) have been allowed since 01 April 2020

	<u>Audit</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
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 Determination
7	2019/0712	Change of use of dwelling (use class C3) to a mixture of a dwelling and a venue for wedding/civil ceremonies, seasonal events and afternoon teas (use classes C3, A3 and Sui Generis) The Hawthorns, Keresforth Hall Road, Kingstone, Barnsley, S70 6NG	Dismissed 01/07/2020	Delegated
8	2019/0769	Extension of garage to enable conversion into residential annex associated with No.7 Hall Close (Listed Building Consent) 7 Hall Close, Worsbrough Village, Barnsley, S70 5LN	Dismissed 13/07/2020	Delegated
9	2018/0380	Erection of 1 residential dwelling and associated infrastructure (Amended Plans) Land to rear of The Greenland Cottage, High Hoyland Lane, High Hoyland, Barnsley	Dismissed 31/07/2020	Delegated
10	2019/0203	Demolition of existing building and erection of 19 no. dwellings and associated access and landscaping A and E White Bakers Ltd., Charles Street, Worsbrough Bridge, Barnsley, S70 5AF	Dismissed 03/08/2020	Delegated
11	2019/1322	Single storey rear extension with a flat roof (Part Retrospective) 31 Croft Close, Mapplewell, Barnsley, S75 6FN	Dismissed 05/08/2020	Delegated
12	2019/1411	Two storey side extension including provision of integral garage 6 Fearnley Road, Hoyland Common, Barnsley, S74 0AU	Allowed 05/08/2020	Delegated
13	2019/1479	Erection of wooden fence (Retrospective) 2 Inglewood, Darton, Barnsley, S75 5NY	Dismissed 05/08/2020	Delegated
14	2020/0213	Erection of digital advertisement board on gable wall FG Tyres and Garage, Race Street, Barnsley, S70 1BY	Dismissed 11/08/2020	Delegated
15	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	Dismissed 12/08/2020	Delegated
16	2019/1453	Erection of two storey dwellinghouse and associated works Land at Station Road, Lundwood, Barnsley, S71 5LD	Dismissed 22/09/2020	Delegated
17	2020/0270	Erection of detached garage/workshop (re-submission) 39 Mayfield, Oxspring, Barnsley, S36 8YN	Allowed 07/10/2020	Delegated
18	2020/0487	Erection of two storey extension to rear of dwelling 26 Harry Road, Gawber, Barnsley, S75 2PA	Dismissed 12/10/2020	Delegated
19	2020/0464	Attachment of insulation boarding to front of property, including front and sides of porch, and rendered an off white colour. 9 Windermere Road, Penistone, Barnsley, S36 8HL	Dismissed 13/10/2020	Delegated
20	2019/1136	Residential development of 4 no. dwellings Garage Site, Martin Croft, Silkstone, Barnsley, S75 4JS	Allowed 13/10/2020	Committee
21	2019/1072	Demolition of existing public house and the erection of a new apartment building comprising 14 no. residential units together with the erection of 2 no. town houses Fitzwilliam Inn, 24 Sackville Street, Barnsley, S70 2DB	Dismissed 21/10/2020	Delegated
22	2019/1415	Loose boxes for agricultural purposes. Land at Thurlstone Road, Penistone, Sheffield S36 9EF	Dismissed 25/11/2020	Delegated
23	2019/1042	Erection of 2 no. detached dwellings The Old Corn Mill, Manchester Road, Thurlstone, Sheffield, S36 9PT	Dismissed 16/11/2020	Delegated

24	2020/0161	Change of use of agricultural barn to dwelling (Prior Notification Change of Use) Land off Hartcliffe Lane, Hillside, Thurlstone, Sheffield, S36	Dismissed 18/11/2020	Delegated
25	2020/0657	The erection and display of a freestanding 48-sheet digital LED advertising unit Land at Wakefield Road near Smithies Lane, Barnsley, S71 1NG	Dismissed 08/12/2020	Delegated
26	2019/1574	Conversion of former public house into 10 no. Flats. The Goldthorpe Hotel, Doncaster Road, Goldthorpe, Rotherham, S63 9JA	Dismissed 15/12/2020	Delegated
27	2020/0622	Erection of detached garage (part retrospective) 343 Darton Lane, Mapplewell, Barnsley, S75 6AW	Dismissed 18/12/2020	Delegated
28	2020/0492	Rendering to front elevation of dwelling. 24 Field Drive, Cudworth, Barnsley, S72 8RH	Dismissed 17/12/2020	Delegated
29	2020/0573	Erection of outbuilding for use as a Dog Grooming Parlour in rear garden 157 Wilthorpe Road, Redbrook, Barnsley, S75 1JQ	Dismissed 07/01/2021	Delegated
30	2020/0354	Single storey extension to front and first floor extension to side. 9 Haldane Close, Brierley, Barnsley, S72 9LL	Allowed 15/01/2021	Delegated
31	2020/0984	Two storey side and single storey front extension to dwelling 5 Calverley Gardens, Wombwell, Barnsley, S73 0DT	Dismissed 28/01/2021	Delegated

