

MEETING:	Planning Regulatory Board
DATE:	Tuesday 24 January 2023
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.

2. Minutes (*Pages 3 - 6*)

To receive the minutes of the meeting held on 25 October 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. Land at Houghton Main, Park Spring Road, Little Houghton, Barnsley, S72 0HR
- 2021/1282 - For Approval (*Pages 7 - 28*)

4. Land to the south of Bleachcroft Way, Stairfoot, Barnsley, S70 3PA - 2021/0668
- For Approval (*Pages 29 - 48*)

5. Land at Dearne Valley Parkway, Hoyland, Barnsley, S74 0QA - 2021/0479
- For Approval (*Pages 49 - 70*)

Planning Enforcement

6. Planning Enforcement Report Quarter 2 2022/23 (*Pages 71 - 82*)

Planning Appeals

7. Planning Appeals - October 2022 (*Pages 83 - 86*)

8. Planning Appeals - November 2022 (*Pages 87 - 90*)

9. Planning Appeals December 2022 (*Pages 91 - 94*)

Member Consultations

10. Member Consultation Report - October 2022 (*Pages 95 - 96*)

11. Member Consultation Report - November 2022 (*Pages 97 - 98*)

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, 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 William Ward on email governance@barnsley.gov.uk

Monday 16 January 2023

MEETING:	Planning Regulatory Board
DATE:	Tuesday 25 October 2022
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

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

In attendance

33. Declarations of Interest

Councillor Moyes declared a Non-Pecuniary interest in **Planning Application No. 2021/1631** – Erection of a new secondary school with associated sports block, sports pitches, hard and soft landscaping, access, parking and drainage, Land of Keresforth Close, Barnsley in view of her membership of the Schools Panel.

The Mayor, Councillor Tattersall, declared a Non-Pecuniary interest in **Planning Application No. 2021/1660** – various works at Old Mill Lane including Old Mill Lane Bridge to the east of the Asda Store, Old Mill Lane Bridge crossing the River Dearne as she had taken part in the consultation on the application and was the former Cabinet Support Member for Environment and Transportation.

34. Site Visits

Prior to the meeting, Members of the Regulatory Board made visits to the following sites:

- **Planning Application No. 2021/1660** – Planning application for the Widening of the highway including Old Mill Lane Bridge from three lanes to five lanes to include provision of bus lane and shared pedestrian and cycle paths. Alterations to bridge structure to support extension to bridge deck. Realignment of riverside access track and repositioning of access stairs. Relocation of gas governor, memorial, bus shelter and Asda recycling centre. Removal of trees covered by Tree Preservation Order. Old Mill Lane including Lane Bridge and land to the east of the Asda Store, Barnsley.
- **Planning Application No. 2021/1631** – Erection of new secondary school with associated sports block, sports pitches, hard and soft landscaping, access, parking and drainage, Land off Keresforth Close, Barnsley.

35. Minutes

The minutes of the meeting held on 27 September 2022 were taken as read and signed by the Chair as a correct record.

36. Land off Lowfield Road, Bolton Upon Dearne - 2019/0623 - For Refusal

The Head of Planning and Building Control submitted a report on **Planning Application 2019/0623** - Residential development of 97 no. dwellinghouses with garages, parking spaces and public open space and associated roads and sewers, Land at Lowfield Road, Bolton Upon Dearne.

Mr R Spears (Applicant) attended the meeting and spoke against the officer recommendation to refuse the application.

RESOLVED that the application be refused in accordance with the Officer recommendations namely:

- (i) The proposed development would result in an unacceptable impact on highway safety due to the intensification of use of the railway bridge over Lowfield Road, a known substandard access route. Furthermore, the traffic signal scheme, proposed as mitigation, had been assessed as being unacceptable in highway safety terms, therefore, the development was contrary to Local Plan Policies T4 and HS42 as well as NPPF (July 2021) Paragraph 111; and
- (ii) The applicant had not submitted sufficient details to demonstrate that the impact of the development and associated traffic on the wider highway network, and in particular the Station Road, Angel Street junction, could be adequately mitigated to ensure safe, secure and convenient access and movement as required by local Plan Policy T4.

37. Land off Keresforth Close, Barnsley, S70 6RS - 2021/1631 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2021/1631** - Erection of a new secondary school with associated sports block, sports pitches, hard and soft landscaping, access, parking and drainage, land off Keresforth Close, Barnsley.

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

38. Old Mill Lane including Old Mill Lane Bridge and Land to the East of the Asda Store, Barnsley, S71 1LN - 2021/1660 - for Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2021/1660** - widening of highway including Old Mill Lane Bridge from three lanes to five lanes to include provision of bus lane and widening paths. Alterations to bridge structure to support extension to bridge deck. Realignment of riverside access track and repositioning of access stairs. Relocation of gas governor, memorial, bus shelter and Asda recycling centre. Removal of trees covered by Tree Preservation Order, Old Mill Lane including Old Mill Land Bridge to the east of the Asda Store. Old Mill Land Bridge crossing the River Dearne.

RESOLVED that the application be granted in accordance with the Officer recommendation subject to conditions and the signing of a S106 Agreement in relation to compensation for the loss of biodiversity and an additional condition in relation to the re-siting of the memorial following appropriate consultation with the family.

39. Planning Appeals - September 2022

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

The report indicated that one appeal had been received in September, 2022, no appeals had been withdrawn and two appeals had been determined both of which had been dismissed.

The report also gave details of the cumulative appeals totals for the whole of 2022/23 which indicated that 16 appeals had been determined since 1st April, 2022, 12 appeals (75%) and been dismissed and 4 appeals (25%) had been allowed.

RESOLVED that the report be noted.

40. Member Consultation Report - September 2022

The Head of Planning and Building Control presented a report summarising the outcomes of the planning applications agenda pack issued as a Board Member Consultation in advance of the Planning Regulatory Board meeting in September, 2022.

RESOLVED that the report be noted.

Chair

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Ref 2021/1282

Applicant: Harworth Group PLC

Agent: Miss Lucy Stephenson

Description: Outline planning permission for the erection of c. 19,147m² (206,100 sq ft) flexible employment space (Class E, B2 and B8) including ancillary car parking and landscaping. All matters reserved with the exception of access.

Site Address: Land at Houghton Main, Park Spring Road, Little Houghton, Barnsley, S72 0HR.

Site Description

The former Houghton Main Colliery is situated on the edge of the Dearne Valley, 5 miles to the east of Barnsley and 8 miles north of Junction 36 of the M1. The site is currently accessed from Middlecliffe Lane through the village of Little Houghton.

The site is bound to the northwest by the existing ASOS storage and distribution centre, to the northeast by open countryside, to the southwest by Park Spring Road and the village of Little Houghton is located circa 250 metres to the southeast.

The site is previously developed but has “greened over” and includes young self-set trees. There is an unrecorded but well-worn route which runs through the site from Middlecliffe Lane to the northernmost point of the site. There are no formal Public Rights of Way on the site although there is a public footpath running just outside the north/eastern boundary. The site is identified within the adopted Barnsley Local Plan as an allocated site for employment use (Site ES23).

The A6195, which bounds the site to the south west, and from which access to the employment development is proposed, is identified as forming part of the Local Strategic Highway Network.

The site is located entirely within Flood Zone 1 (Lowest risk of flooding). Based on the vulnerability classifications defined within the Planning Practice Guidance, all types of proposed development are acceptable in Flood Zone 1. The site is also identified as being at very low risk of surface water flooding and from flooding by rivers and the sea.

There are no statutory ecological designations relating to the site which would prohibit its development for employment use, nor are there any listed buildings or scheduled ancient monuments located on or in close proximity to the site.

The Barnsley Local Policies Maps also identifies the site as being located within the Dearne Valley Green Heart Nature Improvement Area. A Green Way is also identified running adjacent to the site to the south east which links Ings Lane, Little Houghton to High Street Great Houghton.

Proposed Development

This application has been submitted in outline form for the erection of c. 19,147m² (206,100 sq ft) flexible employment space (Class E, B2 and B8) including ancillary car parking and landscaping and is seeking approval for access only with all other matters reserved (appearance, landscaping, layout, scale).

The application is supported by a site location plan and access plan for approval and an illustrative site layout, 3D massing study and an existing site plan topographical survey for illustrative purposes. In addition, the following supporting documents have been submitted:

- Application Forms and Certificates
- Air Quality Assessment
- Planning, Design and Access Statement
- Phase I Ecology Survey and accompanying surveys
- Tree Survey
- Transport Statement
- Travel Plan
- Road Safety Audit
- Flood Risk Assessment and Drainage Strategy
- Phase I Ground Conditions Review
- Coal Mining Risk Assessment

The illustrative layout shows 5 larger units across the site which range from 20,000 sqft to 85,000 sqft and maximise the full site. This application seeks consent for 24 hour use of the buildings to reflect the operational nature of the logistics market and industrial nature of the neighbourhood.

Relevant Planning History

B/96/0208/HR- Extraction of coal by opencast. Redevelopment of site and restore to agriculture, woodland etc - Approved

B/96/0728/HR- Outline for use of land for industrial/employment uses B1, B2 and B8 - Approved

B/99/1064/HR- Outline for renewal of Planning Consent B/96/0728/HR for Use of land for industrial/employment uses B1, B2 and B8 - Approved

B/03/0762/HR- Outline for modification of Condition No. 1 of planning consent B/99/1064/HR for use of land for industrial/employment uses - Approved

2009/0070- Mixed use redevelopment comprising B2 employment and residential (Outline)-refused for the following reasons:

1. Saved Unitary Development Plan policy DA4 states that areas unsuitable for employment development will be considered for soft after uses such as agriculture, forestry, open space or nature conservation and Core Strategy policy CSP 8 indicates that priority will be given to development in Urban Barnsley and the Principal Towns. Residential development falls outside the range of uses permitted by Saved UDP policy DA4 and would be contrary to the sustainable, spatial strategy set out in Core Strategy policy CSP 8. It is not considered that any other material considerations outweigh the conflict between the proposed residential development and the spatial strategy set out in the Local Development Framework and the cited UDP policy.
2. In addition, the proposal is contrary to Core Strategy policy CSP 19 - protecting existing and potential employment land, in that the site was last used for employment purposes and in the opinion of the Local Planning Authority, the residential element

of the scheme would significantly reduce the area available for and scope of employment use.

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 Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

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 Local Plan

Site Specific Policy ES23

Allocated Employment Site ES23 Land South of Park Springs 8.3 ha:

Habitats at the north of the site comprising swamp, watercourse/banks and semi-improved neutral grassland to the north of the watercourse should be retained by any development, as should the deciduous woodland belt running down the east of the site, including the row of mature black poplars/lime trees and the large horse chestnut tree at the east of the disused bus turning circle.

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

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

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

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

Other relevant policies include:-

E1 - Providing Strategic Employment Locations
E2 - The distribution of New Employment Sites
E3 - Uses on Employment land'
T3 - New Development and Sustainable Travel
T4 - New development and Transport Safety
T5 - reducing the Impact of Road Travel
D1 - High Quality Design and Place Making
CC1 - Climate change
CC2 - Sustainable Design and Construction
CC3 - Flood Risk
CC4 - SUDS
GI - Green Infrastructure
GS2 - Green ways and Public Rights of way
Bio1 - Biodiversity and Geodiversity
HE1 – The Historic Environment
HE6 - Archaeology
RE1 - Low Carbon and Renewable Energy
CL1 - Contaminated and Unstable Land
Poll1 - Pollution Control and Protection
SD - Presumption in favour of Sustainable development
I1 - Infrastructure and Planning Obligations

Supplementary Planning Documents

- Parking
- Residential amenity and the siting of buildings
- Biodiversity and Geodiversity
- Sustainable Travel
- Trees and Hedgerows
- Planning Obligations

NPPF

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

Paragraph 8 of the NPPF states that there are three objectives to achieve sustainable development: economic, social and environmental.

Paragraph 81 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land.

