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| MEETING: | Planning Regulatory Board |
| DATE: | Tuesday 26 July 2022 |
| TIME: | 2.00 pm |
| VENUE: | Council Chamber, Town Hall, Barnsley |

AGENDA

1. Declarations of Interest

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

MEETING:

2. Minutes (*Pages 3 - 4*)

To receive the minutes of the meeting held on 5 July 2022.

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. Former Goldthorpe Primary School Site, High Street, Goldthorpe - 2022/0056 - For Approval (*Pages 5 - 16*)
4. The Route of the Disused Railway Line Located Between Wakefield Road/Bar Lane Staincross/Athersley and Lee Lane, Royston - 2022/0364 - For Approval (*Pages 17 - 28*)

Planning Appeals

5. Planning Appeals - June 2022 (*Pages 29 - 32*)

Enforcement

6. Enforcement Update (Q1 2022/23) (*Pages 33 - 44*)

Member Consultations

7. Member Consultation Report - Early July 2022 (*Pages 45 - 48*)

To: Chair and Members of Planning Regulatory Board:-

Councillors Richardson (Chair), Bellamy, Bowler, Cain, Coates, Crisp, Danforth, M. Dyson, Eastwood, P. Fielding, Gillis, Greenhough, Hayward, Leech, Lofts, Makinson, McCarthy, Mitchell, Moyes, Peace, Shirt, Smith, Tattersall, Webster,

White and Wray

Matt O'Neill, Executive Director Growth and Sustainability

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 18 July 2022

| | |
|-----------------|--------------------------------------|
| MEETING: | Planning Regulatory Board |
| DATE: | Tuesday, 5 July 2022 |
| TIME: | 2.00 pm |
| VENUE: | Council Chamber, Town Hall, Barnsley |

MINUTES

Present

Councillors Richardson (Chair), Bellamy, Bowler, Coates, M. Dyson, Eastwood, P. Fielding, Gillis, Greenhough, Hayward, Leech, Lofts, McCarthy, Moyes, Peace, Tattersall, Webster, White and Wray

In attendance

14. Declarations of Interest

There were no declarations of pecunirary and non-pecuniary interest from Members in respect of items on the agenda.

15. Minutes

The minutes of the meeting held on 7th June, 2022 were taken as read and signed by the Chair as a correct record.

16. Land to the North of Dearne Valley Parkway, Gateway 36 Phase 3, Hoyland - 2021/1691 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2021/1691** Erection on 1no. building for industrial (Class E(g)(iii)/B2 or storage and distribution (class B8) use with associated spur road, yard, parking, landscaping and drainage infrastructure (Reserved matters of the outline part of hybrid planning permission 2019/1573 for Phase 3 seeing approval of appearance, landscaping, layout and scale, Land to the north of Dearne Valley Parkway, Gateway 36 Phase 3, Hoyland, Barnsley.

RESOLVED that the application be granted in accordance with the Officer recommendation subject to conditions and an additional condition in relation to the provision of life preservers for the pond area.

17. Land North off Wood Walk, Platts Common - 2021/1150 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2021/1150** Residential development of 83no. dwellings and associated works, Land north off Wood Walk, Platts Common, Barnsley.

RESOLVED that the application be granted in accordance with the Officer recommendation subject to conditions, and additional condition in relation to the submission of a Travel Plan and a Section 106 Agreement (10% affordable housing provision on site, 15% informal open space on site and contributions towards primary and secondary school places, sustainable travel and off site formal recreation and Equipped Children's Play Areas in full compliance with the amounts and formulas set

out in the SPD's and to ensure the required biodiversity provisions to prevent net loss).

18. Land off High Street, Shafton - 2021/0336 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2021/0336** Residential development of 40 dwellings, land off High Street, Shafton, Barnsley.

RESOLVED that the application be granted in accordance with the Officer recommendation subject to conditions and the signing of a Section 106 Agreement.

19. Planning Appeals - May 2022

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2022/23.

The report indicated that 6 appeals had been received in May 2022. No appeals had been withdrawn and 1 appeal had been determined and had been dismissed.

The report also gave the details of cumulative appeals totals for the whole of 2022/23 which indicated that 4 appeals had been determined since 1st April, 2022. Of those, 3 appeals had been dismissed (75%) and 1 appeal (25%) had been allowed.

RESOLVED that the update be noted.

Chair

Item 3

Ref: 2022/0056

Applicant: Mark Warrior – Warrior Developments Ltd

Description: Erection of a 1,979 sq.m (gross) retail unit (Use Class E) with vehicular and pedestrian accesses; parking; hard and soft landscaping; boundary treatments; trolley bay; electricity substation and associated works

Former Goldthorpe Primary School Site, High Street, Goldthorpe, Rotherham, S63 9NQ

Site Description

The application site comprises of a cleared parcel of land that is approximately 1ha in size that is located at the junction of High Street / Doncaster Road in the centre of Goldthorpe. The site was previously occupied by Goldthorpe Primary School. However, following the relocation of the school the buildings were cleared leaving behind a derelict site.

The site lies within Goldthorpe District Centre and there is an ASDA supermarket and residential properties on Market Street to the direct south of the site. The western boundary of the site is formed by High Street, beyond which lies a terrace of retail and commercial properties. Goldthorpe Police Station lies on the opposite side of the High Street / Doncaster Road junction. Doncaster Road forms the northern boundary of the site and the retail and commercial properties located along here form the majority of the primary shopping frontage.

The site is broadly flat and the western and northern boundaries fronting High Street and Doncaster Road are formed by a low level red brick wall with pillars and metal railing infills, although this transitions to a solid brick wall towards the south western corner of the site. Vehicular access to the former school was achieved from High Street and there are also pedestrian access points on both High Street and Doncaster Road

There is evidence of more mature tree and shrub planting to the eastern boundary adjoining St Mark's Methodist Church and the southern boundary with residential properties on Market Street and the ASDA Supermarket. There are also 3 No. Ash trees to the northern boundary of the site adjoining Doncaster Road

Proposed Development

It is proposed to erect a retail unit on the site, in the south-eastern corner with parking arranged to the front and side and access from High Street.

The proposed store will provide 1,979 m² of retail floor space across one level. The building design has a mono pitched roof and is clad white to the sides with grey cladding to the roof. There is full height glazing to the principle elevation, facing High Street which extends around the corner of the building to part of the elevation facing onto Doncaster Road.

Servicing is to the side of the building, adjacent properties backing onto the site from Market Street.

Customer parking accommodates 110 spaces, including 6 disabled bays, 8 parent and child bays and 6 spaces with electric vehicle charging. Access is via High Street for vehicles, and there are various pedestrian routes into the site from High Street and Doncaster Road.

Landscaping is shown around the site boundaries including a buffer around the building itself. The three mature Ash Trees along the Doncaster Road frontage are retained.

A sub-station is proposed on the site, close to the junction of Doncaster Road and High Street.

Planning History

2016/0553 – Demolition of existing school (Prior Notification). Prior approval was granted by the Council 25/08/2016.

2019/0518 - Erection of a 1,394 sq.m (gross) retail unit (Use Class A1) with access, car parking, hard and soft landscaping, trolley bays, electricity substation and associated works - Approved

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. In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision making process.

The site is allocated within the District Centre of Goldthorpe as shown on the Local Plan Proposals Map

Policy 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.

Policy LG2 'Location of Growth' gives priority to Urban Barnsley and the Principle Towns which includes Goldthorpe.

Policy T3 'New Development and Sustainable Travel' looks to promote growth in sustainable, accessible locations.

Policy T4 'New development and Transport Safety' expects new development to provide safe, secure and convenient access and movement.

Policy D1 'Design' sets various criteria against which the design of development will be judged.

Policy TC1 'Town Centres' supports maintaining and enhancing the vitality and viability of the hierarchy of centres.

Other relevant policies include:

Policy TC2 'Primary and Secondary Shopping Frontages'

BIO1 'Biodiversity and Geodiversity'

Policy CC1 'Climate Change'

Policy CC2 'Sustainable Design and Construction'

Policy CC3 'Flood Risk'

Policy CC4 'Sustainable Drainage Systems'

Policy RE1 'Low Carbon and Renewable Energy'

Poll1 'Pollution Control and Protection'

NPPF

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

Consultations

Air Quality – The proposed includes less than 10% of the parking spaces as having EVCP, this is contrary to the requirements of the Sustainable Travel SPD. However, an Electric Vehicle Charge Point and Infrastructure Strategy has been provided which confirms that charge points will be 22kw fast chargers, which exceeds the Councils minimum specification of 7kw mode 3, reducing charging times. In addition, infrastructure will be in place to increase the number of EVCP to cover 20% of parking on the site as demand arises. This is acceptable and the strategy will be included in the list of approved documents.

Biodiversity – No objections subject to conditions and a S106 payment to offset biodiversity impact. More detail in the report.

Drainage – No objections subject to a suitable condition requiring drainage details

Enterprising Barnsley – Support the proposal

Highways – Support subject to the same conditions applied to 2019/0518, including a car park maximum stay to encourage linked trips.

Regulatory Services – The servicing area is close to existing residential properties, giving rise to potential noise issues. Restricted hours for deliveries have been agreed and a Noise Management Plan has been conditioned alongside an acoustic fence. This will mitigate the noise, albeit not remove it.

South Yorkshire Police – No comments

Superfast South Yorkshire – Requested standard condition.

Trees – No objection subject to conditions.