BARNSELY METROPOLITAN BOROUGH COUNCIL

SUMMARY OF OUTCOMES - PLANNING APPLICATIONS AGENDA PACKS ISSUED AS BOARD MEMBER CONSULTATIONS IN ADVANCE OF THE PLANNING REGULATORY BOARD MEETING HELD ON 24th NOVEMBER 2020

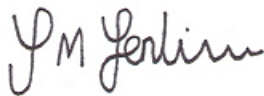
LIST OF APPLICATIONS WITHIN THE AGENDA PACKS:-

<u>Reference</u>	<u>Details</u>	<u>Committee/Delegated</u>
2019/1274	<p>Residential development of 116 dwellings and associated works (Reserved Matters for approval of details relating to layout, scale, design, external appearance and landscaping in relation to application 2018/0103) Land at Kingsmark Way, Goldthorpe</p> <p>Summary of consultation comments received:-</p> <p>1. Comment supporting recommendation</p> <p>Officer response – Comment noted to be in line with Officer recommendation</p> <p>2. Comment acknowledging that Goldthorpe needs developments of this sort to give more diversity to housing stock but disappointed on the lack of affordable housing</p> <p>Officer response – Comment noted and the reduction in affordable housing is acknowledged but this reduction was needed to make the scheme viable, a conclusion of which was backed up by an independent viability assessment.</p>	<p>To proceed delegated for approval in accordance with the officer recommendation and subject to the Section 106 agreement and the conditions set out in the officer report.</p>
2020/0317	<p>Reserved Matters Application for the Residential Development of 23 Dwellings in relation to the matters of Appearance, Landscaping, Layout and Scale. Pursuant to Outline Application 2018/0028 (Access Determined at Outline) Land off Halifax Road, Thurgoland</p> <p>Summary of consultation comments received:-</p> <p>1. Comment received about why the number of dwellings is up from the local plan allocation of 19 to 23.</p> <p>Officer response – The scheme takes on extra land to the allocation and is a reserved matters application with the outline having granted approval for up to 25 dwellings.</p> <p>2. Comment received regarding clarifying Parish Council comments</p> <p>Officer response – As the report states the Parish Council have been involved in discussions on the scheme and the changes were met with their broad approval apart from the distance between the new properties and existing properties on Smithy Hill. However, this distance exceeded the separation distances in the SPD.</p>	<p>To proceed delegated for approval in accordance with the officer recommendation and subject to the Section 106 agreement and the conditions set out in the officer report</p>

	<p>3. Comment received relating to support for the affordable housing being on site and hopeful that local people will be able to take advantage.</p> <p>Officer response – Comment noted to be in line with Officer recommendation.</p>	
2019/0809	<p>Reserved Matters Application for residential development of 360 dwellings (Phase 3) Land North of Lingamore Leys, Thurnscoe</p> <p>Summary of consultation comments received:-</p> <p>1. Comment supporting recommendation</p> <p>Officer response – Comment noted to be in line with Officer recommendation</p> <p>2. Comment related to concerns over drainage of site</p> <p>Officer response – Both Yorkshire Water and the Council's Drainage Section were consulted on the application and raised no objections. A condition was imposed at outline stage requiring that full details of the proposed drainage system be submitted prior to commencement of development. This condition would need to be complied with.</p>	To proceed delegated for approval in accordance with the officer recommendation and subject to the Section 106 agreement and the conditions set out in the officer report
2020/0520	<p>Outline planning application (including access and layout) for clearance of site and re-development for 3 dwellings 43 Barnsley Road, Brierley</p> <p>Summary of consultation comments received:-</p> <p>1. Comment supporting recommendation</p> <p>Officer response – Comment noted to be in line with Officer recommendation</p>	To proceed delegated for approval in accordance with the officer recommendation and subject to the conditions set out in the officer report.
2019/0722	<p>Extension and alterations to the south and west wing of the stable building to provide cafe at ground floor and shop at first floor, with associated porch access route and disabled access lift Cannon Hall Museum, Bark House Lane Cawthorne</p> <p>1. Comment raising no objections to the proposal but requesting that the noise mitigation measures and compliance with Condition 12 are strictly adhered to.</p> <p>Officer response – Comment noted to be in line with Officer recommendation</p> <p>2. Comment raising support for noise mitigation measures but raising concerns over use of private drive and number of parking spaces. Also requests suitable signage to emergency fire door.</p>	To proceed delegated for approval in accordance with the officer recommendation and subject to the conditions set out in the officer report.