Paragraph 126 of the NPPF makes specific reference to good design as a key aspect of sustainable development.

Paragraph 167 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment by (inter-alia) preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability. The paragraph also states that decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Consultations

Air Quality Officer- Recommend approval subject to condition and s106 to secure damage cost calculation to quantify the air quality impact of the proposed development.

Biodiversity Officer- Recommend approval subject to condition.

Coal Authority- No objection subject to condition.

Contaminated Land Officer- No comment received.

Enterprising Barnsley- Actively support the application.

Forestry Officer-- No objections at outline stage

Drainage –no objections subject to consideration of a potential blocked drain in the site, that there be no increase in surface water run-off from the development, and the use of SUDs is explored

Highways DC- Recommend approval subject to conditions.

Little Houghton Parish Council- Object on the grounds of concerns about traffic on Middlecliff Lane and throughout the Parish Caroline Donovan Clerk to Little Houghton Parish Council. Made an additional representation to ask how the current landowners will be addressing the need to move the memorial. The parish council have the responsibility of the memorial and would have expected to be contacted.

Natural England- No objection, informative note recommended.

Pollution Control- No objections subject to condition

Public Rights of Way- No objection but require further detail regarding the diverted route.

South Yorkshire Mining Advisory Service- No objection subject to condition.

South Yorkshire Passenger Transport Executive- No comment received.

Superfast South Yorkshire- No objection subject to condition.

Yorkshire Water Services Limited- No objection subject to condition.

Ward Councillors- No comment received.

Representations

The application was advertised by press notice, site notice and by 10 individual letters to neighbours. 9 representations were received which are summarised as follows:

- Not all Little Houghton residents have been consulted.
- Concerns over use of Middlecliffe Lane for access to site when finished and for construction traffic
- Dangerous turning onto Middlecliff Lane from Buttercross Drive, speeding motorists accessing the driving range.
- Bus goes on wrong side of road and lorries get stuck
- Factories are known to have loud music emanating from them and from employees vehicles.
- People pay a premium to live at the end of the “track” for peace and quiet.
- Nurses live in the village and work shifts- bad enough with noisy cars going into golf course or driving range- increase NHS worker’s burden.
- Multitude of businesses, children’s park, multi-sports ground which attract traffic, 3 drinking establishments require patrons to cross the road, as do the sports ground.
- Junction is a bottleneck nightmare for cars to pull out from, let alone the heavier traffic the development would undoubtedly attract.
- Rotherham Road suffers several times a day from standstill traffic at traffic calming measures that back up out of sight towards Great Houghton and the roundabout at Park Springs bypass. The proposed development and involved traffic will without doubt increase the risk of accidents, injury and death of locals in the area and any daily visitors to established businesses.
- Intended junction off Park Springs Road will be a hazard to other traffic- if there isn’t a roundabout to exit off there will be numerous accidents.
- Objecting to noise and light pollution especially as development will be in operation 24 hours a day.
- Any development will be a detriment to the extensive wildlife that live there.
- Plans show that bus turnaround and miners memorial will be moved- when will a public consultation take place with local residents about this as plans don’t indicate this.
- Memorial is the responsibility of the local parish council- no consultation to date.
- Removal of turning circle could negatively affect future bus services to the village.
- Entrance will create a dangerous junction.
- Development will create a significantly more dangerous driving environment.
- If application gets approval, a condition should be to reduce the speed limit on Park Springs Road to 50mph maximum.
- There is pending approval for an energy plant across the road (2018/1437), this should be taken into consideration when assessing the traffic impact of the new site.
- Time and effort has been given to create a wildlife corridor in this part of Barnsley. The height of the proposed development will be an eyesore for people walking/cycling along this part of the river Dearne. Environmental value will be reduced.

- Height of the buildings need to be restricted as they will become avian predator perches. Breeding wading birds especially breeding lapwings breed across Park Spring Road from the proposed development.
- Area is adjacent to SSSIs so the buildings would be more appropriate if they were green level roofs made suitable for breeding birds that once occurred in this area e.g. little ringed plovers.
- Any offsite biodiversity mitigation in the Dearne Valley or indeed elsewhere in the Barnsley District should focus on acquiring and reinstating important areas such as Darfield Lake

Assessment

The Principle of Development

The proposed site is allocated as employment land in the Local Plan (site ES23) in accordance with Local Plan Policies E1 and E2. Policy E3 supports employment uses (B1 (excluding offices), B2 and B8) on allocated sites. Since policy E3 was adopted the Use Classes Order has been amended with the following uses that were classes as B1 now being positioned with the Class E use:

-the research and development of products or processes

- any industrial process, (which can be carried out in any residential area without causing detriment to the amenity of the area)

The developer would still want the opportunity to potentially utilise the development for one of the above uses but Class E also contains a number of other uses that would not be acceptable at this location e.g. shops, food and drink outlets etc. As such if permission is to be granted for the proposal then a condition is recommended to ensure that any Class E use is limited to the former B1 uses (excluding offices)

Therefore, in principle this development is largely supported subject to an assessment against the policies in the Local Plan.

Highways

It is noted that the application is seeking outline permission with all matters reserved except for access.

A Transport Assessment (TA) and Framework Travel Plan have been submitted in support of the application. The transport related impacts of the proposed development are covered within the TA and are considered acceptable. The TA shows that the type of development will not yield a significant level of new traffic generation in the identified network peak hours. However, the application proposes a new junction to be formed with the A6195 Park Springs Road. Whilst the quantum of new trips generated by the proposals in the peak hour will not be high to give rise to capacity concerns, the composition of new trips will be largely goods/freight vehicles. The A6195 forms part of the classified road network and the section where access is proposed is a long, straight and high-speed section of network and the introduction of new and potential slow moving turning traffic against an established high speed throughflow of traffic has been carefully considered. To this end, extensive discussion has taken place between the applicant, Highways Development Control and Highway Authority Engineers to understand the implications and requirements of any new junction to this part of the network.

The application provides an independent Stage 2 Road Safety Audit (Ref: RSI-MM-0322-001 Issue 1.1) and BMBC Highway Authority Engineers have attended site as part of the Road Safety Audit Team. The applicant has provided a suitable Designers Response to the RSA recommendations over access formation and collectively HDC, BMBC Highway Authority and the applicant have agreed the type and form of junction required to enable safe access into the site, as shown on the latest plan. The access will essentially create a new all movements priority controlled (give way) ghost island (right turn bay) junction with uncontrolled pedestrian crossing points, new bus stop layby's and new and improved sections of footway to access the bus stops.

The application provides an acceptable Framework Travel Plan such that a full Travel Plan could be secured by way of a suitably worded planning condition.

Taking the above in mind, the Council's Highways Section do not offer any highways related objection to the above application subject to suitable conditions and informative notes being imposed on any recommendation to approve.

Visual Amenity

Whilst the design, scale and layout of the development are not under consideration at this stage, it is acknowledged that the proposed site would represent a large-scale addition to the area. The applicant has submitted an illustrative layout which shows 5 units on site with an indicative eaves level of 15m (although no overall heights has been shown). It should be noted that the site is directly to the south of the existing ASOS building and the eaves height would be comparable or slightly less than those buildings already present at ASOS. However, the design and scale of the buildings are not under consideration at this stage and aspects such as topography and visual impacts would need to be fully assessed at reserved matters stage. Given the surroundings though it is considered that a suitable scale and massing of employment units could be developed on site. The actual details of the design of the development would need to comply with Local Plan Policy D1, High Quality Design and Place Making, and would be assessed at Reserved Matters stage if outline planning permission was granted.

Residential Amenity

The proposed development is circa 68m from the nearest property off Middlecliff Lane and 104m from Mill Farm Cottage to the south-west of the development.

At this time, no information has been provided regarding the specific end users of the site with the application seeking flexible employment uses under E, B2 and B8. The application form states that the development will operate on a 24-hour basis. There is potentially a significant difference between the types of uses that could operate on this site. However, given the allocation for employment uses and the distance to neighbouring properties, the Council's Pollution Control Section are satisfied that in principle any noise issued can be dealt with through mitigation schemes incorporated into the development and the site once the layout of development, types of buildings and uses are confirmed. They have therefore raised no objections to the scheme subject to a condition to ensure that a suitable noise impact assessment indicating existing background noise levels, expected noise emissions from proposed development and proposed mitigation measures has been submitted at reserved matters stage.

Given the distance to neighbouring properties, and the type of development proposed it is considered that there is sufficient scope to ensure that a suitable development can be built on

site that would not result in any significant impact in terms of overshadowing or loss of privacy to neighbouring properties

Taking the above into account the proposal is considered to comply with Local Plan Policy POLL1 and will protect residential amenity.

Economic Impacts of the Proposal

The site is designated within the Local Plan as Employment use. A key objective of the Local Plan is to provide opportunities for the creation of new jobs and protection of existing jobs. This plan goes on to state this this will be achieved by providing the opportunity to grow the economy by 28,840 jobs, which represents a one third increase in the number of jobs within the borough during the plan period (Nomis estimate that there were 87,000 jobs in 2014).

Paragraph 81 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Based on the direct and indirect economic benefits arising from the proposal it will both demonstrably support local economic growth.

Enterprising Barnsley actively support this application that will help to create much needed new industrial units in a strategically important area of the borough , that will help to both attract future inward investors and retain growing indigenous local companies. Enterprising Barnsley believe the size of the units can be designed help to full fill a clear gap in the development pipeline market, that will help to support a number of enquiries that they are having to turn away due to the limited available stock levels.

This development is essential in helping BMBC and SCR to create future employment opportunities (jobs) as per the existing strategic economic and corporate plans, as well as contributing to a jobs lead recovery from COVID.

Biodiversity

Initial Biodiversity comments recommended the application be deferred until updated ecology reports were provided. A Biodiversity Impact Assessment, Net Gain Calculations, Bat Report and Breeding Bird Report were subsequently submitted during the process of the application as requested.

The Biodiversity Impact Assessment provides an assessment of the current biodiversity value of the site and then utilising the biodiversity metric calculates the impact of the development. The site largely comprises of a mix of broadleaved woodland, predominantly of self-sown silver birch and grey willow and species poor neutral grassland . The habitats to be lost are not deemed to be of high value or distinctiveness..

Proposals have sought to retain boundary woodland habitat where possible. The retention of these areas will maintain established habitat corridors around peripheral areas, allowing continued connectivity and will be maintained in their current condition. The retention of these woodland areas include the mature tree lines and ditch within the woodlands

Overall though, the proposal would result in a net loss of 34.75 units from the site. Whilst some gains can be provided for through the layout of the site, in order to provide a net gain then off-site mitigation works would be required. In this case the applicant has put forward that the majority of the losses will be compensated for by enhancement of woodland within the client's control located at Barrow Colliery LWS, a part of the Dearne Valley Wetlands SSSI, currently supporting a large extent of woodland of moderate value. Calculations indicate that 6.5ha of this woodland would be required to be enhanced into good condition,

which the Barrow Colliery LWS can more than sufficiently accommodate. This would include the following:

- Improvement to age class of trees through strategic removal and planting
- Continued exclusion of damage from wild and domestic herbivore damage via appropriate means
- Monitoring and removal programme for any invasive species as appropriate
- Maintenance and enhancement of native tree and scrub species diversity through removal and planting as necessary
- Creation and management of open spaces, and other woodland management practices to ensure sufficient open space and enable successful regeneration
- Monitoring of tree health and remediation measures to ensure tree mortality, die back and pest/disease levels are maintained as far as is ever feasibly practicable or foreseeable.
- More diverse ground flora allowed to develop
- Ongoing management to enhance woodland structure to develop better and discernible layers across woodland
- Management and incorporation of dead wood into woodland as naturally arises
- Continued management to ensure nutrient enrichment and disturbance levels remain low

In addition to the above, it is also proposed to enhance the condition of the habitat from moderate to good condition and the creation of wildflower grassland on arable habitat, the location of which is yet to be determined. Whilst not part of the considerations of the metric, the applicant has also indicated that there would be other ecology measures incorporated within the scheme including bat boxes, log piles, and suitable hedgehog boundary fencing. Taking all the factors into account, the proposal would result in a net gain of biodiversity of 6%. This complies with the requirement of gaining a net gain on site and the Council's Biodiversity Officer has recommended approval of the scheme subject to suitable conditions and S106 to secure the requirements put forward.