Yorkshire Water – No objections subject to conditions.

Ward Councillors – No comments received.

Representations

The application has been advertised by neighbour notifications to 81 residents. In total 2 comments have been received one raising concerns relating to the existing congestion issues and how the development will make these worse. A second letter is in support, welcoming the proposed development and the potential to improve confidence in the town as well as attracting people to shop there.

Assessment

The site was last used as a primary school. Policy I2 indicates that educational and community facilities would be protected from development unless it can be demonstrated that the site is no longer required by the existing or an alternative community facility. The school has been relocated as part of the Goldthorpe Masterplan which promotes a retail redevelopment on this site. The proposed retail development will secure local shops which are included in the list of community facilities which it is desirable to locate centrally to the communities they serve. The site also has a previous permission for a retail store under application 2019/0518. Therefore, the proposed complies with Policy I2.

The proposed is on a brownfield site in Goldthorpe, which along with Thurnscoe and Bolton on Dearne is identified as a Principal Town within the hierarchy of settlements, with Goldthorpe the main focus for retail investment within the Dearne Towns area. The Dearne Towns are a priority in terms of housing and employment development with a focus on market renewal.

The proposed is located within the District Centre of Goldthorpe as identified on the Proposals Map and as such does not require either a sequential test, or a retail impact assessment. Policy TC1 states that support will be given for maintaining and enhancing the vitality and viability of centres with District Centres having an important role in serving localised catchments and meeting local needs. Retail and town centre developments are expected to be appropriate to the scale, role, function and character of the centres in which they are proposed. The supporting text identifies that Goldthorpe is one of the larger district centres with average vitality and viability. Reference is made to the Goldthorpe Masterplan (2008) for the town and an economic study undertaken at the time which identified that the centre had sufficient retail space and would benefit from consolidation to ensure its future viability and sustainability.

The Goldthorpe Masterplan (2008) has not been adopted as an SPD so can be given only limited weight. However, it is referenced in the Local Plan and includes a vision for this former school site to be redeveloped with a 20,000sq ft (equivalent to 1,858 sq.m) supermarket, to help reduce trade leakage, together with 200 parking spaces, a new public square and a potential outdoor market area. The proposed scheme will deliver more floorspace, being 1,979 sq.m but with reduced parking and no public square. Nevertheless, the layout does include public realm and 110 car parking spaces and as such can be said to be broadly in compliance with the aspirations of the masterplan.

Overall, the proposed retail development is accepted to be appropriate to the scale, role, function and character of Goldthorpe District Centre as it will bring an anchor store to a brownfield site located prominently within the centre attracting shoppers and encouraging linked trips. This is in accordance with Local Plan Policy TC1.

The car parking provision proposed at 110 is within the range set out in the adopted Parking SPD. Furthermore, the applicant has agreed to allow for 2 hours car parking, supporting linked trips between the site and the wider shopping area of Goldthorpe. This can be seen as a benefit of the scheme particularly as other car parks in the area have been lost to development or are limited to 1 hour.

Taking account of all the above the proposed development is acceptable in land use planning policy terms.

Residential Amenity

There are a number of residential properties to the south and eastern boundaries of the site which would be impacted by the proposed development. In particular the servicing area for the store is located in this part of the site and therefore closest to the residential dwellings. This was raised when the previous application was being assessed (2019/0518) and although an alternative layout was sought, the applicant demonstrated that this would be difficult to achieve with the site constraints and as such a precedent has been set in this regard. The applicant has agreed to

restricted hours for deliveries and to provide a detailed Noise Management Plan setting out how noise disturbance will be reduced and managed on the site. In addition, an acoustic fence is proposed along the boundary. These measures will not remove all noise disturbance, however, as this is largely related to deliveries the impact is intermittent and not constant and the proposed measure will help to provide mitigation of the noise impacts. No objections have been received from these residents.

The scale of the store is also a factor, being circa 75m along the rear elevation with a height of 5.1m to the ridge adjacent the rear of Market Street. The applicant has sought to address the requirements of the Residential Amenity and the Siting of Buildings SPD by providing a section on the layout plan which confirms that the building is 16m from the rear elevations of properties on Market Street and achieves the 25 degree rule in terms of access to daylight.

In terms of outlook, it is pertinent to note that along this boundary there is an existing high wall which the applicant is retaining and mature planting which is either being retained or will be replaced and reinforced by the planting of heavy standard trees. This would soften the appearance of the proposed store and the acoustic barrier for residents.

Therefore, the proposed is acceptable in residential amenity terms and accords with Local Plan Policies Poll1, Pollution Control and Protection and D1, Design and the accompanying SPD's.

Visual Amenity

The proposed store design is consistent with modern retail development incorporating a glazed entrance and white and grey composite cladding. Glazing has been incorporated to the side elevation, facing Doncaster Road, which along with the landscaping will create a frontage along this key route. However, the main visual impact of the proposed development can be said to be associated with the large expanse of car parking. The applicant has provided a detailed landscaping plan which includes areas of soft landscaping to all the boundaries. This soft landscaping is a good mix of standard and heavy standard trees, native hedgerows and shrubs and wildflower / grassed areas. Along the northern boundary, with Doncaster Road, a large landscape area is set aside with the 3 existing Ash Trees retained and clearly defined pedestrian routes into the site. This would extend the existing public realm improvement works undertaken to footpaths along this route and further details have been conditioned to ensure that this area ties in well. To the western boundary, the landscaping is less substantial but remains a strong belt of trees, hedgerows and ground cover which creates an attractive entrance into the site.

The substation is located close to the junction of High Street and Doncaster Road which is not ideal, being somewhat prominent. However, direct access is required and there are limited alternative locations as a result. A hedgerow along here will screen it softening the appearance.

Overall, the landscaping proposed would create an attractive development in the Goldthorpe District Centre, where there is currently an empty and unsightly brownfield site. It is therefore, in compliance with Local Plan Policy D1, Design.

Sustainability

The site is previously developed land and is located within the existing District Centre of Goldthorpe. It is therefore located in a sustainable location and complies with the first aspect of Local Plan Policy CC1. The applicant has not provided any specific information with regards to the sustainability of the building but it is accepted that it would comply with the minimum requirements of building regulations in accordance with RE1. Also, a condition would be required achieve a minimum standard of BREEAM 'Very Good' as per Local Plan policy CC2 Sustainable Design and Construction.

In addition, cycle parking is provided, and the Travel Plan sets out how cycling and walking to work will be encouraged. The proposal also includes 6 fast charging points for electric vehicles with the infrastructure to increase provision on the site to 20% of the total spaces as demand arises. This is in accordance with Local Plan Policy T3 Sustainable Travel.

The drainage strategy and flood risk assessment provided confirm that the site is not located in an area at high risk of flooding in compliance with Policy CC3. However, further detail is required in relation to the drainage strategy proposed. This will be conditioned and wherever possible SUDS would be employed in accordance with Local Plan Policy CC1 and CC4.

The proposed scale and mix of landscaping on site has been scrutinised by the Ecology Officer along with the supporting Biodiversity reports and Metric. There is a minor loss of 0.25 units on the site, this relates to the mixed scrub and wildflower meadow areas that have developed since the site was cleared. There is also a substantial net gain of hedgerow units (0.94 units which is 2159.96% gain) proposed as part of the development, however, the rules require like for like replacement and so a contribution is proposed through the S106 to ensure the impact on biodiversity is fully mitigated. The onsite enhancements are secured through appropriate conditions and as the loss is small, in this case, a contribution has been agreed towards off site mitigation. On this basis the proposed complies with the requirements of BIO1 and the accompanying SPD Biodiversity and Geodiversity.

Highways

The proposals have been amended during the application process and now include a reduced number of 110 parking spaces rather than the previously proposed 121 spaces. This is still within the range set out in the SPD: Parking and is therefore acceptable. Swept paths showing a 16.5m articulated vehicle manoeuvring within the site have now been provided and demonstrate that the site layout can accommodate this size of delivery/service vehicle.

The Barnsley Road/Doncaster Road/High Street signalised junction has been assessed using the revised Committed Development flows as requested by our Traffic Signals department. The results show there will be some exceedance in queuing along High Street at peak periods. However, the increase is not severe and coupled with the fact that the assessment is robust, taking in a worst case scenario, it is concluded that the proposals are acceptable in terms of traffic generation and the resultant impact upon the local highway network.

The proposals are therefore considered acceptable from a highways development control perspective subject to appropriate conditions.

Conclusion

The proposed development, located within Goldthorpe District Centre would bring a currently vacant site back into use and secure a national retailer as an anchor store for the centre. The additional car parking with a maximum stay time of 2 hours would encourage linked trips enhancing the vitality and viability of the centre in accordance with Local Plan Policy TC1. The landscaping scheme would also create an attractive edge to the development which would contribute to place making and transform the character of the physical environment in this location. The Officer recommendation is for approval subject to conditions and a S106 Agreement to secure the 2 hour parking limit in the car park.

Recommendation

Grant – Subject to conditions and a S106 Agreement (to secure 2 hour parking limit for the car park and £6,250 to offset biodiversity)

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 1526-105 (p)

Proposed Site Plan 1526-150 (p) Rev E

Detailed Landscape Proposals 3509-2 Rev C

Substation Plans 1526-106 (p)

Proposed Roof and Floor Plan 1526-151 (p)

Proposed Elevations 1526-152 (P)

Electric Vehicle Charge Point and Infrastructure Strategy (REV A)

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 the design and specification of the acoustic fence shall be provided to the Local Planning Authority and agreed in writing. The approved fence shall be installed in the position as indicated on the "Technical Memorandum Re: Update of noise assessment for former Goldthorpe Primary School, High Street, Goldthorpe, Barnsley, S63 9NQ", produced by Echo Acoustics, dated 11 January 2022 and retained for the lifetime of the development.