	Officer response – Applicants have right of access over private drive and the Council's Highways Section are satisfied that there is enough parking/servicing area provided as part of the application. Additional condition added to ensure emergency fire door is suitably signed and alarmed.	
2019/0740	<p>Extension and alterations to the south and west wing of the stable building to provide cafe at ground floor and shop at first floor, with associated porch access route and disabled access lift (Listed Building Consent) Cannon Hall Museum, Bark House Lane Cawthorne</p> <p>1. Comment raising no objections to the proposal but requesting that the noise mitigation measures and compliance with Condition 12 are strictly adhered to.</p> <p>Officer response – Comment noted to be in line with Officer recommendation</p> <p>2. Comment raising support for noise mitigation measures but raising concerns over use of private drive and number of parking spaces. Also requests suitable signage to emergency fire door.</p> <p>Officer response – Applicants have right of access over private drive and the Council's Highways Section are satisfied that there is enough parking/servicing area provided as part of the application. Additional condition added to ensure emergency fire door is suitably signed and alarmed</p>	To proceed delegated for approval in accordance with the officer recommendation and subject to the conditions set out in the officer report

Signed:



Joe Jenkinson
Head of Planning and Building Control

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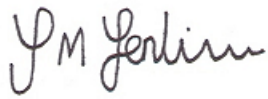
BARNSELY METROPOLITAN BOROUGH COUNCIL

**SUMMARY OF OUTCOMES - PLANNING APPLICATIONS AGENDA PACKS ISSUED AS
BOARD MEMBER CONSULTATIONS IN ADVANCE OF THE DECEMBER 2020
PLANNING REGULATORY BOARD MEETING**

LIST OF APPLICATIONS WITHIN THE AGENDA PACKS:-

<u>Reference</u>	<u>Details</u>	<u>Committee/ Delegated</u>
2020/1335	<p>Installation of 2no external air conditioning condenser units within existing internal courtyard The Cooper Art Gallery, Church Street, Barnsley</p> <p>Summary of consultation comments received:-</p> <p>1. 4 comments received raising no objections to, or indicating support of, the recommendation</p> <p>Officer response – Comment noted to be in line with Officer recommendation</p> <p>2. Comment made from a Member that they were a Trustee at Cooper Galery</p> <p>Officer response – Comment noted.</p>	<p>To proceed delegated for approval in accordance with the officer recommendation and the conditions set out in the officer report.</p>
2020/0633	<p>Erection of 7no dwellinghouses within the curtilage of existing Stonewell House including demolition of outbuilding and formation of access Stonewell House, Balk Farm Court, Birdwell</p> <p>Summary of consultation comments received:-</p> <p>1. 4 comments received raising no objections to, or indicating support of, the recommendation</p> <p>Officer response – Comment noted to be in line with Officer recommendation</p>	<p>To proceed delegated for approval in accordance with the officer recommendation and the conditions set out in the officer report</p>
2020/1251	<p>Erection of 7no. bungalows and associated works Land between Laithes Lane and Laithes Close, Athersley</p> <p>Summary of consultation comments received:-</p> <p>1. . 4 comments received raising no objections to, or indicating support of, the recommendation</p> <p>Officer response – Comment noted to be in line with Officer recommendation</p>	<p>To proceed delegated for approval in accordance with the officer recommendation and the conditions set out in the officer report</p>

Signed:

A handwritten signature in black ink, appearing to read 'J M Jenkinson', written in a cursive style.

Joe Jenkinson
Head of Planning and Building Control