In taking all of the above into account, the proposal is deemed to accord with Local Plan Policy Biodiversity & Geodiversity policy BIO1, Green Infrastructure policy GI1, and the SPDs Biodiversity & Geodiversity and Trees & Hedgerows subject to necessary conditions and a S106 agreement.

Trees

A full tree survey has been submitted as part of the application. However, as this is an outline application with only access considered the main area of concern at this stage is where the access is coming into the site. To facilitate the access then a section of category C trees will need to be removed which are relatively young consisting of highway planting and self set natural regeneration. The Council's Tree Officer has inspected the plans and can confirm that there is no objection to this subject to adequate replacement planting equal to the number of/area of the trees to be removed and the provision of tree protection details to deal with the retained trees. These can be secured by condition. The overall landscaping of the site can be assessed at reserved matters stage.

Drainage

The application was accompanied by a Flood Risk Assessment & Drainage Strategy. Whilst preparing these documents, it was observed that the outfall headwall to a culvert/pipe was fully blocked with debris and this has since been removed. The drainage strategy proposes discharging surface water into the watercourse crossing the site which ultimately discharges to the River Dearne. The rate at which it discharges will be controlled. Foul water will be discharged to the public foul sewer that runs through the site and across Park Spring Road.

Given the above it is considered that the submitted Flood Risk Assessment & Drainage Strategy is acceptable subject to condition to protect the local aquatic environment and Yorkshire Water infrastructure..

Coal Mining Legacy

The application site falls within the defined Development High Risk Area and therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth and that a thick coal seam outcropped across the site. Our records also indicate the presence of two recorded mine entries within the site, that the site has been subject to past surface mining operations and that within 50m of the planning boundary there is a mine gas site.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site; including a Coal Mining Report and BGS geological mapping. This information has been used to inform the Coal Mining Risk Assessment (June 2021, prepared by RSK Environmental).

Based on this review of existing mining information, whilst the report correctly identifies the mine entries within the site, any risks are discounted on the grounds that all have very likely to have been removed by past surface mining operations. Notwithstanding this, the report makes appropriate recommendations for intrusive site investigations to confirm their absence. Given that there may be recorded mine entries within, or within close proximity of the site boundary, after they have been investigated, the Coal Authority would expect the finalised site layout to be informed by their presence, which at this time remains indicative.

On the basis that the investigations are proposed to extend to establish the exact situation regarding conditions in relation to any risks posed by underground shallow coal workings and gas, the Coal Authority has no objection to this planning application subject to the imposition of a suitably worded planning condition on any consent given in regard to a scheme of intrusive site investigations and a report of findings arising from the intrusive site investigations/gas monitoring and any remedial and / or measures necessary, including the submission of the proposed layout plan which identifies the location of any on-site mine entries (if found present) including appropriate zones of influence for all mine entries, and the definition of suitable 'no-build' zones.

Further, the South Yorkshire Mining Advisory Service has no objection subject to condition.

Air Quality

The site is not located in an Air Quality Management Area. The application was accompanied by an air quality assessment which has been appraised and there are no objections to the proposed development on operational phase air quality assessment grounds.

The assessment has also provided a calculation to estimate the additional pollutant emissions from the proposed development. This uses the Defra Emissions Factor Toolkit and also the methodology described within the BMBC Air Quality and Emissions Good Practice Planning Guidance. A damage cost calculation to quantify the air quality impact of the proposed development has been undertaken with a subsequent calculated this cost of £51,864. This can be secured via a S106 with an additional condition to ensure that an Air

Quality Mitigation Strategy should be submitted under reserved matters to demonstrate how this estimated amount shall be spent on air quality mitigation actions.

Public Rights of Way

There is a public footpath running around the north / eastern boundary of the site and at least one unrecorded but well-worn route running directly across the site. The main unrecorded path is shown to be diverted on the plans.

It is recommended that once the layout is agreed in principle an application for diversion be submitted, as such this can be done at reserved matters stage. A temporary closure would also be required, at cost, if the new footpath is not open to the public before the existing route is blocked, and the temporary closure would only be granted after the permanent diversion application has passed through public consultations without objection (i.e. at confirmation stage).

Other Matters

A number of neighbour representations were received objecting to the application. It is considered that a full consultation was undertaken with the application being advertised in the press and by site notice. The proposed access, subject of this application, will be a ghost island priority access from the A6195 Park Spring Road and not from Middlecliff Lane. Appropriate conditions will be implemented on any decision notice to ensure that the proposal will not negatively impact neighbouring properties and to protect biodiversity and wildlife. Further, confirmation was received from the architect that the memorial on the site will be retained, albeit it is likely to be rotated through 90 degrees or moved to the side. Lastly, some of the comments received do not represent material planning considerations and as such have not been taken into consideration.

Planning Balance & Conclusion

In summary the proposal relates to development on a site which benefits from an existing employment allocation. The proposal is an outline application with access to be considered which has been deemed to be acceptable from a Highways DC point of view in accordance with Local Plan Policies T3 and T4.

The development would not give rise to any other identified areas of harm with the development and is not expected to give rise to harm to residential amenity due to the separation distance and small number of residential properties in the vicinity of the site. Appropriate conditions will be implemented on any decision notice to ensure the development is acceptable and is in accordance with the Barnsley Local Plan.

Overall, the development is considered acceptable when considered against relevant local and national planning policies and is supported by Officers accordingly.

On this basis, the proposal is deemed a sustainable form of development and is acceptable in planning terms subject to the recommended Section 106 agreement and planning conditions.

Recommendation

Grant subject to conditions and S106

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

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

2. The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

(a) the layout of the proposed development.

(b) scale of building(s)

(c) the design and external appearance of the proposed development.

(d) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

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

- 002/HOU/NAT/A3 Site Location Plan received November 3 2021
- Travel Plan- 21034- received November 3rd 2021.
- PRA Full report by RSK Geosciences received November 3rd 2021
- CMRA Full report by RSK Geosciences received November 3rd 2021
- Coal Mining Risk Assessment- 322835-R02 (00)- received November 3rd 2021
- Air Quality Assessment- 784-B029722 by Tetra Tech received November 3rd 2021
- Arboricultural Assessment by FPCR received November 3rd 2021
- Topographical Survey 1A- received November 3rd 2021
- Planning Statement- received November 3rd 2021
- Flood Risk Assessment and Drainage Strategy by RWO-RWO/FRADS/Y21011 Version 1 - received November 3rd 2021
- RSA Brief- GG19 REV 4- received December 2022.

- CD123 Design Compliance Document Version 3 dated 08.11.2022.
- D1001- Section 278- TOPO Overlay REV 6- Received December 2022
- Accessibility Audit received March 14th 2022.
- D1003- Section 278 Road Markings REV 8 Received December 2022.
- D1000- Section 278 GA REV 9 received December 2022.
- D1006 Section 278 Signage REV 7 received December 2022.
- D1004 Section 278 Kerbing REV 7 Received December 2022.
- D1005 Section 278 Surfacing REV 6 Received December 2022.
- D1009 Section 278- Vehicle Tracking REV 5 Received December 2022.
- D1010 Section 278 Vehicle tracking Bus REV 6 Received December 2022.
- D1008 Section 278 Drainage Layout REV 4 Received December 2022
- GG119 RSA Designers Response S278 REV 2- received December 2022
- Transport Assessment REV 2- received April 14th 2022.
- Walking, Cycling and Horse- Riding Assessment dated 28.11.2022
- Design Compliance Document- Bus Lay-bys CD169 received April 14th 2022
- Bat report by FPCR received April 14th 2022
- Breeding Bird Report REV A received July 7th 2022.
- Biodiversity Impact Assessment REV B- received July 5th 2022
- Ecological Appraisal REV B received July 5th 2022.
- BNG Calculation REV B received July 5th 2022.

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

4. Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of buildings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Local Plan Policy D1.

5. All buildings within 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 Sustainable Design and Construction.

6. A noise impact assessment shall accompany the reserved matters submission indicating existing background noise levels, expected noise emissions from proposed development and proposed mitigation measures. Thereafter the development shall proceed in accordance with the approved details.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

7. No development (including construction, land raising and demolition if required) shall be carried out other than in accordance with a Construction Environment Management Plan (CEMP) that is first submitted to, and approved by, the local planning authority. The CEMP shall include but not be limited to the following details:

- Reasonable avoidance measures that should be adopted on site to avoid adverse impacts to great crested newts during construction works on site.
- Precautionary measures to be adopted on site for species such as bats (sympathetic lighting during construction), breeding birds, badgers, hedgehogs and retained habitats on site.
- Protection measures during construction works of the horse chestnut tree identified as having bat roosting potential to the south of the site.

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

8. During the construction phase, except in case of emergency, operations and the entering or leaving of heavy goods vehicles should not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays. There should be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority should be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

9. Upon commencement of construction works, details of electric vehicle charge points (EVCPs) shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.

Reason: To ensure the new units are provided with infrastructure that conforms with the requirements of LP Policy T3 – New Development and Sustainable Travel.

10. No development shall take place until an Air Quality Mitigation Strategy shall be submitted to and approved in writing by the LPA. Thereafter the development shall proceed in accordance with the approved details.

Reason: In the interest of air quality, in accordance with Local Plan Policy POLL1.

11. Prior to the first occupation of the development hereby permitted, the proposed access roads, on-site car and cycle parking, and turning shall be laid out in accordance with the approved plan. Access roads and vehicle parking areas must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard in accordance with Local Plan Policies T3 and T4.

12. Prior to occupation of any of the development, a Travel Plan shall be prepared, submitted to and agreed in writing. The development shall then proceed in accordance with the approved Plan.

Reason: To support sustainable transport objectives, reduce reliance on the private motor car as a primary form of transport and to reduce the impact of travel and transport on the environment standard in accordance with Local Plan Policies T3 and T4.

13. Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of:

- Measures for controlling parking on the access road within the development.
- Any necessary amendments to signing/lining

Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.

14. No works shall commence on site until a scheme to provide Disabled Parking to comply with Barnsley Supplementary Planning Document: Parking (2019) has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: In interests of highway safety and equalities standard in accordance with Local Plan Policies T3 and T4.

15. No works shall commence on site until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: In interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T5.

16. No works shall commence on site until a scheme for the parking of powered two wheeled vehicles has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: In interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T5.

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

- A plan to a scale of 1:1250 showing the location of all defects identified
- A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety and in accordance with Local Plan Policy T4.

18. No construction works, with the exception of those required to gain/implement the approved access, shall commence until a phasing plan and arrangements have been submitted to and agreed in writing with the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and timescales.

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

19. No construction 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:

- Working times
- The parking of vehicles of site operatives and visitors
- Routing of and means of access for construction traffic
- Identification of agreed access point

- Contractors' method for controlling construction traffic, adherence to routes and temporary signage.
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding
- Measures to control mud and dust being transferred to the public highway
- Measures to protect the watercourse within and close to the site

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

20. Prior to any works commencing on site full details shall be submitted to and approved in writing by the Local Planning Authority that secure the following works:

- Highway engineering
- Provision of / any alterations to highway drainage
- Provision of / any alterations to street lighting
- Any necessary signing / lining details
- Any necessary resurfacing / reconstruction
- Measures to prevent/control parking and loading
- Provision of / any alterations to bus stops

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

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

21. Development shall not commence until full highway engineering construction details have been submitted to and approved in writing by the Local Planning Authority.

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

22. The site shall be developed with separate systems of drainage for foul and surface water on and off site, details of which shall have been submitted to and agreed in writing prior to the commencement of development. The separate systems should extend to the points of discharge to be agreed. The development shall then proceed in accordance with the approved details.