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 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.

5 Prior to the commencement of development a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall detail measures to ensure noise associated with the development is reduced. The agreed Plan shall be displayed in the deliveries area of the store.

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

6 Deliveries shall be only take place between the hours of 08:00 - 18:00 Monday to Friday inclusive and between 09:00 - 14:00 Saturdays, Sundays and Bank Holidays

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

7 The use hereby permitted shall be carried out only between the hours of 7.00am-23.00pm Monday to Saturday (including Bank Holidays) and 10.00am-17.00pm Sundays.

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

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

Tree protective barrier details
Tree protection plan
Arboricultural method statement

The development should then proceed in accordance with the approved details.

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

9 The development shall not be implemented otherwise than in accordance with Detailed Landscape Proposals 3509-2 Rev and the updated Tree Protection Plan and Arboricultural Impact Statement required by Condition 8 showing hedges and/or trees to be retained and removed.

Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality in accordance with Local Plan Policies D1, Design and BIO1, Biodiversity and Geodiversity

10 Prior to the occupation of the development hereby permitted a vehicular access shall be provided and thereafter retained in the position shown on the approved plan and constructed in accordance with the BMBC highway specification. Adequate measures shall be so designed into the proposed access to avoid the discharge of surface water from the site on to the highway.

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

11 Prior to occupation of the development hereby permitted vehicular and pedestrian access to and egress from the adjoining highway shall be limited to the accesses shown on drawing no. 1526-150 (p) Rev E only. Any other access(es) or egress(es) shall be permanently closed and the footway and/or verge reinstated to full height kerb in a manner to be approved the LPA.

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

12 No building (or use) hereby permitted shall be occupied or commenced until a car park management plan setting out how the car park will be managed has been prepared, submitted and approved in writing by the LPA. These measures shall thereafter be implemented in accordance with the approved car park management plan for the lifetime of the development.

Reason: To ensure the satisfactory operation of the approved car park in accordance with Local Plan Policy T4.

13 The Travel Plan hereby approved shall be implemented in accordance with the measures set out therein. Within three months of occupation, evidence of the implementation or measures set out in the Travel Plan shall be prepared, submitted to and agreed in writing with the LPA.

Reason: To support sustainable transport objectives, in accordance with Local Plan Policy T3.

14 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.

15 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously

damaged or diseased shall be replaced in the next planting season with other of similar size and species.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

16 The proposed development shall achieve BREEAM standard of 'very good' or equivalent. Upon completion of the development, an energy performance certificate shall be provided to the Local Planning Authority demonstrating that the required standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.

Reason: In the interest of sustainable development, in accordance with Local Plan Policy CC2.

17 Upon commencement of development details of measures to facilitate the provision of gigabit-capable 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: To accord with Local Plan Policy I1.

18 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge.

Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.

19 Surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area(s) of more than 50 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

Reason: To prevent pollution of the aquatic environment and protect the public sewer network in accordance with Local Plan Policy CC3.

20 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:-

- a. evidence to demonstrate that surface water disposal via infiltration is not reasonably practical;
- b. the means of restricting the discharge to public sewer to a rate not to exceed 4.9 litres per second.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage in accordance with Local Plan Policy CC3.

21 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.

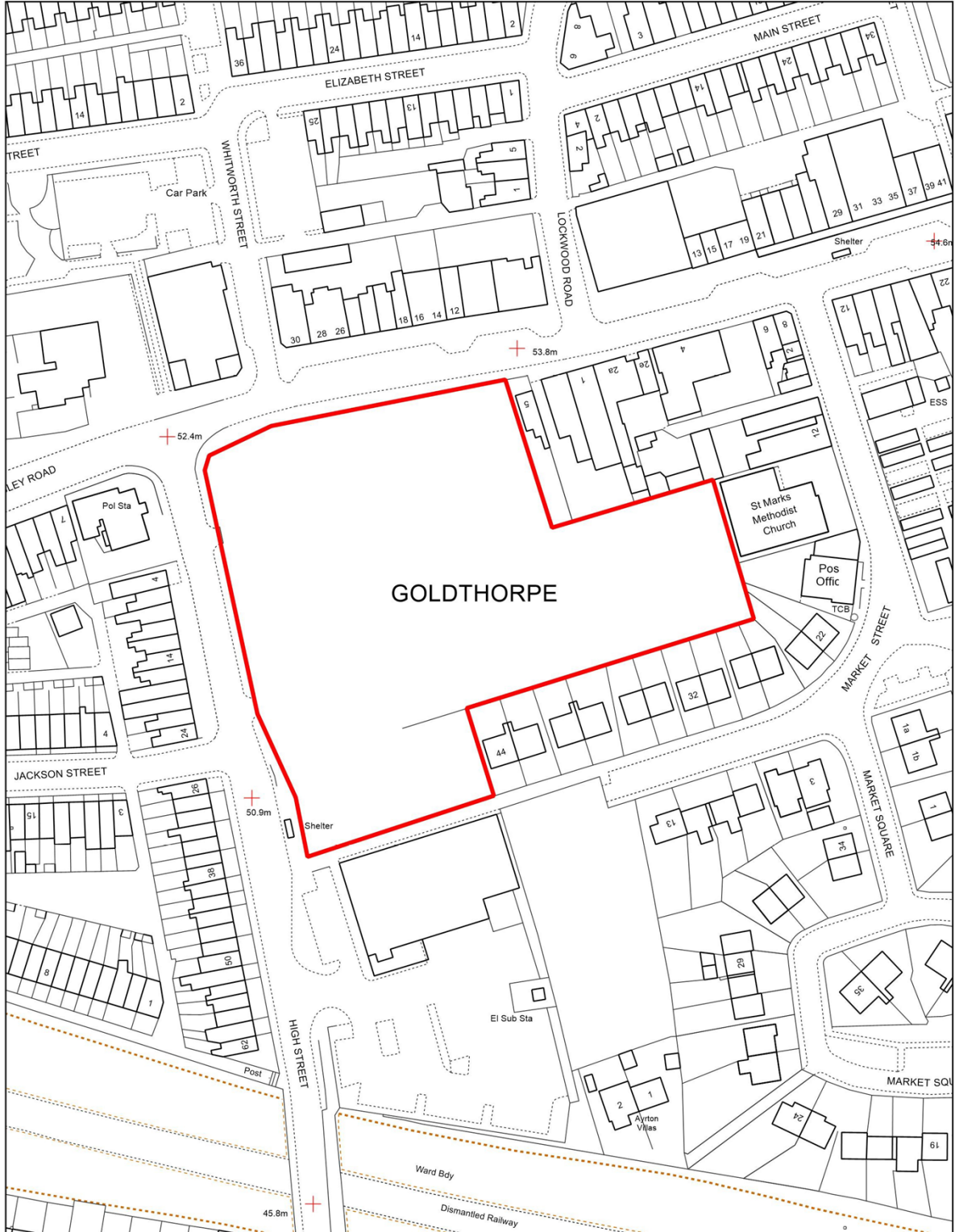
Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3.

22 Prior to commencement of development Biodiversity Enhancement Management Plan (BEMP) detailing the long-term management of the ecological mitigation in the approved Preliminary Ecological Appraisal (Pennine Ecological, May 2022), the Biodiversity Metric Summary Report (Pennine ecological (V.4 20.06.2022) and the accompanying Biodiversity Metric 3.0 (V.2 20.06.2022) and Landscape plan (ref: 3509/2 Rev C) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no change of use from Class E(a) which would otherwise be permitted by Part 3 of Schedule 2 to that Order shall be carried out.

Reason: In order to protect the vitality and viability of Wombwell District Centre from retail development located outside of the District Centre in accordance with Policy TC1 of the Local Plan.



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BARNSELY MBC - Regeneration & Property



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2022/0364

Applicant: BMBC

Description: Formation of 3m wide combined cycle and footpath active travel route and associated works including provision of adjacent soft verges, earthworks and drainage installations

Site Address: The route of the disused railway line located between Wakefield Road/Bar Lane at Staincross/Athersley and Lee Lane, Royston

4no. letters of support have been received and 2no. letters of objection.

Site Description

The site follows a public footpath along a disused railway line, for approximately 1600m, between Wakefield Road (A61), Athersley, and Lee Lane at Royston. The existing route features an unsurfaced footpath, with restricted access at the southern end caused by a raised infill beneath the A61 highway bridge arch and relatively steep gradients beneath and adjacent to Wakefield Road, A61.

Starting at Barnsley town centre, it heads north, running parallel with the A61, crossing the A61 Gyratory, heading to Smithies Lane, Bar Lane to Lee Lane and a spur from Bar Lane to Carlton, linking an existing bridleway and shared cycleway network constructed as part of a Safer Route to Schools project. This link has a corridor length of 3.6km.

The site runs for approximately 750m within a cutting, at the southern end, transitioning to a similar length of raised embankment before it interfaces with Lee Lane. The cutting has heavily vegetated steep banking, to the immediate east and west of the existing track. The disused railway track width is approximately 6m to 8m for the entire route, with the existing unsurfaced, 2m to 3m width footpath bordered by ground vegetation and trees.