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

23. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network in accordance with In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.

24. No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public sewer i.e. a protected strip width of 6 metres, that crosses the site. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

Reason: In the interest of public health and maintaining the public sewer network in accordance with Local Plan Policy CC3.

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

Reason: To accord with Local Plan Policy I1.

26. Prior to, or concurrent with the submission of the first reserved matters application, a scheme of intrusive site investigations shall be undertaken, including ground gas monitoring, which shall be designed by a competent person in compliance with Construction Industry Research and Information association publication C758D "Abandoned mine workings manual" where applicable in order to establish the exact situation regarding coal mining legacy issues on the site;

As part of the reserved matters application a report of findings arising from the intrusive site investigations/gas monitoring and any remedial and / or measures necessary, including the submission of the proposed layout plan which identifies the location of any on-site mine entries (if found present) including appropriate zones of influence for all mine entries, and the definition of suitable 'no-build' zones shall be submitted for approval in writing by the Local Planning Authority.

The development thereafter shall be carried out in accordance with the approved details. In the case of further stabilisation works being required, then the condition will not be discharged until details of such works have also been submitted.

Reason: To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

27. Prior to, or concurrent with the submission of the first reserved matters application a Biodiversity Enhancement Management Plan (BEMP) for on and off-site mitigation measures proposed shall be submitted to in writing and approved by the Local Planning Authority. The BEMP shall be supported by an associated Defra metric and shall relate to/ include the following details:

- The management and monitoring of retained/created habitat on and off-site as set out within the BNG calculation.
- The on-site habitat creation and retention proposals as set out within the Biodiversity Impact Assessment (BIA) report and associated Defra Metric 3.0 as well as include all additional enhancement measures as set out under paragraph 4.2.4 of the BIA report.
- The off-site BEMP should relate to off-site habitat enhancement and creation measures proposed within the BIA report and associated metric, which includes positive management of woodland within unit 21 of the Dearne Valley Wetland Site of Special Scientific Importance (SSSI) to enhance the condition of the habitat from moderate to good condition and the creation of wildflower grassland on arable habitat, the location of which is yet to be determined.
- The on and off-site BEMPs should include detail on how on-site and off-site woodland will be managed with the aim to benefit willow tit, taking into account recommendations within the Back from the Brink Willow Tit Conservation Handbook.
- a plan of the areas of habitat to be maintained, enhanced and/or created;
- a schedule of actions to create or enhance and maintain each habitat at the required quality for a period of 30 years;
- a schedule of ecological monitoring for the 30 year period identifying when key indicators of habitat maturity should be achieved; and
- schedule of actions to be undertaken in case signs of failing are identified.
- Installation of six boxes onto retained trees/poles on site and the adoption of a sympathetic lighting scheme to ensure bats can continue to utilise the site.

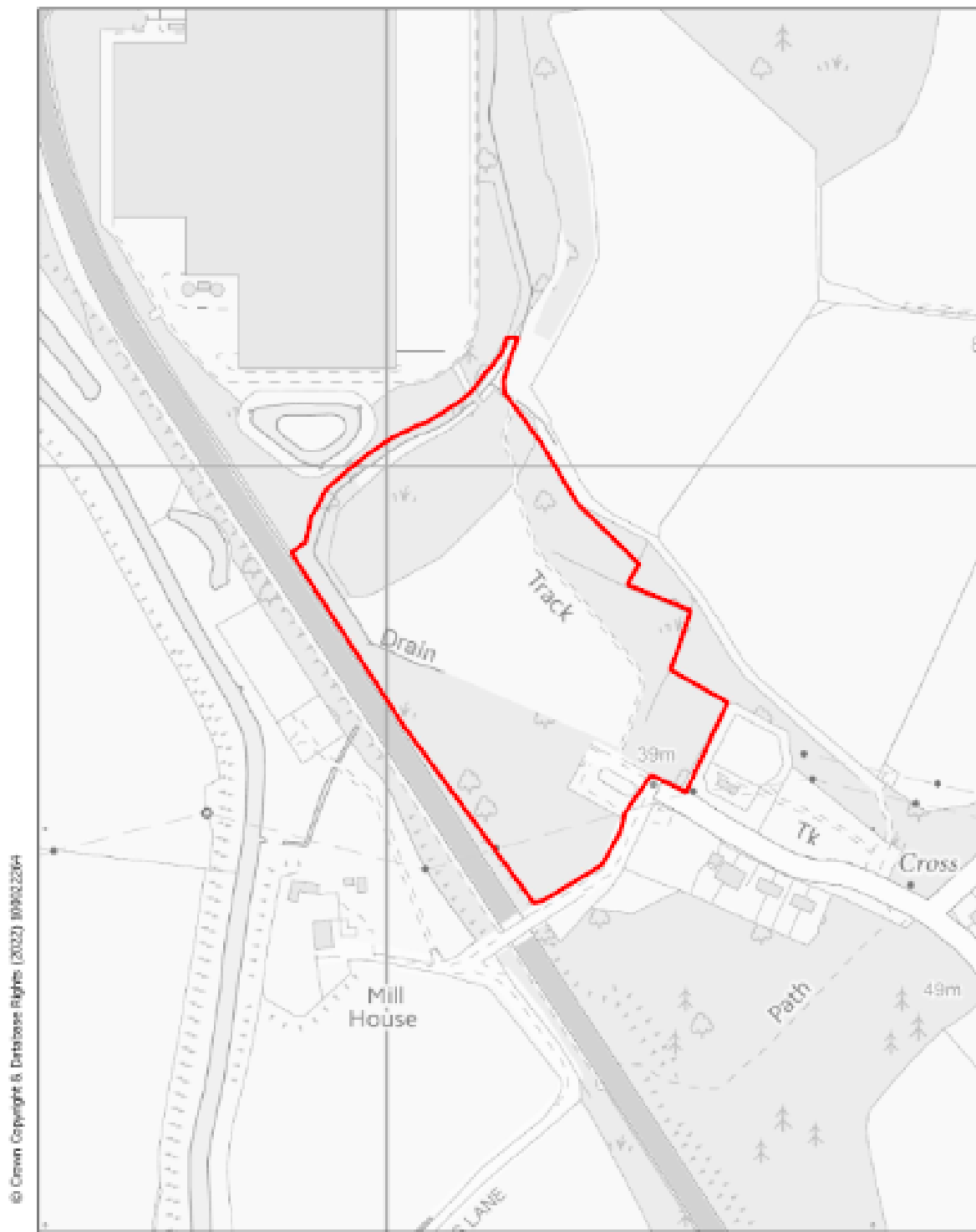
The schedules must include the following details:

- details of the technique(s) to be used;
- equipment to be used;
- roles and relevant expertise of personnel and organisations involved;
- and timing of actions including submission of monitoring report to the Council.

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.

28. Notwithstanding the description of development as submitted, any proposed use under Class E shall only be for a use within Class E (g) and no change of use from Class E (g) which would otherwise be permitted by Part 3 of Schedule 2 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) shall be carried out at anytime during the lifetime of the development.

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 and to safeguard the amenities of neighbouring residents in line with Local Plan Policy GD1.



Item 4

Ref 2021/0668

Applicant: Harron Homes

Description: Reserved matters (layout, scale, appearance and landscaping) pursuant to outline planning permission 2017/0753 for the residential development for approximately 250 dwellings, means of access and associated works (Amended Plans and Supporting Documents proposing a development of 238 dwellings)

Site address: Land to the south of Bleachcroft Way, Stairfoot, Barnsley, S70 3PA

2 objections have been received from local residents.

Site Description

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

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

At the outline stage vegetation comprised scrub, grassland, bushes and self set and mature trees which are predominantly to the east, and west boundaries and southern portion of the site and along the line of Dob Sike and the disused canal, forming substantial vegetated boundaries. The whole site lies within the Dearne Valley Green Heart Nature Improvement area and is part of Barnsley's strategic Green Infrastructure Network.

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

Planning History

2017/0753 Outline application including for development of 250 dwellings and associated works (all matters reserved apart from means of access) granted subject to S106 agreement 8th April 2021.

2021/0664 Refused - Variation of conditions 3 (requirement to comply with indicative layout plan ref: 18 5221 SK04), 4 (indicative public open space arrangements), 15 (ecological mitigation) and 19 (requirement to submit archaeological evaluation prior to submission of reserved matters) of planning permission 2017/0753 - Outline planning application for approximately 250 residential dwelling houses (Use class C3), means of access and associated works. Refused on 22nd December 2021 for the following reasons:

- 1 The proposed variations to condition 3 and condition 4 are not accepted as the proposed layout (Drawing 498-PL001 REV G) does not include a broad mix of house size, type, and tenure informed by the BMBC Strategic Housing Market Assessment (SHMA) 2021 and no evidence has been provided to demonstrate that a suitable

housing mix informed by the SHMA 2021 would be unviable. It is therefore contrary to Local Plan Policy H6 Housing Mix and Efficient use of Land.

- 2 The proposal is also contrary to Local Plan Policy GD1 General Development in that it does not provide adequate internal road layout and is contrary to Local Plan Policy D1 High Quality Design and Placemaking, as the layout and design is not of high quality and does not provide an accessible environment. The peripheral location of the Local Equipped Area of Play and informal public open spaces mean they are not easily accessible from the whole of the site, and along with the pedestrian routes, they are not sufficiently overlooked and would mean the development failed to create a healthy, safe and sustainable environment or community. The proposal is also contrary to NPPF (2021) in that it does not reflect adopted Supplementary Planning Documents and guidance, or the ten characteristics of the National Design Guide
- 3 The proposed variation to condition 19 is not accepted as the proposal does not comply with Local Plan Policy GI1 Green Infrastructure and Policy GI2 Canals-Safeguarded Routes in that it does not protect, maintain, and enhance the Barnsley Canal Green Infrastructure asset, nor does it protect it from development. It is also contrary to Local Plan Policy BIO1 Biodiversity and Geodiversity in that it will not protect and enhance the biodiversity interests of the Barnsley Canal Greenspace. Furthermore, the proposed layout does not appear to retain wet woodland habitat corridor, provide landscape screening on the southern boundary, or retain the grassland in the south west of the site, contrary to site specific Local Plan Policy HS27.
- 4 Insufficient information has been submitted to determine the extent, type, quantity and quality of the existing trees on site through a detailed tree survey to British Standard 5837:2012, nor the potential impact on trees of the proposed development through an arboricultural impact assessment. The proposal is therefore contrary to Local Plan Policy GD1 in that it has not been determined that existing landscape features are incorporated into the design or that existing trees that are to remain on site have been considered in the layout. The proposal is also contrary to Local Plan Policy BIO1 in that insufficient information has been provided to ensure that the development will conserve, protect, or improve the biodiversity habitats of the existing trees or enhance the biodiversity features of the site with respect to existing trees.

Proposed Development

The application follows on from the granting of outline application 2017/0753 which approved a residential development of approximately 250 dwellings on the site and associated works. It seeks the approval of the reserved matters which includes appearance, landscaping, layout and scale.

Access is as agreed at outline, with vehicular access off Bleachcroft Way. The outline planning permission also approved off site works on Bleachcroft Way on the approach to Stairfoot roundabout consisting of the removal of the existing bus lane and gate to allow three traffic lanes and the provision of a new bus stop layby which were modelled to improve traffic flow.

The plans originally submitted with this application closely matched the indicative layout set out in the failed minor material amendment application 2021/0664 detailed in the planning history section above which attempted to vary the original outline permission. However, since the refusal of that application, the applicant and Officers have undertaken protracted

discussions in an attempt to secure a layout which more closely reflect the requirements set out in conditions in outline planning permission 2017/0753 and adopted policies and guidance resulting in multiple layout iterations.

The latest site layout REV V is laid out in a series of long cul de sacs from a central looped internal highway. A central greenspace is proposed with a Local Equipped Area of Play (LEAP). A small pocket park is proposed to the west of the site, with informal open space to the south. The north of the attenuation basin to the east would be covered in meadow grass and would add further informal greenspace to the development. The canal basin in the east of the site which lies outside the housing allocation, is to be retained in its entirety.

A number of the dwellings will be required to have noise mitigation measures due to the railway to the west and the Stairfoot retail park to the west.

The existing public right of way to the east would be diverted along the edge of the canal and then follow the route of one of the new internal roads.

The development is residential with a total of 238 houses proposed. The mix of units is as follows:

64 x 2 beds
107 x 3 beds
67 x 4 beds

Of these units, 10% are proposed to be affordable 12 x 2 beds and 12 x 3 beds. The remaining market dwellings are in the following mix:

52 x 2 beds 24.3%,
95 x 3 beds 44.3%
67 x 4 beds 31.3%

A total of 16 different house designs are proposed, most with hipped roofs and a smaller number having pitched roof styles some with gable elements. Garages are integral or off-street parking. The materials proposed are Hardwicke Lenton Dark multi red with red double roman roof tiles (or similar), or Marshalls Cromwell Pitched Face weathered reconstituted stone with grey plain flat concrete tiles (or similar).

The applicant is proposing to enter into a supplementary Section 106 to provide off-site biodiversity mitigation and £50,000 contribution towards off-site youth facilities.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). 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 Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan Designation: Housing Allocation with a site-specific policy.

Site HS27 Bleachcroft Way Industrial Estate indicative number of dwellings 230

The development will be expected to:

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

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

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

SD1 'Presumption in Favour of Sustainable Development'.

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

LG2 'The Location of Growth'

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

H2 'Distribution of New Homes' states 43 % of new homes to be built in Urban Barnsley

H6 'Housing Mix and Efficient Use of Land' proposals for residential development are expected to include a broad mix of house size, type and tenure and a density of 40 dwellings per hectare is expected

H7 'Affordable Housing' seeks 10% affordable housing in this area

T3 'New Development and Sustainable Travel'. The site is located in the Accessibility Improvement Zone

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

GI2 Canals-safeguarded routes

GS1 'Green Space' requires new development to provide or contribute towards green space in line with the Green Space Strategy.

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

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

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 Sustainable Drainage Systems

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

SPD's

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

Other

South Yorkshire Residential Design Guide

NPPF

The National Planning Policy Framework 2021 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. Where proposals are in accordance with the development plan, permission should be granted without delay.

Consultations

Air Quality: A planning condition was required at the outline stage which requires details of Electric Vehicle Charing Points (EVCPs) to be submitted prior to the commencement of construction works. This requirement has now been superseded by changes to Building Regulations which requires all new residential dwellings to be provided with an EV charging point.

Affordable Housing Officer: The overall mix is much better than previous proposals, and the affordable units (2 and 3 beds) align with the Strategic Housing Market Needs Assessment. The affordable properties have been dispersed across the site as per our request. This is welcomed.

Biodiversity Officer: The updated ecology reports are acceptable subject to conditions requiring additional bat boxes, monitoring reports for habitat creation and enhancement, lighting scheme, surveys and non-native species management plan to control the invasive species on site.

Broadband: No objections subject to a planning condition. This was attached to the outline approval.

Coal Authority: Confirmed at the outline stage that the site does not lie within a defined Development High Risk Area and standing advice was applied at the outline stage

Drainage: No objections to the proposal

Education: A secondary contribution of £576,000 for a yield of 36 pupils is required.

Forestry Officer: The key issue is the clearance of the site and particularly the section of woodland which was removed. A restoration plan has now been provided to address the damage done in this area. On balance, the Forestry Officer does not object to the proposed scheme but requires a detailed landscaping scheme.

Highways: Means of access was approved at the outline stage along with a requirement for off-site works. There have been numerous highways safety and technical issues over the various iterations of the internal layout. However, the applicant has now addressed all concerns and the Highways team have no further objections subject to conditions and informative notes.

Network Rail - no objections subject to technical details for construction relating to protection of rail infrastructure.

Pollution Control: No objections subject to conditions requiring a construction method statement, restricted working hours and submission of a noise mitigation scheme. These were also included on the outline decision.

Public Rights of Way: no objections subject to conditions and informative

South Yorkshire Archaeology Service: A planning condition was attached to the outline condition requiring the submission of a written scheme of archaeological evaluation. A satisfactory scheme has been submitted and the first part of the condition can be discharged.

South Yorkshire Police: No comments received.

South Yorkshire Mining Advisory Service: no objections

Urban Design Officer - concerns raised through earlier iterations have been addressed. The Urban Design Officer now offers no objections.

Yorkshire Water: No objections or conditions proposed

Representations

The application was advertised by site notices and a press notice, and 62 letters have been sent to individual properties including local residents and businesses. Two letters of objection were received. Both objectors raised concerns relating to impacts of extra traffic on Stairfoot roundabout.

A further consultation exercise was undertaken in April 2022; however, no additional objections were received.

Assessment

Principle of development

The site already has outline planning permission for a development of approximately 250 dwellings and so the principle of development is already established. The outline application was granted taking into account that the site is allocated for new housing development in the adopted local plan (housing proposal HS27) making the proposal in compliance with the development plan in land use planning policy terms.

Residential development on the site also accords with other strategic policies in the local plan including policies H1 'The Number of New Homes', H2 'The Distribution of New Homes', LG2 'The Location of New Growth and H3 'Uses on allocated housing sites'.

Scale and Housing Mix

Site specific policy HS27 sets an indicative number of dwellings of 230 with the outline planning permission potentially allowing for a slightly higher number being for approximately 250 dwellings. A proposal of 238 is therefore acceptable in meeting Local Plan expectations in yield and lies within the maximum allowed by the outline permission.

The housing mix proposed of approximately 24% x 2 bedroom dwellings (2 beds), 44% x 3 beds and 31% x 4 beds is considered to be a suitably broad mix of various house types which reflects the Strategic Housing Market Assessment (SHMA). 10% affordable housing is proposed and includes a combination, of 2 and 3 bedroom units spread throughout the site as required by policy H7 and the SPD. This contrasts with the proposed mix of only 6% 2 bedroom properties, 37% 3 bedroom properties and 57% 4 bedroom properties that formed part of previously refused application 2021/0664 which failed to include enough smaller unit types.

Of the 238 dwellings proposed, the vast majority are proposed to be of two storeys with only 18 of 2.5 storeys (Stockley House type). Built as pairs of semis, these two and a half storey house types only accounts for 7.5% of the overall number of new dwellings and they are proposed to be spread around the site in several locations. The provision of informal public open space is adequate in size. Overall, the scale of the development is considered acceptable taking into account the outline planning conditions and site specific local plan policy and the type of housing stock in the locality and is in compliance with Local Plan Policies D1 and H7.

Layout

The proposed layout closely resembles the indicative layout in the outline permission as required by condition 3 of the outline permission, with a central area of open space and further informal open space to the west.

The site is permeable, with access to east and west, and north to south via pedestrian linkages and through the open spaces throughout the site. The internal road layout has a central loop and long cul de sacs to address the shape and topography of the site, and also reflects the outline indicative plan. A central Local Equipped Area of Play (LEAP) standard play area is proposed, with adequate buffers and is well overlooked. An additional pocket park would lie in the west of the site. This is also well overlooked, but there is no specific buffer required in the SPD as it is intended for smaller children under supervision. An attenuation basin for SuDs lies to the adjacent the boundary of the disused canal area to the east. The canal lies outside the housing allocation but within the application site and is to be retained.

The north east of the site has now been reconfigured to protect the integrity of the canal basin, which would otherwise have been impacted by proposed highway infrastructure. Members will recall that the canal is safeguarded and is a designated greenspace and Policy GI2 (Canals – safeguarded routes) and GS1 Green Space protect these green infrastructure assets from other forms of development. The disused canal is also important for biodiversity.

Rear gardens on the whole are generous and meet or exceed minimum requirements of 50sqm for private amenity space for a 2 bed dwelling and minimum 60sqm for a 3 bed dwelling. Separation distances are adequate, and room sizes are deemed acceptable having regard to the South Yorkshire Residential Design Guide. Many of the dwellings have ensuites and utility rooms and in some house types, internal spaces are generous.

In summary, the overall layout design is considered acceptable and in compliance with the outline condition 3 of the outline and in accordance with Local Plan Policy D1 and GD1 and also in accordance with Local Plan Policy GI2 Canals-safeguarded routes; GS1 protected greenspace and BIO1 – Biodiversity.

Appearance

There are 16 house types proposed, comprising a mix of detached and semi-detached dwellings which are predominantly pitch roofed. Detailing on the dwellings such as gable elements, kneelers, brick lintols, artificial stone cills, canted bay windows, arched windows, fancy gabling etc , provide interest. A pitch roofed dormer to the Stockley 2.5 storey dwelling is characteristic of Barnsley. The house types are mixed to provide an interesting street scene, and houses will be viewed from various orientations throughout the site. Two types of materials are indicated, a dark red multi brick finish with red double roman tiles or pitch faced weathered reconstituted stone finish with grey flat tiles, but a condition shall be imposed to require samples of the materials before agreeing the final detail. The substantial amount of greenspace at the edges of the site together with the central open space and plentiful landscaping as indicated in the landscape masterplan will serve to soften the appearance of this large residential proposal. Conditions are proposed to secure detailed planting proposals and materials.

The development has a mix of frontage parking and parking to side of dwellings as required in adopted guidance, and the landscape masterplan proposes includes trees to many front gardens, as required by the NPPF (updated July 2021 para 131 which states that planning decisions should ensure that new streets are tree lined). Further, there are a significant number of trees proposed to be planted within the greenspaces around the site which will

provide a buffer to the boundaries of the site and some trees are proposed in front gardens. This will soften the visual impact of the development and the frontage parking areas.

Over and above the standard 1.8m fence separating rear gardens, boundary treatments include pier and panel fencing, 1.8m brick wall to corner gardens, 1.2m black estate fencing and knee-high rails to greenspaces. This approach provides some visual interest whilst ensuring privacy and security is maintained.

Overall, the proposal includes some variation in house designs and materials and incorporates a good amount of greenspace and tree planting. Therefore, its design and appearance is considered to be sufficiently in compliance with Local Plan Policy D1.

Landscaping

In landscaping terms, a woodland restoration scheme is proposed, and a landscape masterplan has also been submitted which proposes to restore high value grassland and introduce flower meadow grass to some areas of open space, native and ornamental hedgerow, native woodland /shrub buffer mix to the railway line in the west and the western boundary beyond the disused canal in the east. Native shrub planting is also proposed to the north-west of the site screening the commercial properties from the proposed dwellings. Small growing ornamental tree species are proposed to be planting in front gardens. The disused canal is shown on the plans to be retained as reedbed.

The Forestry Officer notes that no detailed landscaping plans have been provided at this stage, only a landscape masterplan which shows a significant amount of tree planting to be provided on both the open spaces and outside properties. The proposed species for these are generally acceptable but wherever possible large growing native species should be used. The native hedgerow mix proposed is also acceptable, but the areas of proposed native woodland and shrub mix are limited as they do not contain any large growing native specimens. Despite this, the landscape masterplan appears acceptable subject to detailed plans required by condition and the proposal is acceptable on this point.

Other Issues

Further Residential Amenity considerations

There would be a minimal impact for the existing residents of existing dwellings in the immediate area with the nearest properties located to the north west of the site beyond allotments on Field Lane and Kay's Terrace and on the other side the railway line at Hunningley Lane and Lockeafash Crescent to the south west. The impact of the development on existing residential amenity is not a concern therefore, other than during the construction period.

In terms of the residential amenity levels for the new residents the site lies between a railway line to the west and the Stairfoot retail park to the east which may result in noise impacts. A noise impact assessment was submitted with reserved matters as required by condition 20 of the outline permission. The Pollution Control Officer is now satisfied that appropriate mitigation can be provided to the affected dwellings and a planning condition requiring a noise mitigation scheme is proposed.