North of the cutting, the site is atop a raised embankment for approximately 750m. Ground vegetation and trees cover the track adjacent to the existing 2m to 3m width unsurfaced footpath.

Background

At the start of 2019, Sheffield City Region (SCR) adopted a new Transport Strategy setting out the desire for an ambitious and transformational programme of transport infrastructure investment that would unlock the economic potential of the Region. This need was identified due to a predicted 500,000 extra journeys being catered for on the transport system by 2026, which without mitigation, would lead to worsening congestion, less vibrancy in towns and cities, economic restrictions due to businesses holding back on investment and worsening hotspots of poor air quality.

Transforming Cities Fund (TCF) was identified as an enabler to put this plan into action. Subsequently, SCR along with 11 other shortlisted areas were invited by central government to develop a business case for TCF, which was submitted to Department for Transport (DfT) in November 2019. In March 2020, SCR were awarded £166m, with the Mayor allocating half to active travel schemes across the Region.

The objectives which drive SCR's investment plans and have informed the development of the TCF bid include:

- Residents should be able to walk, cycle, drive or use public transport from their home to their nearest town centre in no more than 15 minutes;
- By using public or private transport, people should be able to travel within the Sheffield City Region in no more than 30 minutes;
- Journey times to at least four major cities in the North, including Leeds, Manchester, Birmingham and Hull, will take no more than 75 minutes.

As part of this process, Barnsley Metropolitan Borough Council (BMBC) have been allocated funding for a collection of schemes designed to bring improvements to bus priority and active travel infrastructure, to encourage modal shift by making sustainable travel a more attractive and viable option.

Proposed Development

BMBC has aspirations to create an uninterrupted active travel link connecting Royston to Goldthorpe via Barnsley town centre, to significantly improve and expand east/west connectivity and the *A61 Active Travel Link* forms a key piece of this larger network.

This proposal is to construct a 1600m long bridleway including a 3m wide surface, with adjacent soft verges of up to 1m width. To achieve an inclusive surface geometry and to reduce the risk of flooding, volumes of cut and fill will be required.

With as much of the excavated material being reused on site as possible, it is estimated 1360m³ of material will be imported to site.

The path will be surfaced in a dust aggregate. This type of surfacing has been used at many locations throughout the Borough including a recent scheme on the Elsecar Greenway between Cortonwood and Elsecar, This type of surfacing has the advantage of being Carbon friendly as it uses recycled materials.

Ground vegetation and trees are to be cleared, pruned and/or felled, either side of the proposed shared route, to create up to a 1.0m wide verge, allowing clear sight lines along the route and creating an increased feeling of space.

There is a considerable amount of fly tipped debris along the length of the cutting, which will be removed as part of the scheme.

The untidy and informal paths/desire lines that currently traverse the cutting embankments are to be cultivated and planted with hawthorn.

Policy Context

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application

The site is allocated as Green Space (former Barnsley Coal Railway), Green Belt and Green Way (Dearne Way, Dearne Valley Park heading North to Royston & Carlton Boundary Walk) therefore the following policies are relevant:

Policy T1 Accessibility Priorities

Policy T4 New development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy GD1 General Development

Policy GI1 Green Infrastructure

Policy GS1 Green Space

Policy GS2 Green Ways and Public Rights of Way

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy BIO1 Biodiversity and Geodiversity

Policy CC2 Sustainable Design and Construction

Policy CC3 Flood Risk

SPD's

Those of relevance to this application are as follows:

- Sustainable Travel
- Trees and Hedgerows
- Biodiversity & Geodiversity

NPPF

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

Paragraphs of particular relevance to this application include:

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

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

Para 92 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 98 – Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well being of communities, and can deliver wider benefits for nature and support efforts to address climate change.

Para 100 – Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including national trails.

Para 111 - 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 126 - 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.

Para 174 – Planning policies and decisions should contribute to and enhance the natural and local environment.

Para 180 - When determining planning applications, local planning authorities should apply the following principles: [...]

d. development whose primary objective is to conserve or **enhance biodiversity** should be supported; while opportunities to **improve biodiversity in and around developments** should be integrated as part of their design, especially where this can secure **measurable net gains for biodiversity** or enhance public access to nature where this is appropriate

Consultations

Biodiversity – No objection subject to a condition to mitigate the loss of habitat on site

Drainage – No objections subject to conditions

Highways – No objections subject to conditions

Network Rail – No objections

Northern Powergrid – No objections, guidance provided

Tree Officer – No objections subject to an Arboricultural Method Statement being conditioned

PROW -No objections subject to the route being formalised as a public bridleway and additional guidance has been provided

Regulatory Services – No objections subject to a working hours condition

SYMAS – Agree with findings of submitted report and no objections subject to an informative

The Coal Authority – Concur with the findings of the submitted report and raise no objections subject to an informative

Trans Pennine Trail – Raise no objections and support the proposal

Yorkshire Water – No objections

Councillors – 1no. cllr has submitted comments of support

Representations

74no. letters were sent to neighbouring properties and a site notice was erected within the immediate area. As a result of the consultation exercise 4 letters of support were received and 2no. letters of objection. The main points of concern were;

- Local paths are currently used by motorbikes and improving the pathways would encourage further use, in conflict with walkers, cyclists and horse riders.
- The choice of material for the path was questioned with alternatives suggested

Assessment

Principle of development

Local Plan Policy GI1 'Green Infrastructure' states 'we will protect, maintain, enhance and create an integrated network of connected and multi-functional Green Infrastructure assets.

Green Infrastructure can be described as including strategic networks of accessible, multifunctional sites (including playing fields, parks, woodland, informal open spaces, nature reserves and historic sites) as well as linkages (such as the principal transport corridors, river corridors and floodplains, wildlife corridors and greenways). These contribute to maintaining the region's biodiversity and environmental quality as well as people's well-being. GI networks should consist of a series of features (both existing and new), appropriate at various spatial scales, preferably with links connecting smaller, more local sites with larger, more strategic ones.

The mental and physical health and wellbeing, social and economic benefits of green infrastructure should also be maximised and can include such things as increased accessibility using sustainable transport, attractive footpaths and cycleways, the creation of an attractive environment which improves image and encourages investment and development, increased property values and more tourism.

Green Infrastructure will have an important role to play in helping Barnsley to adapt to climate change, in line with Government guidelines and the Authority's commitment to become net carbon zero by 2040.

When considering new development, it must help create places that connect with each other, providing the right conditions to encourage walking, cycling and the use of public transport. One of the benefits of Green Ways and Public Rights of Way is that they allow connections with and access to leisure and facilities. However, we must also ensure that there are no negative visual or environmental effects and that development is consistent with Green Belt policy. Furthermore, development will be expected to conserve and enhance the biodiversity and geological features of the borough.

NPPF Paragraph 98 states access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.

Paragraph 100 goes on to state planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including national trails.

Paragraph 180 states development whose primary objective is to conserve or *enhance biodiversity* should be supported; while opportunities to *improve biodiversity in and around developments* should be integrated as part of their design, especially where this can secure *measurable net gains for biodiversity* or enhance public access to nature where this is appropriate.

In principal, the proposed scheme is considered to meet the above requirements.

Residential Amenity

The site runs to the rear and adjacent to a number of residential properties in Athersley South, New Lodge and Mapplewell. It is acknowledged that the widening and resurfacing will likely increase its usage over and above the existing unmade footpath, however, any noise or disturbance would be fleeting and the path would remain tree lined and parts would be cut lower than existing levels to further reduce noise. The path would also likely be used generally during social hours due to the lack of lighting. As such, residential amenity levels would be maintained, in accordance with Local Plan Policy GD1.

Visual Amenity

The site for the proposed shared footpath is currently the route of a disused railway line, which runs for approximately 1600m between Wakefield Road, A61, Athersley, and Lee Lane at Royston. The route features an unsurfaced footpath, with restricted access at the southern end caused by a raised infill beneath the A61 highway bridge arch and relatively steep gradients beneath and adjacent to Wakefield Road, A61

The 3m wide surface is to be formed using a compacted 6mm dust aggregate, founded on a base of recycled road planings. The construction will provide a solid, hardwearing surface, while still maintaining a visually softer appearance to blend in more comfortably with the natural surroundings. This type of surfacing has been used at many locations throughout the borough including a recently completed scheme on the Elsecar Greenway between Cortonwood and Elsecar. The surface has the advantage of giving a pleasing visual appearance whilst being robust enough for all users. This type of surfacing also has the advantage of being considerably more Carbon friendly in line with Government guidelines and the Authority's commitment to become net carbon zero by 2040, due to the use of recycled materials rather than the virgin materials required for a traditional Tarmac construction.

Ground levels were found to have been raised by over 4m at the southern end of the route, with an additional 2m+ infill beneath the arch of the A61 highway bridge. Local gradients are currently too steep for inclusive access. As such, embankments are proposed between the existing raised areas to form suitable gradients for the new shared footpath. Horizontal lengths of 5m to 10m are proposed between inclines to create resting areas and gradients throughout the rest of the route are to be reprofiled to align with current design guidance.

The widening of the existing path and the gradient work outlined above would inevitably lead to some loss of trees and vegetation (commented on further in the Tree section below), however, the tree lined nature of the route will be maintained, and the removals are restricted to strictly necessary, as such, it would leave the majority of the embankments untouched, therefore, visual amenity would be maintained.