In relation to construction impacts, condition 18 of the outline permission required the reserved matters application to be accompanied by a noise and dust management plan detailing how noise and dust shall be controlled during construction. The Pollution Control Officer has assessed the proposal and has no objections subject to planning conditions. The proposal is therefore compliant with Local Plan Policy POLL1 on this point.

Overall, residential amenity for proposed residents will be to an acceptable standard in accordance with the adopted SPD's and best practice guidance. In addition, the noise mitigation proposals have been found to be satisfactory and the application is therefore considered to be compliant with Local Plan Policy D1 and POLL1.

Highway's considerations

Highways Development Control have confirmed that the network impacts were assessed through the provision of a Transport Assessment (with associated framework Travel Plan) at the outline stage. This detailed assessment identified the need for offsite highway improvement works in the vicinity of Stairfoot roundabout and developer contributions of £164,000 were secured through a Section 106 Agreement, together with a Sustainable Travel Contribution (totalling £180, 749.10) based on the 238 proposed number of units shall need to be provided. As a reminder the approved off site highway mitigation works would be carried out on Bleachcroft Way on the approach to Stairfoot roundabout consisting of the removal of the existing bus lane and gate to allow three traffic lanes and the provision of a new bus stop layby to allow them to buses to stop without causing a blockage to one of the lanes whilst stationary.

Access to the site is taken from Bleachcroft Way and Stairfoot Way which are existing adopted public highway, however in order to facilitate the development there is a need for a short section of Bleachcroft Way to be stopped up under Section 247 of the Town and Country Planning Act.

The site layout has been subject to numerous changes during the planning process and the latest revisions due to the need to protect the integrity of the retained canal basin. Layout (Rev V) has been assessed together with relevant swept path analysis and is considered satisfactory. As such there are no objections from a highways perspective subject to planning conditions and the proposal is considered to be in conformity with Local Plan Policy T3 and T4.

Biodiversity/Ecology

An updated ecological impact assessment, a biodiversity metric and a Woodland Restoration Plan has been submitted to accompany the reserved matters application to demonstrate compliance with Condition 15 of the outline permission.

The Biodiversity Officer confirms that the updated ecology reports and Biodiversity Management Plan are acceptable subject to conditions requiring additional bat boxes, monitoring reports for habitat creation and enhancement, lighting scheme, surveys and non-native species management plan to control the invasive species on site. The Woodland Restoration Plan is also deemed appropriate.

However, the proposed on-site biodiversity/ecology mitigations fall far short of fully mitigating the overall habitat loss and the applicant has additionally agreed to enter into a supplementary S106 agreement to provide off-site mitigation for the vegetation loss. Should the applicant fail to secure appropriate off-site habitat mitigation and enhancement and long-term management, compensation will be payable. As a result, the proposal is considered to be in compliance with Local Plan Policy BIO1.

Public Rights of Way

There is an existing PROW (FP 427) running through the site which is proposed to be diverted so it runs along the embankment of the disused canal to the east and north through the site to link to the Trans Pennine Trail close by. Works to temporarily close or divert existing public rights of way are subject to separate legislation. This is in accordance with Local Plan Policy GS2 Greenways and Public Rights of Way, and T3 Sustainable Travel.

The boundary of the site is a little smaller than the outline and no longer extends west from Stairfoot Way along the existing public right of way to meet Field Lane. As the footpath falls outside the site, improvements to the PROW shall be secured using monies from the Sustainable Travel Contribution, in accordance with the adopted SPD Sustainable Travel.

Drainage

The site is located within Flood Zone 1 (low risk of fluvial flooding). The proposed development shows surface water drainage via an attenuation basin to the west of the site adjacent to the disused canal and an attenuation tank in the north of the site. The reserved matters application has been accompanied by a detailed drainage scheme as required by condition 11 at the outline stage. The Council drainage officer has assessed the proposal and is satisfied with the drainage proposals. Overall, therefore the proposal is regarded as being acceptable with regards to flood risk and drainage considerations in accordance with Local Plan Policies CC3 and CC4.

Air Quality

Condition 5 of the outline permission required the reserved matters submission to be accompanied by details of actions for mitigation of air quality impact, taking into account the Barnsley MBC Air Quality Best Practice Guidance. Since the outline permission was granted, there has been a change to Building Regulations which requires all new dwellings to be provided with EV charging points to the same specification as required in the BMBC guidance. The proposal would therefore be considered acceptable on this point.

Archaeology

A Written Scheme of Investigation has been submitted in compliance with Condition 19 of the outline permission. The findings of the report have been agreed by South Yorkshire Archaeological Service (SYAS) and the condition can be discharged subject to confirmation that the report has been lodged with the archives. On this basis, the condition is sufficiently progressed to allow the Reserved Matters to proceed without objection.

Planning obligation and infrastructure requirements

A S106 agreement was signed with the outline application which includes provisions and contributions towards specific infrastructure requirements to be calculated based upon the final number of dwellings agreed at the reserved matters stage. The S106 will therefore secure the following:-

10% Affordable Housing - Local Plan Policy H7 states that housing developments of 15 or more dwellings will be expected to provide affordable housing, with 10% affordable housing provision expected in the urban Barnsley area. The full 10% is provided for in the layout plan and proposes 12 x 2 bed dwellings and 12 x 3 bed dwellings.

Education – Secondary contribution would be £576,000 for a yield of 36 pupils. There is sufficient capacity in primary schools therefore no primary school contribution is required.

Greenspace – The adopted SPD and outline planning permission require the provision of 15% onsite greenspace, including a LEAP standard play area. A contribution of £235,971.31 will be secured for offsite investment in formal recreation in accordance with Local Plan Policy GS1 and the adopted SPD “Open Space Provision on New Housing Developments”.

Sustainable Travel – Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel, where levels of accessibility through public transport, cycling and walking are unacceptable. The site is in the Accessibility Improvement Zone therefore this contribution is required and is calculated to be $238 \times 10 \times £101.26 \times 0.75 = £180,749.10$

The S106 Agreement signed at the outline stage also included a contribution of £164,000 to be paid to the Council towards the off site highway works explained earlier in the report.

Supplementary S106 agreement

In order to achieve compliance with Local Plan Policy BIO1 and some of the criteria that formed part of the site-specific policy, the applicant has agreed to enter into a supplementary S106 agreement which will provide for off-site mitigation and long term management to replace the habitats lost. The applicant will be required to find a suitable off-site location which will be subject to a detailed ecological assessment and a long term biodiversity enhancement management plan (BEMP) which will compensate for the biodiversity shortfall of approximately 31 habitat units. Short, medium and long term aims, and objectives will be agreed, including a scheme of works and timetable for implementation to achieve the required biodiversity compensation, all to be agreed with the Council. Should there be a shortfall in the number of habitat units delivered, then the applicant will be required to pay compensation of £25,000 per habitat unit.

The applicant has also agreed to provide a commuted sum for off-site youth facility which was required by condition 4 of the outline permission but which will not now be provided on the site, with the agreement of Parks Services. A commuted sum of £50,000 in accordance with the adopted SPD is therefore considered appropriate to be invested in youth facilities in the area and secured by the supplementary S106 agreement.

These S106 obligations are compliant with the requirements of Policy I1 Infrastructure and Planning Obligations which states that development must contribute as necessary to meet all onsite and off-site infrastructure requirements to enable development to take place satisfactorily.

Planning Balance and conclusion

The site is allocated for new housing development in the Local Plan (site reference HS27) making the proposal in compliance with the development plan in land use planning policy terms and the principle of allowing a residential development of approximately 250 dwellings was established by the extant outline planning permission.

The assessment of the plans has determined that the proposed layout and scale of the proposed development is very similar to the indicative plans approved at outline stage in relation to the general layout, the areas of the site that were viewed to be developable and undevelopable and the locations of the areas required for public open space and biodiversity. The development would also contain a suitable mixture of different housing types and 10% affordable housing as required by policies H6 and H7.

The proposed layout provides pedestrian linkages throughout, a Local Equipped Area of Play, a separate pocket park, ample open space, and will preserve the canal basin greenspace. Furthermore, it achieves the spacing and private rear garden standards that are required by the SPD and so would deliver the required standards of residential amenity for future residents. The overall layout design is therefore considered in accordance with Local Plan Policy D1 and GD1 and also in accordance with Local Plan Policy GI2 Canals-safeguarded routes; GS1 protected greenspace and BIO1 – Biodiversity.

In design and appearance terms the majority of dwellings will be of two storeys which reflect local character. Furthermore, the internal and external dimensions for the majority of plots meet and exceed the minimum requirements set out in the New Housing Development SPD meaning that the dwellings would provide an acceptable standard of residential amenity for future residents. This is provided that the noise mitigation measures are installed in accordance with the recommendations of the noise survey which is proposed to be conditioned.

In terms of the highway's implications, means of access was approved at the outline stage and is not a consideration with this application. The existing S106 Agreement makes provision for a commuted sum of £164,000 which is due towards reconfiguration works on Bleachcroft Way comprising of the removal of the existing bus lane and gate to allow three traffic lanes and the provision of a new bus stop layby to improve traffic flow. On this occasion therefore the highways assessment has been about the internal layout which following several amendments is now acceptable with regards to the relevant technical specifications. Internal road layouts are appropriately designed for safe vehicular movement and provide adequate off street and visitor parking. The proposal is therefore in compliance with Local Plan Policies T3 and T4.

The applicant has agreed to enter into a supplementary S106 agreement to provide off-site mitigation for the vegetation loss or pay a commuted sum in order to compensate. Landscaping will reintroduce substantial numbers of trees to soften the layout and improve visual amenity and the amended plans preserve the canal basin Green Space. The applicant has provided an onsite Woodland Restoration Plan and an offsite mitigation scheme and long term management will be secured via a supplementary S106 agreement. Subject to the completion of this agreement the proposal complies with Local Plan policy BIO1.

Furthermore, the applicant has agreed to other Planning obligation and infrastructure requirements that are required by this proposal covering formal recreation and youth facilities on top of the off site highway works, secondary school places and sustainable travel contributions, 10% affordable housing and a LEAP standard children's play area on site that were all secured at the outline stage within the S106 Agreement. The proposal is therefore acceptable in relation to local plan policy I1 subject to a supplementary S106 Agreement being signed.

In addition to the above, the proposal has been assessed in relation to other material considerations including the drainage, coal mining risk and public rights of way and is considered acceptable in relation to each of those areas with consultees offering no objection subject to the imposition of suitably worded conditions and informative notes.

In summary, following various amendments and subject to the proposed Section 106 agreement and suggested conditions the proposal is considered to be in accordance with the development plan as a whole and having regard to other material considerations.

Recommendation - Grant reserved matters approval subject to conditions and a S106 agreement that is supplementary to the existing S106 that was signed at the outline stage (to cover off site mitigation for loss of biodiversity and the provision of youth facilities)

Conditions:-

1. The development hereby permitted shall be begun before the expiration of 2 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

Site Layout PL-001 REV V
Red line plan 498-RLP-01 rec 080422
Woodland Restoration Plan ER-4066-09b rec'd 05/01/23
Arboricultural Method Statement 16747 REV D rec 040522
Arboricultural Implications Assessment 16747 REV C rec 040522
Arboricultural Report 16747 rec 080422
Tree Constraints Plan 16747 rec 080422
Archaeological Desk Based Assessment
Archaeological Written Scheme of Investigation V3 rec 220422
Biodiversity Metric RHW JAR amended rec 090622
Biodiversity Management Plan ER-4066-07a rec'd 06/01/23
Preliminary Ecological Appraisal Report
Landscape Masterplan P20-2345.100 REV P rec'd 10/01/23
Materials Layout 498-PL-003 REV H rec'd 09/01/23
Air Quality Impact Assessment 074796 rec 230622
Noise and Dust Mitigation Statement REV 1 rec 290422
Proposed Drainage and Engineering Plan REV 1 Y19071-D001 rec 290422
T4 The Windslow plans and elevations
T6 The Hurley plans and elevations
T7 The Brackley plans and elevations
T8 The Mawsley plans and elevations
T10 – The Stockley plans and elevations
T11 – The Netherton plans and Elevations
T13 The Faversham plans and Elevations
T14 The Oakham plans and Elevations
T18 The Langford plans and Elevations
T16 The Shelford plans and elevations
T17 v1 The Empingham plans and elevations
T18 The Langford Plans and elevations
T23 The Chearsley plans and elevations
T 25 The Bircham plans and Elevations
T32v1 The Bourton plans and elevations
BY-01 The Bayford Plans
BY-02 The Bayford Elevations
MR-01 The Moreton Plans
MR0-02 The Moreton Elevations
G2-01 Double Garage Plans and Elevations

unless required by any other conditions in this permission.

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

3. The construction method statement required by condition 22 of the outline planning permission shall be supplemented by the following:-

The Statement shall provide for:

- vii. Details of the provision of an on-site water supply or water storage facility;
- ix Measures to control the emission of dust and dirt during earthworks or cut/fill; viii Measures to control noise emissions during earthworks or cut/fill;
- x. A scheme for recycling/disposing of waste resulting from earthworks or cut/fill

No works shall take place until the Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the period of engineering operations and construction.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

4. No development or other operations shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:

1. Risk assessment of potentially damaging construction activities;
2. Identification of 'biodiversity protection zones';
3. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
4. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
5. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
6. The times during construction when specialists ecologists need to be present on site to oversee works;
7. Responsible persons and lines of communication;
8. The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);

Thereafter development shall proceed in full accordance with the approved details.

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

5. The development shall not commence until an Invasive Non-Native Species Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall detail measures to be implemented in order to minimise the risk of aiding the spread of the invasive plant species that are known to be located at the Site. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: For protection of native species and biodiversity in accordance with Local Plan Policy BIO1

6. Development shall not commence until a detailed badger survey of the site is undertaken. The results of which will be submitted to and approved in writing by the Local Planning Authority. If the survey confirms the presence of badger on site, a licence from Natural England may be required to legally close any badger setts.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1

7. Development shall not commence until details of all highway retaining structures, including specification and calculations have been submitted to and approved in writing by the Local Planning Authority, and the development shall then be carried out in strict accordance with the approved details.

Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.

8. Development shall not commence on each phase until details of the siting of the sales centre and parking for staff and customers visiting the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter those facilities shall be implemented in accordance with the approved details and shall be retained for the entire construction period of that phase. **Reason: In the interest of highway safety, in accordance with Local Plan policy T4.**

9. 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. The surface water drainage details shall include scheme for disposing of surface water by means of a sustainable drainage system and shall include the following:

Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

1. A timetable for its implementation; and
2. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

Thereafter the development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.

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 to comply with Local Plan Policy CC4

10. No construction works shall commence until a phasing plan and arrangements have been submitted to and agreed in writing with the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and timescales.

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

11. Upon commencement of the development, a noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority detailing measures to ensure that any noise sources from the areas surrounding the development does not cause adverse impacts on health and the quality of life to the proposed residents. The mitigations may include but not be limited to, acoustic gazing and/or acoustic fencing:

1. Bedrooms: LAeq (8 hours) -30dB (2300 to 0700 hours);o
2. Living Rooms & Bedrooms: LAeq (16 hour) -35dB (0700 to 2300 hours);
3. Bedrooms: LAFmax -45dB (2300 to 0700 hour

Where the above noise criteria cannot be achieved with windows partially open, the scheme shall include a system of alternative acoustically treated ventilation to all habitable rooms. The scheme shall be accompanied by a plan which clearly identifies the different types of mitigation measures proposed, where watch type of mitigation is proposed, and a programme of implementation.

The approved scheme shall thereafter be implemented in full prior to occupation for the plots including but not limited to, those identified on approved site plan REV V as requiring acoustic treatment, and those identified in the scheme, and shall ensure that the above sound levels are achieved within all the dwellings. The approved scheme shall be maintained thereafter for the duration of the development.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

12. Upon commencement of the development, a Biodiversity Enhancement Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority. The document shall include the following:

1. a plan of the areas to be maintained, enhanced and/or created on site;
2. a schedule of actions to create or enhance and maintain each habitat at the required quality for a period of 30 years;
3. a schedule of ecological monitoring for the 30 year period identifying when key indicators of habitat maturity should be achieved. Monitoring would be required within years 2, 5, 10, 20 and 30; and
4. a schedule of actions to be undertaken in case signs of failing are identified.
5. the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council. .
6. Survey of non-native invasive species and measures to prevent their spread
7. Provision of additional bat, bird and bee boxes over and above the number set out in amended ecology survey/assessment

Thereafter the measures set out in the approved document shall be implemented in full.

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

13. Notwithstanding the submitted details, upon commencement of the development details of any permanent external lighting proposed to illuminate the open space areas shall be submitted to and approved in writing by the Local Planning Authority. The details shall be provided by a suitably qualified ecologist and clearly demonstrate that light pollution will not impact upon residential amenity and will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:

1. A drawing showing sensitive areas, dark corridors and buffer areas;
2. Technical description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
3. A description of the luminosity of lights and their light colour;
4. A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
5. Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
6. Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.
7. All external lighting shall be installed in accordance with the specifications and locations set out in the approved details and shall be maintained thereafter in accordance with these details.
8. All temporary lighting for construction purposes shall be turned off during night-time hours.

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

14. Upon commencement of the development, protective fencing shall be erected along the whole length of the temporary footpath diversion route adjacent to the west bank of the retained canal basin to protect users from accidentally entering the canal basin area. The protective fencing shall be retained in full until the public right of way diversion is constructed

and brought into use. Within one month of the public right of way diversion being brought into use, the protective fencing shall be removed and the ground along the temporary footpath route shall be fully reinstated and planted in accordance with approved landscape scheme.

Reason: In the interests of public safety.

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

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

16. Upon commencement of the development, a public right of way and non-adoptable ways and spaces specification and maintenance scheme shall be submitted to the Local Authority for approval in writing. The scheme shall include constructional details and timing of construction, future status and future maintenance plans of existing and proposed footways and footpaths / cycleways / bridleways, carriageways and landscaped areas not put forward for adoption by the Local Authority. Once agreed, the development shall, thereafter, be constructed and maintained in accordance with the approved details.

Reason: To ensure that all existing and proposed footpaths / cycleways / bridleways are constructed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4

17. Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include large growing native tree species and a minimum of 239m of species rich native hedgerow as proposed on page 13 of Biodiversity Management Plan ER-4066-07a by Brooks Ecological. The landscaping scheme shall include large growing native tree species. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

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

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

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

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

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

20. Before any dwelling hereby approved is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway) in accordance with details to be submitted to and subsequently approved in writing by the

Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details. **Reason: To ensure satisfactory development of the site and in the interests of highway safety, in accordance with Local Plan policy T4 – New Development and Transport Safety.**

21. Within three months of first occupation, a detailed travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be based on the Framework Travel Plan produced by Bryan G Hall, dated November 2016 and include details of specific measures / initiatives, targets, timescales and budgets to encourage sustainable travel to and allow for regular monitoring and reporting to be undertaken. The plan shall be fully implemented in accordance with the approved details thereafter.

Reason: In accordance with Local Plan Policy T3 - To support sustainable transport objectives

22. Except in case of emergency, operations including construction or remediation work shall not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays including all visits to the site by Heavy Goods Vehicles. There shall be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority shall be notified in writing at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Reason: To protect the amenity of nearby residents and businesses in accordance with Local Plan Policy POLL1.

23. Best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

Reason: To protect the amenity of nearby residents and businesses in accordance with Local Plan Policy POLL1

24. Effective steps shall be taken by the operator to prevent the deposition of mud, dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 6 metres of the watercourse shown on the approved plan.

Reason: To prevent damage to the existing water infrastructure



Ref 2021/0479

Applicant: Graham Gregory Projects (Barnsley) Limited

Proposal: Erection of 3no industrial/warehouse units (Use classes B2 and B8 and E(g(ii) and Eg(iii))) totalling 11,585 sqm floorspace and associated works including provision of access, parking and landscaping

Site address: Land at Dearne Valley Parkway, Hoyland, Barnsley S74 0QA

3 representations were received from local residents when the application was first publicised back in June 2021. The application has been publicised on two occasions subsequently following amended plans being received with 1 objection being received to the re-consultation carried out in July last year and 4 in response to the further amended plans consultation exercise carried out in November last year.

Site Location and Description

The application site comprises an allocated employment site in the Local Plan (site ref ES14) in the Hoyland part of the Borough. It is located 500m to the northeast of the Junction 36 of the M1, next to the A6195 Dearne Valley Parkway and two of the roundabouts which form part of the road gyratory system which was constructed a number of years ago prior to the adoption of the 2019 Local Plan.

The gyratory road system links together the A6195 Dearne Valley Parkway with M1 J36, the A61, and the A6135. A more recent addition to this road system is Olympus Way which has been constructed in association with the developments that have taken place on the Hoyland West Masterplan area. This is the new Hoyland Common bypass road which also serves the new employment unit buildings that have been built since the adoption of the Local Plan including Evri and 2 other B use commercial units that have been constructed by Newlands Developments.

The application site is roughly rectangular in shape and total area is 4.07 ha hectares. The site is previously developed but the majority of the site now consists of open grassland with the exception of two belts of vegetation which are located in the eastern and southern parts of the site. The levels of the site are fairly consistent with the surrounding area and whilst it is not particularly undulating within the site itself there is a gradual slope upwards from the Dearne Valley Parkway side on the north of 10m at the southern boundary.

It is accessed directly off the south eastern most gyratory roundabout. The site is highly prominent taking into account of its location next to the Dearne Valley Parkway and its proximity to Junction 36 of the M1 which is one of the gateways into the Borough.

The immediate surroundings consist of a wide variety of development that has taken place within the last decade, and which is the process of taking shape following the planning permissions that have been granted both pre-dating and post-dating the local plan and following the adoption of the Hoyland North Masterplan which the site forms part of.

The site is located immediately next to the planning permission (ref 2019/1573) which has been granted to Harworth Estates on land that is located either side of the Dearne Valley Parkway to the east and north east of the site. That consisted of local plan allocation sites ES15 and ES17 and will provide up to 102,193sqm B and class E(g) (iii) use employment development taking place across nearly 39 hectares of land.

Positioned to the north west and south west of the site are existing commercial developments in the form of the first phase of Gateway 36 development comprising commercial and class E uses to the southwest, the gyratory and Starbucks on the same site allocation with new use class B2/B8 and E employment use and commercial development taking place within the centre of the The Oval also nearing completion. To the south east is existing commercial development with residential properties located beyond on the edges of Hoyland Common. Also in this direction is the land that was the subject of the recent Lidl application for a new foodstore at the entrance to Hoyland Common that is positioned next to Sheffield Road and Cross Keys Lane at the side of the Cross Keys Pub (ref 2022/0194). That particular application was withdrawn by the applicant before it was due to be considered at the Planning Regulatory Board meeting that was due to be held on 20th December last year.

The wider Hoyland area alongside the A6195 Dearne Valley Parkway consists of further commercial business parks located at Shortwood and Ashroyd Business Parks and Platts Common Industrial Estate that are located to the north east.

Although comprising regenerated colliery land, the site is bounded to the south and east by belts of trees many of which are regenerated. There are no local, national, or international level statutory designations on the site but there are three non-statutory designations in the area: Shortwood and Hay Green Local Wildlife Site; Barrow Colliery Site Local Wildlife Site. The site also lies within the Dearne Valley Green Heart Nature Improvement Area. The Listed Hoyland Lowe stand is to the 500m to the West, as is the Listed St Peters Church in Hoyland.

A public right of way crosses the site in the extreme southeast corner and along the southern boundary. The nearest residential properties are at Cross Keys Lane, Tinker Lane and Regent Court but are partly screened by the intervening commercial activity at Hoyland Dismantling and the belt of trees.