It should also be noted that there is currently a considerable amount of fly tipped debris along the length of the cutting, which will be removed as part of the scheme and, as such, would improve the visual amenity of the area. In addition, the untidy and informal paths/desire lines that currently traverse the cutting embankments are to be cultivated and planted with hawthorn.

Trees

Ground vegetation and trees are to be cleared, pruned and/or felled, either side of the shared footpath, to create up to a 1.0m wide verge, allowing clear sight lines along the route and creating an increased feeling of space. An arboricultural report, Method Statement and Arboricultural impact assessment are included with this application.

The area of the old dismantled railway is largely full of self-set trees. These trees as a whole do have value in a wider landscape context, however in arboricultural terms the vast majority are relatively poor or insignificant specimens. In the main the few better quality category B trees are to be retained as part of the scheme. Ultimately the scheme is for the wider public benefit and this must be balanced against the removal of generally poorer quality self-set trees. Given that the tree lined nature of the route will be maintained, and the tree removals are restricted to those directly in the way of the path or those which require removal for arboricultural reasons, it would leave the majority of the embankments untouched.

Given the above, the Councils Tree Officer has raised no objections to the scheme, subject to conditions.

Highways

The proposal seeks approval for the provision of a segregated, off road active travel route between Barnsley town centre and Royston. This scheme is one element of the council's wider aspirations to create an uninterrupted active travel link connecting Royston to Goldthorpe via Barnsley town centre to significantly improve and expand connectivity by modes of active travel.

The route follows a public footpath along a discussed railway line between the A61 Wakefield road and Lee Lane Royston. As part of the proposals, the footpath is to be upgraded to Bridleway status to provide a legal right of access for pedestrians, horse riders and cyclists. The application construction details are in accordance with public rights of way specification which has previously been used successfully elsewhere within the Borough.

Having reviewed the proposals, the Councils Highways Officer has raised no objections from a highway's perspective, however it is acknowledged that during construction there may be a requirement for temporary diversions or closures of public rights of way which will be addressed by the Public Rights of Way Team.

Coal Mining

The application site falls partly within the defined Development High Risk Area; therefore, within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to development proposals.

More specifically, the Coal Authority's information indicates that parts of the proposed active travel route cross areas where historic unrecorded shallow coal mining activity is likely to have taken place. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The planning application is accompanied by a Phase 1 Desk Study & Phase 2 Ground Investigation Report (March 2022, prepared by Abbeydale Building Environment Consultants). Based on a review of coal mining and geological information, the submitted report acknowledges the potential for unrecorded shallow workings beneath parts of the site.

Nevertheless, the report author is satisfied that the proposed development, which would involve only limited groundworks to an existing public right of way, would not be significantly at risk from such workings. As such, they do not consider that further investigation works are required in respect of coal mining legacy matters.

The report correctly notes that there are no recorded mine entries present within or close to the application site. It does, however, indicate that the potential for unrecorded mine entries cannot be ruled out. The Coal Authority and SYMAS therefore welcome the recommendation that a watching brief should be maintained during any groundworks for the presence of unrecorded mine entries. Should such a feature be encountered on site, it should be appropriately treated in accordance with details permitted under a Coal Authority Permit.

Based on the information submitted and the professional opinions contained therein, the Coal Authority and SYMAS raise no objection to the proposal, subject to an appropriately worded informative.

Drainage

The site is located within Flood Zone 1 which is an area with a low probability of flooding. However, the site area within the cutting is generally found to be boggy, with a surface water flow path entering the cutting from an adjacent brownfield site (former William Freeman factory site). A number of surface water drains and ditches have been identified within the site. However, the majority of these appear to be filled or to have been severed during past works to increase ground levels at, and immediately south of, the A61 highway bridge. The existing site drainage therefore no longer functions.

To mitigate on-site flooding issues, the scheme includes the installation of a 325m length swale / detention ditch along the side of the proposed shared cycleway, to store the 1 in 100 year, 6 hour runoff volume from the site and adjacent land and discharge at a suitable rate to a watercourse.

Yorkshire Water have raised no objections to the scheme and the Councils Drainage Officer has raised no objections subject to a suitably worded condition requiring surface water drainage details, plus informatives directing the developer to the Highways Drainage team.

Contamination

With a likelihood of contamination associated with previous land use of the adjacent brownfield site to the west of the cutting (highlighted in a South Yorkshire Mining Advisory Service report for the site), site investigations were conducted by Abbeydale BEC, with 17 exploratory window sample cores taken to confirm ground conditions across the site.

As part of the scope of investigations, samples of surface water from the adjacent brownfield site were also taken for chemical analysis, during the initial ground investigation and again during post-investigation monitoring.

The report concludes that, following soil, water and gas testing along the route, the risks are low and should not prevent the proposed development or pose a risk to future users.

Biodiversity

The NPPF paras 174, 179 and 180 state that developments should contribute to and enhance the natural environment, minimising impacts on and providing net gains for biodiversity. Local Plan Policy BIO1 'Biodiversity and Geodiversity' states development will be expected to enhance the biodiversity of the borough and where development may harm biodiversity effective mitigation and/or compensatory measures will be required. The Environment Act also sets out key components of mandatory biodiversity net gain.

The Site supports common and widespread habitats, though the large amount of broadleaved woodland present along the disused railway line leads to the Site and as such, overall, is assessed as being of moderate ecological value. The proposal site is located within a SSSI Impact Risk Zone; however, the development type is not listed as having a likely risk upon the SSSI within this zone, as such the LPA are not required to consult Natural England in this instance

As outlined above, in order to widen the pathway and create a clearing at either side there needs to be removal of some of the woodland, grassland and scrub. This leads to a biodiversity net loss of 22.66%, equivalent to 6.39 units. Given the linear nature of the site and the moderate condition of the woodland it would not be possible to achieve no net loss by enhancing the existing site, as such, off site mitigation would be required. There are some on site improvements proposed but they would only equate to circa 0.12 habitat units.

In similar situations, the applicants would be required to enter into a legal agreement to either provide off site mitigation or pay a set amount of money per habitat unit. However, given this is a Council application, the Council cannot enter into a legal agreement with itself. As such, in this instance a condition is required to ensure mitigation measures are put in place to result in at least no net loss. Discussions have already started to take place with Parks Services to identify sites as close as possible to the application site which would prove functional. Given the bulk of the loss on site is woodland, it is likely the required replacement would also be woodland with Athersley Memorial Park muted as a potential site. However, full details will be submitted and approved through a discharge of conditions application.

As per the Biodiversity Management Plan, management and monitoring for the duration of 30 years will be required for created and enhanced habitats inline with Biodiversity Net Gain guidelines. Monitoring reports will be required to be submitted to the LPA in years 1, 2, 5, 10, 20 and 30.

The Councils Biodiversity Officer has concurred with the findings set out in the submitted Ecological Assessment, Construction Environment Management Plan, and Biodiversity Net Gains Matrix and has raised no objections to the proposal subject to a suitably worded conditions.

Summary

In summary the proposed development is considered acceptable in principle due to the land being allocated as a Green Way and the proposals seeking to protect and enhance a public right of way and access, including taking opportunities to provide better facilities for users. The mental and physical health and wellbeing, social and economic benefits of green infrastructure are also encouraged through Local and National policy.

Biodiversity habitat on the site is generally of a moderate condition, however the metric assessment has quantified that a loss of value would occur and so a mixture of on site and off site solutions are required to arrive at a position of no net loss of biodiversity. A condition is required therefore to ensure that the requirement is delivered as part of the future development.

The application is considered acceptable in relation to the other considerations set out in the assessment section of the report including visual and residential amenity, highways matters, drainage, trees, contamination risk, coal mining risk, relationship with the adjacent Public Right of Way subject to appropriately worded conditions.

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies T1, T4, G11, GS1, GS2, D1, Poll1 and BIO1) and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that proposals that accord with an up to date development plan should be approved without delay. The recommendation is one of approval therefore subject to the conditions listed below.

Recommendation

Grant subject to conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved (as listed below) unless required by any other conditions in this permission.

ATS-BAR LN-LEE LN-013-P1
ATS-BAR LN-LEE LN-013-P1
ATS-BAR LN-LEE LN-014 - P2
ATS-BAR LN-LEE LN-015 - P2
ATS-BAR LN-LEE LN-016 - P2
ATS-BAR LN-LEE LN-017 - P2

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. No development shall take place unless and until full 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

5. 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

6. The development hereby approved shall be carried out in strict accordance with the mitigations/recommendations set out on page 33 of the Preliminary Ecological Appraisal by Brooks Ecological dated 12/01/2022 (Ref: ER-5922-01). The measures shall be retained as such thereafter.

Reason: In the interest of Biodiversity and in accordance with Local Plan Policy BIO1.

7. The development hereby approved shall be carried out in strict accordance with the actions set out in the Construction Environment Management Plan by Brooks Ecological dated May 2021(Ref: ER-5922-03).

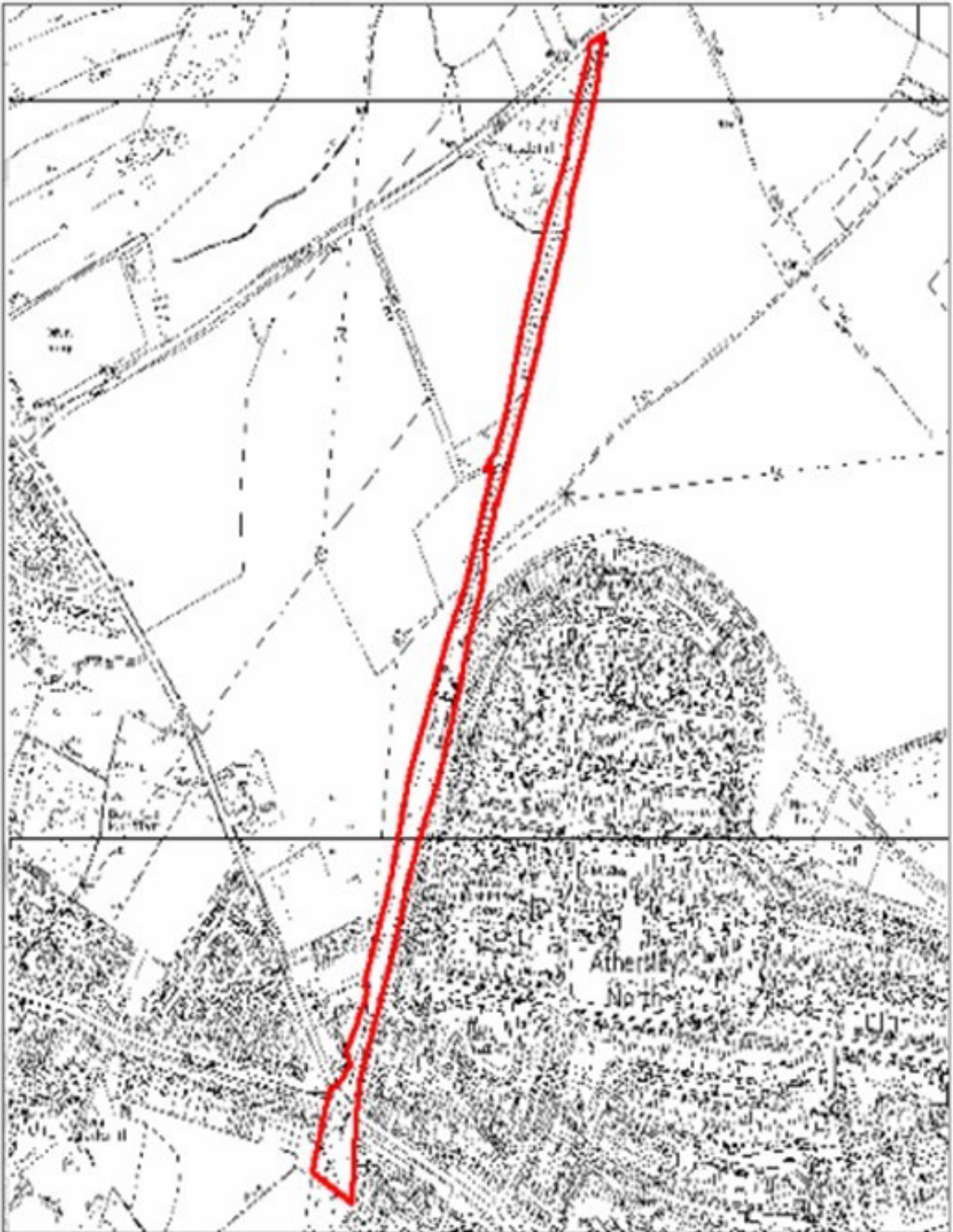
Reason: In the interest of Biodiversity and in accordance with Local Plan Policy BIO1.

8. The development hereby approved shall be carried out in strict accordance with the Biodiversity Action Plan by Brooks Ecological dated May 2022(Ref: ER-5922-04).

Reason: In the interest of Biodiversity and in accordance with Local Plan Policy BIO1.

9. The development hereby approved shall strictly adhere to the Arboricultural method statement by AWA Tree Consultants dated March 2022 (Ref: AWA4235).

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



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BARNSELY MBC - Regeneration & Property



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Item 5

BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

June 2022

APPEALS RECEIVED

3 appeals were received in June 2022:

| <u>Reference</u> | <u>Details</u> | <u>Method of Appeal</u> | <u>Committee / Delegated</u> |
|------------------|--|-------------------------|------------------------------|
| 2021/0940 | Erection of detached outbuilding to rear housing garage and garden room at ground floor and store within roof space 21 Mount Vernon Crescent, Worsbrough Common, Barnsley, S70 4DN | Written Reps | Delegated |
| 2021/1619 | Erection of 20m high telecommunications monopole, 12no. antennas, equipment cabinets and associated ancillary development to replace existing rooftop installation adjacent SW Houghton Road, Houghton Road, Thurnscoe, Rotherham, S63 0JX | Written Reps | Delegated |
| 2022/0141 | The erection and display of a single wall-mounted 48-sheet sized digital LED advertising unit 92 Sheffield Road, Near Junction with Taylor Row, Barnsley, S70 1HY | Written Reps | Delegated |

APPEALS WITHDRAWN

0 appeals were withdrawn in June 2022.

APPEALS DECIDED

2 appeals were determined in June 2022:

| <u>Reference</u> | <u>Details</u> | <u>Decision</u> | <u>Committee/ Delegated</u> |
|------------------|---|-----------------|---------------------------------|
| 2021/1108 | Erection of extension to eaves and roof height of dwelling to create attic bedroom within the roofspace and provision of associated rooflights 3 Colster Close, Gawber, Barnsley, S75 2LR | Dismissed | 09/06/2022 |
| 2021/1221 | Erection of detached outbuilding (Lawful development certificate for a proposed development) Gransden House, Church Street, Royston, Barnsley, S71 4QZ | Allowed | 06/06/2022 |

2022/2023 Cumulative Appeal Totals

- 6 appeals have been decided since 01 April 2022
- 4 appeals (67%) have been dismissed since 01 April 2022
- 2 appeals (33%) have been allowed since 01 April 2022

| | <u>Audit</u> | <u>Details</u> | <u>Decision</u> | <u>Committee/ Delegated</u> |
|---|--------------|---|-------------------------|---------------------------------|
| 1 | 2021/0713 | Wrap around balcony to rear of house 34 Staincross Common, Staincross, Barnsley, S75 6NA | Dismissed 01.04.2022 | Delegated |
| 2 | 2021/1243 | Display of double-sided freestanding 48-sheet sized digital LED advertising unit Land at Westway, Corner of New Street, Barnsley, S70 1SW | Dismissed 29.04.2022 | Delegated |
| 3 | 2021/1335 | Erection of front porch and creation of access to parking space to front (Part Retrospective) 4 Sycamore View, Sheffield Road, Oxspring, Barnsley, S36 8YW | Allowed 29.04.2022 | Delegated |
| 4 | 2021/1276 | Change of use of agricultural building to dwellinghouse (C3) (Prior Notification) Elmhirst Farm, South Lane, Cawthorne, Barnsley, S75 4EF | Dismissed 17.05.2022 | Delegated |
| 5 | 2021/1108 | Erection of extension to eaves and roof height of dwelling to create attic bedroom within the roofspace and provision of associated rooflights 3 Colster Close, Gawber, Barnsley, S75 2LR | Dismissed 09/06/2022 | Delegated |

| | | | | |
|---|-----------|--|-----------------------|-----------|
| 6 | 2021/1221 | Erection of detached outbuilding (Lawful development certificate for a proposed development) Gransden House, Church Street, Royston, Barnsley, S71 4QZ | Allowed 06/06/2022 | Delegated |
|---|-----------|--|-----------------------|-----------|

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Item 6

Planning Enforcement Report to Planning Regulatory Board

Quarter 1 April 2022 – June 2022 Inclusive

Introduction

This report is to provide elected members with an update on Planning Enforcement service activity covering the Quarter 1 of the last reporting period 2022/2023 (April 2022 – June 2023). The report includes a breakdown of the requests for service received and includes details of key actions and enforcement case outcomes during the quarter.

Overall number of Planning Enforcement service requests Quarter 1:

| | | |
|-------|------|----|
| April | 2022 | 62 |
| May | 2022 | 64 |
| June | 2022 | 70 |

Total number of requests for service Quarter 1 2022/23 **196**

| | Cases Received | Investigated/Resolved | Under Consideration |
|-------------------|-----------------------|------------------------------|----------------------------|
| Quarter 1 (22/23) | 196 | 118 | 78 |

Enforcement Statistics, Year on Year

| Year (Calendar) | Enforcement Notices Served | Ranking (out of 336 Authorities) |
|-----------------|----------------------------|----------------------------------|
| 2018 | 13 | 78 |
| 2019 | 21 | 41 |
| 2020 | 19 | 22 |
| 2021 | 59 | 7 |

The service has made good progress progressing formal enforcement actions and this is reflected on the table above which shows an increase year on year, particularly from 2020 when a second planning enforcement officer post was created which has given the service much needed extra capacity and the resilience to respond and deal effectively with breaches of planning control. Barnsley now ranks 7th Nationally (outside of London Authorities) in terms of the number of formal actions/notices served.

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

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

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

Summary of Case Activity

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

| <u>Case Reference & Location</u> | <u>Breach of Planning Control</u> | <u>Details of Service/Appeal</u> |
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| 2022\ENQ\00130 44 Kingsway, Grimethorpe, Barnsley, S72 7FJ | Without planning permission, the erection of a fence adjacent to the highway exceeding 1 metre in height. | Enforcement notice served 13th April 2022 requiring: (i) Remove the existing fence panels from the land (including gravel boards and pillars) that run adjacent to the highway as marked in Appendix 1 or, (ii) Reduce the height of the existing fence panels (including gravel boards and pillars) that run adjacent to the highway as marked in Appendix 1 to panels which are a maximum of 1 metre. Notice Effective 13tMay 2022 Time period for compliance One Month |

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| | | <p>Appeal submitted</p> <p>Status: Awaiting Determination of Appeal</p> |
| <p>2022\ENQ\00084</p> <p>16 Ravensmead Court, Bolton-upon-Dearne, Rotherham, S63 8LN</p> | <p>Without planning permission, the material change of use of the land to a mixed use as residential dwelling house and base for Delta Rooftop Solutions Ltd.</p> | <p>Enforcement Notice served 13th April 2022 requiring:</p> <p>(i) Cease the unauthorised change of use relating to Delta Rooftop Solutions Ltd at the property.</p> <p>Effective 15th May 2022.</p> <p>Time period for compliance Three Months</p> <p>Status: still within time period for compliance, site will be monitored</p> |
| <p>2022\ENQ\00163</p> <p>Land lying the South of Dearne Hall Road and Swallow Hill Road, Low Barugh, Barnsley, S75 1LT</p> | <p>Without planning permission, the material change of use of the Land for:</p> <p>i. The siting of a caravan for human habitation, siting of storage containers, use of land for importation, storage and processing of scrap metal, wood and other materials.</p> <p>ii. The storage and operation of heavy plant and machinery.</p> <p>iii. The use of the land for "Top Print - Imprinted Concrete Specialist" with associated storage of materials and vehicles.</p> <p>iv. The use of the land for "Jimbo's Waste" with</p> | <p>Enforcement Notice served 27th April 2022 requiring:</p> <p>(i) Cease the unauthorised activity specified in paragraph 3 (i-iv) at the Land.</p> <p>(ii) Remove all unauthorised materials specified in paragraph 3 (i-iv) from the Land; restoring it to its previous condition, prior the breach of planning control taking place.</p> <p>(iii) Following completion of paragraph 5 (i-ii): Cultivate the parcel of land edged red on the attached plan marked "EN1" with topsoil and spread agricultural grass seed.</p> <p>Time Period for compliance: 6 Months</p> |

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| | associated storage of materials and vehicles. | Status: Still within compliance period, monitoring |
| 2020\ENQ\00458 Land on the East side of Sandybridge Lane, Shafton, Barnsley, S72 8PL Otherwise known as "The Ranch Stables" Sandybridge Lane, Shafton, Barnsley, S72 8PL | Without planning permission, the material change of use of the Land for: i. The siting of two static caravans for human habitation. ii. siting of a horsebox, the erection of stable blocks, the erection of outbuildings and the use of land for an equestrian paddock. iii. The use of the land for "The Ranch Stables" with associated storage of materials, vehicles and animals | Enforcement Notice served 13 th May 2022 requiring: (i) Cease the unauthorised activity specified in paragraph 3 (i-iii) at the Land. (ii) Remove all unauthorised materials specified in paragraph 3 (i-iii) from the Land; restoring it to its previous condition, prior the breach of planning control taking place. Effective 13 th May 2022 Time period for compliance: 6 months Status: Still within compliance period, monitoring |
| 2021\ENQ\00557 36 Shepherd Lane, Thurnscoe, Rotherham, S63 0JS | Development has taken place pursuant to planning permission ref: 2019/1574 (Two storey side extension and single storey rear extensions to dwelling and erection of detached garage/garden store) granted by the Council on 5th March 2020 and planning permission ref: 2019/0646 (Two-storey side extension and single storey rear extensions to dwelling and erection of detached garage/garden store). | Enforcement Notice served 13 th May 2022 requiring: (i) Alter and redesign the two-storey extension so that; •It incorporates and includes obscured glazing (to level 3 on the Pilkington glass obscurity scale (Medium) to the side elevation window (as shown in Appendices 1 & 2) of which is to be retained in perpetuity. •It is redesigned so that the roof design includes decorative eaves and |

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| | <p>However, the development which has been constructed on site is not in accordance with the approved plans and conditions on either planning application granted by the Council. The development has therefore been constructed in a way which is materially different to that approved by the Council and therefore does not have planning permission.</p> | <p>decorative barge boards as shown on Appendix 2.</p> <p>Effective 12th June 2022</p> <p>Time period for compliance; Three Months</p> <p>Status: Appeal Lodged</p> |
| <p>2021\ENQ\00121</p> <p>Land at Lidgett Lane, Pilley, Barnsley, S75 3AG otherwise known as</p> <p>St Paul's Bank, Pilley, Barnsley, S75 3AG</p> | <p>Without planning permission, the contravention of Condition 5 of the Grant of</p> <p>Planning Permission in respect of application 2019/1464.</p> | <p>Enforcement Notice served 31st May 2022 requiring:</p> <p>Comply with condition 5 of the Grant of Planning Permission (application reference 2019/1464).</p> <p>Time period for compliance: 2 days</p> <p>Status: notice complied with, monitoring site.</p> |
| <p>2020\ENQ\00121</p> <p>1A Hopwood Street, Barnsley, S70 2BW</p> | <p>Without planning permission, the contravention of condition 2 of the Grant of Planning Permission in respect of application 2021/0592, approved by the Council on 3rd March 2022.</p> | <p>Listed Building/Enforcement Notice served 13th June 2022</p> <p>(i) Complete the outstanding Landscaping works cited in Paragraph 4 ensuring that they are in accordance with the approved plans received 11th February 2022 attached hereto as Appendix 4.</p> <p>Effective 14th July 2022</p> <p>Time period for compliance: Three Months</p> <p>Status: Still within compliance period</p> |

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| <p>2022\ENQ\00256</p> <p>Dance Lane Farm, Dance Lane, Crane Moor, Sheffield, S35 7AW</p> | <p>Without planning permission; The material change of use of the Land to a mixed use for agriculture and as holiday accommodation (the accommodation also described as a Shepherd's Hut).</p> | <p>Enforcement Notice served 16th June 2022 requiring:</p> <p>i) Cease the use of the Land for holiday accommodation described in paragraph 3 of this notice</p> <p>(ii) Remove from the Land the unauthorised holiday accommodation (also described as a Shepherd's Hut) in its entirety along with any related infrastructure comprising of hard or loose stoned surfacing, timber boardwalk, fencing and outdoor furniture, hot tub, and utility connections</p> <p>(iii) Following compliance with paragraph 5 (i): Ensure that the Land is restored to its original condition before the unauthorised change of use took place.</p> <p>Time period for compliance: Three Months,</p> <p>Status: Appeal commenced</p> |
| <p>2020\ENQ\00347</p> <p>34 Highstone Avenue, Worsbrough Common, Barnsley, S70 4LA</p> | <p>Without planning permission, the erection of a single storey rear extension and outbuilding including a raised ground level and the erection of a retaining wall</p> | <p>Enforcement Notice issued 7th June 2022 requiring:</p> <p>(i) Demolish the unauthorised extension and outbuilding as specified in paragraph 3.</p> <p>(ii) Remove all rubble and materials arising from compliance with paragraph 5 (i).</p> <p>(iii) Return the land to its original state, prior to the breach of planning control taking place including restoring the land to the pre-existing level and demolishing</p> |

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| | | <p>and removing the retaining wall to the raised land level.</p> <p>Time period for compliance: Three Months</p> <p>Status: Appeal commenced</p> |
| <p>2022\ENQ\00115</p> <p>Former Burton Grange Nursery, Abbey Lane, Lundwood, Barnsley, S71 5QD</p> | <p>The permission granted by the Council on 23rd April 2020 (ref: 2019/0637) for 'Erection of 4 no. dwellings and associated works'.</p> <p>Breach of conditions 6, landscaping & 8 Ecology</p> | <p>Breach of condition Notice served 21st April 2021 Requiring: As the persons responsible for the breaches of the condition specified in paragraph 4 of this notice, you are required to comply or secure compliance with conditions 6 and 8 of Planning Permission 2019/0637 by taking the</p> <p>following steps:-</p> <p>(i) Ensure that full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained are submitted to and approved in writing by the Local Planning Authority as a matter of urgency. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).</p> <p>(ii) Ensure that ecological mitigation and enhancement measures, including a timetable for their implementation, is submitted to and approved in writing by the Local Planning Authority as a matter of urgency. The development shall include measures to provide a "hedgehog highway", bird and bat boxes, and shall thereafter be implemented in</p> |

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| | | <p>accordance with the approved details.</p> <p>Comply by 1st June 2022</p> <p>Details Submitted to Planning Dept for consideration</p> |
| <p>2022\ENQ\00133</p> <p>Land to the south of Halifax Road, Penistone, Barnsley (edged in red on the attached plan). (Residential Development)</p> | <p>The carrying out of any works on the Land associated with the implementation and carrying out of the Development.</p> | <p>Temporary Stop Notice issued 5th April 2022 requiring all works to cease.</p> <p>Case Resolved</p> |
| <p>2022\ENQ\00184</p> <p>Starling House, Birks Lane, Millhouse Green, Sheffield, S36 9NB</p> | <p>The carrying out of operational development under S55 Of the Town and Country Planning Act; including engineering operations and earthworks thereby altering the profile of the land, causing damage the embankment adjacent the River Don and within the vicinity of the listed bridge "Starling Bridge" ('The Unauthorised Works').</p> | <p>Temporary Stop Notice issued 4th May 2022 requiring all works to cease.</p> <p>Case Resolved</p> |
| <p>2022\ENQ\00264</p> <p>Former BMBC Garage Site, Bloemfontein Street, Cudworth, Barnsley, S72 8UN</p> | <p>Works pursuant to Planning Permission 2021/0608 granted by the Council on 9th March 2022 subject to conditions, but without key conditions associated with the planning permission being discharged. The works include operational development to the land to implement the permission in the absence of the required Discharge of Conditions. ('The Unauthorised Works').</p> | <p>Temporary Stop Notice issued 16th June 2022 requiring all works to cease.</p> <p>Details regarding asbestos mitigation and pre-commencement conditions agreed, works can recommence subject to these details</p> |

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| <p>2022\ENQ\00276</p> <p>Land to the West side of Clayton Lane, Thurnscoe, Rotherham, S63 0BG</p> | <p>The breach of planning control is the unauthorised change of use of agricultural land for the purposes of the importation of waste material to form an access road to facilitate the stationing of caravans, containers and the storage of vehicles with associated materials</p> | <p>Temporary Stop Notice issued 24th June 2022 requiring all works to cease.</p> <p>Further Legal action being sought.</p> |
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(b) S215 Untidy Land and Buildings Action

| <u>Case Reference & Location</u> | <u>S215 Notice Details</u> | <u>Details of Service/Appeal</u> |
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| <p>52 Bank End Rd, Worsbrough Dale</p> | <p>Clearance & maintenance of of Land</p> | <p>3rd May 2022</p> |
| <p>7 Fairview Close, Hoyland</p> | <p>Clearance & maintenance of of Land</p> | <p>5th May 2022</p> |

(c) Legal action

| <u>Case Reference & Location</u> | <u>Case Details</u> | <u>Prosecution Status</u> |
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| 2020\ENQ\00202 204 Darton Lane, Mapplewell, Barnsley | Non-compliance with enforcement notice relating commercial building. | Court Hearing: February 2022 Guilty Plea, £83 Fine, Pay Local Authority Costs of £627 and victim surcharge of £34. Totalling £744. |
| 2019\ENQ\00758 30 Huddersfield Road, Barnsley | Non-compliance with enforcement notice relating to formation of unauthorised vehicular access over a classified road. | Court Hearing 13 th December 2021 Guilty Plea entered, fined £350. Ordered to pay a contribution of costs of £480 And ordered to pay a victims surcharge of £35 Homeowner looking to reinstate the wall and provide LPA with suitable proposals Total of £865 |

(d) Enforcement Appeals

| <u>Case Reference & Location</u> | <u>Breach of Planning Control</u> | <u>Appeal Decision</u> |
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| APP/R4408/C/21/3281782 4 Ivy Bank, Halifax Road, Thurgoland, Sheffield S35 7AL | Unauthorised vehicular crossing | Appeal Decision issued 1 st February 2022 Appeal dismissed |

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| Land between 4 & 6 Albert Street, Cudworth | The material change of use of the land to one of a mixed usage of repair of motor vehicles (B2 General Industrial) and a Sui Generis use for the undertaking of horsebox conversions and the related fabrication of motor vehicles | Appeal Decision issued 11 th April 2022 Appeal allowed |
| 32 Manor View, Shafton | Material change of use of the land and buildings from a detached garage to one of a residential dwellinghouse for human habitation (C3: Dwellinghouse Use Class). | Appeal Decision 22 nd April 2022 Enforcement Notice quashed |
| 94 Doncaster Road, Darfield | The material change of use of the land and buildings from a detached garage to one of a residential dwellinghouse for human habitation (C3: Dwellinghouse Use Class). | Appeal Decision issued 6 th June 2022 Appeal dismissed |

Compliance Monitoring

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| Enforcement Notices served 2020/21 | Enforcement Notices Complied with 2020/21 |
| 63 | 43 |

The remaining notices may be subject to revised planning applications, appeals or where partial compliance has already been achieved. Most Enforcement notices are usually complied with in the specified period, but on occasion it will be necessary for the service to pursue legal action.

Timescales for Determination of Appeals

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

Website and customer contact improvements

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

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

Conclusion

Quarter 1 of 22/23 has continued to see consistent high demand for investigations and enforcement action which is reflected in the high level of development taking place within the borough. The service now ranks 7th highest nationally in terms of formal actions taken to ensure effective enforcement. The service has issued 63 enforcement notices in the last financial year (2021/22) and will seek to continue to work with elected members and local communities to achieve the desired outcomes. The number of formal actions undertaken by the service has significantly increased prior to additional resources being devoted to planning enforcement and this is filtering through to an increase in appeal work and the number of appeal decisions being received.

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

Email: Planningenforcement@barnsley.gov.uk

Customer Services 01226 773555

Item 7

BARNSELY METROPOLITAN BOROUGH COUNCIL

SUMMARY OF OUTCOMES - PLANNING APPLICATIONS AGENDA PACKS ISSUED AS BOARD MEMBER CONSULTATIONS IN ADVANCE OF THE EARLY JULY 2022 PLANNING REGULATORY BOARD MEETING

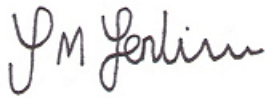
LIST OF APPLICATIONS WITHIN THE AGENDA PACKS:-

| <u>Reference</u> | <u>Details</u> | <u>Committee/ Delegated</u> |
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| 2022/0150 | <p>Conversion of building into 2no commercial units at ground floor (Use Class E) and 12no residential flats on upper floors and associated external alterations including new mansard roof and dormer windows to the front, sides and rear at 48 Sheffield Road, Barnsley, S70 1HS</p> <p>Summary of consultation comments received:-</p> <ol style="list-style-type: none"> One query from a Member in relation to residents parking which was responded to by Officers. No further queries raised following response . <p>Officer response – Clarification was provided and it was noted that no further comment/queries were given and the comment initially provided was not objecting to the recommendation.</p> | To proceed delegated for approval in accordance with the officer recommendation, the signing of the relevant S106, and the conditions set out in the officer report. |
| 2022/0067 | <p>Change of use of Home Farm buildings from C2 'Residential Institution' to short term residential letting units (24no bedrooms) at Wentworth Castle, Northern College, Lowe Lane, Stainborough, Barnsley, S75 3ET</p> <p>Summary of consultation comments received:-</p> <ol style="list-style-type: none"> No comments received | To proceed delegated for approval in accordance with the officer recommendation and the conditions set out in the officer report. |
| 2022/0441 | <p>Installation of internal and external wifi access points and associated network equipment cabinets in various locations (Visitor Centre, Buildings 2, 11, 21, 22, the Antiques Centre, existing bridge links) at Elsecar Heritage Centre, Wath Road, Elsecar, Barnsley, S74 8H</p> <p>Summary of consultation comments received:-</p> <ol style="list-style-type: none"> No comments received | To proceed delegated for approval in accordance with the officer recommendation and the conditions set out in the officer report. |
| 2022/0423 | <p>Installation of additional internal wifi access points to the Experience Museum, basement collections stores, breakout area, archives stores and basement office (Listed Building Consent) at Experience Barnsley Museum, Barnsley Town Hall, Church Street, S70 2TA</p> | To proceed delegated for approval in accordance with the officer recommendation and the conditions set out in the officer report. |

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| | <p>Summary of consultation comments received:-</p> <ol style="list-style-type: none"> 1. No comments received | |
| 2021/0336 | <p>Residential development of 40 dwellings at Land off High Street, Shafton</p> <p>Summary of consultation comments received:-</p> <ol style="list-style-type: none"> 1. One Member response received raising queries relating to drainage, room sizes, and biodiversity. Officer response provided and the Member responded to say the reply helped explain the issues. No further comments or enquiries were raised from this Member. 2. One Member response received requesting the application goes before Board due to size of development and its proximity to neighbouring properties. Also issues with trees, hedgerows, biodiversity and highway safety which they feel would warrant further scrutiny by the Board. <p>Officer response - request to be taken to Board considered reasonable given that the scheme is a large development and is close to neighbouring dwellings. Both Members also raised a number of other planning issues and as such a wider debate at Planning Board is considered reasonable in this instance</p> | To proceed to the Full Planning Board for consideration. |
| 2021/0795 | <p>Development of one dwelling and associated work at Land to rear of The Greenland Cottage, High Hoyland Lane, High Hoyland</p> <p>Summary of consultation comments received:-</p> <ol style="list-style-type: none"> 1. One Member response received raising queries relating to biodiversity, trees, highways and design . Officer response provided and the Member responded to say the reply helped explain the issues. No further comments or enquiries were raised from this Member. 2. One Member response received stating they supported the recommendation to refuse <p>Officer response – Comments noted to not be contrary to the recommendation to refuse</p> | To proceed delegated for refusal in accordance with the officer recommendation and the reasons set out in the officer report. |
| 2021/1658 | <p>Conversion of some of the office space to allow for a new small cinema room with adjacent bar; cafe/community room space; kitchen; exhibition space; reconfigured toilet facilities; retained Council Chambers and an office; improved accessibility with modified internal steps to allow for 2 new platform lifts, to create a mixed use building. Externally, new steps and a ramp to one of the existing</p> | To proceed delegated for approval in accordance with the officer recommendation and the conditions set out in the officer report. |

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| | doors to provide a central main entrance to the building at Penistone Town Hall, Offices, Shrewsbury Road, Penistone Summary of consultation comments received:- 1. No comments received. | |
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Signed:



Joe Jenkinson
Head of Planning and Building Control

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