The Hoyland West (employment and residential) Masterplan area is also located nearby to the south of M1 junction 36.

Planning History

2019/0379 Proposed installation of foul and surface drainage connections and reinstatement of landscaping. (Part retrospective) (Amended Plans) granted 28/08/2019

2019/0974 Temporary installation of Klargester cess tank (18,000 litres) and provision of associated access road, tanker turning area and gates - temporary approval for 3 years 17/10/2019.

Proposed Development

Full planning permission is sought for the construction of 3no industrial/warehouse units (use classes B2 General Industrial, B8 Storage and Distribution and E(g) (ii) (iii) employment uses which can be carried out in a residential area without detriment to its amenity). Together they would total some 11,585 square metres floorspace and associated works including provision of access, parking and landscaping with ancillary office space.

The application originally proposed units totalling some 13,494 square metres gross internal space, with ridge heights up to 14.6m high and very limited landscaping.

There were a number of fundamental concerns with the original proposals, in particular in relation to the lack of conformity with the Hoyland North Masterplan, excessive heights of

the buildings and the quantum of development. This led to the submission of amended plans and full re-consultation exercises were undertaken in May, July and November 2022 whilst officers sought improvements to the plans.

The proposals have therefore been amended significantly whilst the application has been progressed, with several iterations, as offices have sought to achieve a high-quality development which meets the requirements of the Hoyland North Masterplan.

The proposed details are now as follows:

unit 1 closest to the roundabout in the west of the site would have a ground measurement of 48m x 48m creating approximately 2374 sqm of floorspace with 7.5% offices. Height is 9.3m to eaves and 10.5m at its highest point. First floor offices are proposed to the southwest elevation, with a double height glazed entrance and three no. service doors on the south east elevation. Parking provision is 26 no parking spaces including 2 no disabled and 2 no. EV charging points together with a service yard to the south of the building.

Unit 2 is proposed have a ground measurement of 51m x 113m creating approximately 5216 sqm of floorspace with 7.5% ancillary first floor offices to the southeast of the unit and two storey height glazed entrance on the southwest elevation together with 3 no. service doors and 4 no loading bays. Height is proposed to be 11.35m to eaves and 12.58m to apex, which is a reduction of approximately 2m compared with the plans as originally submitted. Parking provision for 55 no spaces including 3 no disabled and 2 no charging points is proposed. A service yard is provided to the west of the building.

Unit 3 would measure 76m x 52m on the ground creating 3994 sqm of floorspace to the southeast of the site with 45 parking spaces. Height would be 11.4m to eaves and approximately 12.6m to apex. First floor offices (7.5%) and double height entrance is proposed to southwest elevation. Two service doors and three no loading bays to southeast elevation. Parking provision of 45 no spaces including 2 no disabled and 4 no charging points is proposed. A service yard lies to the rear.

The site has been designed around a new access road which extends from the existing spur off the Sheffield Road roundabout into the site. The layout orientates the service yards so that as far as possible, they are screened from the proposed access road and the Dearne Valley Dearne Valley Parkway by the buildings and substantial landscape screening.

All three units would comprise the same materials which are proposed to be of profiled metal cladding with composite panels with a mix of greys and greens.

Substantial landscaping is now proposed to the boundary along the Dearne Valley Parkway with further landscaping to the south west and south with boundary and trees to be planted within the site. An attenuation pond and landscaping are proposed in the southwest of the site. A biodiversity net loss of 5.95 habitat units has been calculated. The applicant has entered into negotiations to provide off site mitigation and compensation in lieu of being able to provide 10% biodiversity net gain on site.

The application has been screened under the EIA regulations 2017 as amended, and it has been determined that the proposal does not require an Environmental Statement.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan

frameworks which apply to the largest site allocations (housing, employment and mixed use sites). 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 Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

The Local Plan

The site has a site-specific policy set out below and is the largest part of this allocation:

Site ES14 Rockingham 8.9 ha:

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

The development will be expected to:

- Provide appropriate access to employment site ES17 and housing site HS64.
- Consider the impact on residential amenity and include appropriate mitigation where necessary; and
- Consider the potential impact on the nearby Shortwood and Hay Green Local Wildlife Sites and include appropriate mitigation where necessary and;
- Retain the hedgerow along the north edge.

Policy E1 Providing Strategic Employment Locations - 297 ha of land in sustainable locations is allocated to meet the development needs of existing and future industry and business up to 2033. This will provide a choice of sites in accessible locations to meet the needs of businesses and their workforce and provide local communities with access to job opportunities.

Policy E2 The Distribution of New Employment Sites

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

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

LG2 Location of Growth – Urban Barnsley and the Principal Towns including Hoyland are the highest priority locations for accommodating growth in accordance with the adopted settlement hierarchy.

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

Other relevant policies include:-

- CC1 - Climate Change
- CC2 - Sustainable design and Construction
- C3 - Flood Risk
- D1 - Design
- E1 - Providing Strategic Employment Locations
- E2 - The distribution of New Employment Sites
- T3 - New Development and Sustainable Travel
- T4 - New development and Transport Safety
- T5 - Reducing the Impact of Road Travel
- D1 - High Quality Design and Place Making
- CC1 - Climate change
- CC2 - Sustainable Design and Construction
- CC3 - Flood Risk
- CC4 - SUDS
- GI - Green Infrastructure
- GS2 - Green ways and Public Rights of way
- Bio1 - Biodiversity and Geodiversity
- HE1 – The Historic Environment
- HE6 - Archaeology
- RE1 - Low Carbon and Renewable Energy
- CL1 - Contaminated and Unstable Land
- Poll1 - Pollution Control and Protection
- I1 - Infrastructure and Planning Obligations

Hoyland North Masterplan Framework

The Masterplan was adopted on 19 December 2019 and will create a mixed-use community comprising around 765 new homes and 37 hectares of employment land with associated infrastructure to the north of Hoyland's urban area set within a greenspace network that supports multi-functions and activities. A golden thread running through the Masterplan Framework process is health and well-being principles and sustainability initiatives with a green infrastructure state and sustainability initiatives. For the employment area ES14 it is expected that future plans include substantial landscape strips along internal highways, and green corridors.

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

The site lies within the Commercial Parkway West character area of the Masterplan which states "a) Commercial Parkway West - This is an area defined at present by highway infrastructure. It is an area in need of development to soften the infrastructure character and to bring high-quality buildings and substantial landscape into play to establish a stronger sense of place. This area will be characterised by employment buildings and will be an important gateway into the Masterplan Framework area from junction 36 of the M1. It should deliver a high-quality environment that sets the design quality for the wider Masterplan Framework area".

Supplementary Planning Documents

Parking

Residential amenity and the siting of buildings

Biodiversity and Geodiversity

Sustainable Travel

Trees and hedgerows

Planning Obligations

NPPF 2021

The National Planning Policy Framework 2021 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. Where proposals are in accordance with the development plan, permission should be granted without delay.

Other relevant paragraphs include:-

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment by (inter-alia) preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability. The paragraph also states that decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 179(b) states that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

Consultations

Air Quality – No objections

Biodiversity Officer – No objections following the amendments made to the plans showing a greater degree of biodiversity provisions on site and subject to off site enhancements to arrive at a position of 10% net gain.

Conservation – no objections

Coal Authority – no objection

Design – No objections to final iterations

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

Forestry Officer – No objections following the receipt of the amended plans. The plans as originally submitted proposed landscaping and replacement tree planting which were unacceptably low. However, as a result of the reduction in the quantum of development now proposed on the site, the amount of native tree planting and structural landscaping on the

boundaries including shrubs and hedgerows has drastically increased to provide a landscaped setting which is now considered acceptable.

Highways DC – No objections to final iteration subject to conditions

Highway Drainage – No objection subject to conditions

National Highways – No objections

Natural England – no objections

Pollution Control – No objection subject to conditions

Public Rights of Way – Seek improvement to footpaths and new linkages

Superfast South Yorkshire – no objection subject to conditions

SYMAS – No objection subject to condition

Yorkshire Water – Originally objected but no objection to final iteration subject to conditions

Ward Councillors - Whilst Councillors Lamb and White objected to earlier iterations, no comments have been received on the amended plans being considered that are now submitted to the Planning Regulatory Board Councillors for approval.

Representations

The application was advertised by press notice, by site notices and by individual letters. Local residents were consulted on initial plans and on amended plans on 12th May 2022 and 8th July 2022 and 28th November 2022.

Five objections were received to the initial proposal of which two were anonymous. One objection was received to the July consultation. Concerns raised were generic, that more warehouses in the Hoyland/Birdwell area were unwanted and would cause congestion and air pollution.

A further four representations have been received to the November re-consultation exercise, concerning noise, light pollution, outlook, loss of Green Space, loss of wildlife and habitats, traffic impacts, poor quality jobs.

Assessment

The Principle of Development

The whole of the application site is allocated for new employment use development in the adopted Local Plan (site specific reference ES14).

The site is located in the Hoyland Principal Town area and as such the proposal also accords with policies Policy E1 Providing Strategic Employment Locations, Policy E2 The Distribution of New Employment Sites and LG2 The Location of Growth.

In addition, the specified range of uses E(g)(iii), B2 and B8 accords with Local Plan policy E3 Uses on employment land.

As such the proposal is acceptable in principle, but consideration needs to be given to the aforementioned policy requirements and the other material planning considerations that are relevant to the assessment of the proposal. The Hoyland North Masterplan is another material consideration. The assessment of the application in relation to the other assessment considerations is discussed in more detail below.

Economic Benefits

The site is designated within the Local Plan as Employment use and is in a highly strategic location close to the motorway and key trunk roads. Whilst the site is considerably smaller than the 39ha Harworth Estates site on the neighbouring land (approximately 4 ha versus 39ha), it is still a significant site in its own right and once built out the proposal would lead to private sector investment being secured, providing premises for potential inward investors and expanding local companies and contributing to investment for Barnsley. It will in addition, provide an additional choice of unit sizes to complement some of the larger units granted permission on the adjacent Harworth site on ES15 and ES17 allocations within the Hoyland North Masterplan area.

Design and visual impact considerations (scale, massing, appearance, colours, landscaping)

The site itself lies in the Commercial Parkway West character area of the Hoyland North masterplan area which states “This is an area defined at present by highway infrastructure. It is an area in need of development to soften the infrastructure character and to bring high-quality buildings and substantial landscape into play to establish a stronger sense of place”. As the proposal has progressed, the amount of landscaping has increased significantly. The quantum of development has been reduced by approximately 14% and heights of units 1 and 2 have also been reduced to acceptable levels. These are located in a prominent position adjacent to the Dearne Valley Parkway. Elevational treatment has also been improved and conforms more closely to the colour palette of the Masterplan Framework. As a result, the quality and scale of the buildings are acceptable and are now considered to establish a strong sense of place and as the landscaping matures, will be set within substantial green infrastructure.

Following initial concerns about the plans as originally submitted in respect of quantum of development, proposed height of the buildings, design and colour scheme as originally submitted, together with the lack of landscaping originally proposed, Officers have worked closely with the applicant through several iterations to seek improvements to enable the proposal to more closely conform to the high quality design in a landscape setting required by the Hoyland North Masterplan, which has been achieved elsewhere in the Masterplan area. The frameworks shows the boundary of the site with the Dearne Valley Parkway as a ‘sensitive edge’ (on page 35, figure 10: Urban Design analysis).

Scale- The masterplan states on page 14 that for the employment uses the scale and massing of the building should be appropriate for its end employment use and seek to minimise visual harm upon the wider landscape. All employment units should have a ‘human scale’ frontage to assist with legibility.

The proposals have been amended significantly whilst the application has been progressed, with several iterations, resulting in plans submitted to Members for approval showing a reduction in the quantum of development on the site by approximately 15% from 13,493sqm to 11,585 sqm by reducing the floor area of units 1 and 2. The ridge height of unit 1 has also been reduced from 12.8m to 10.5m, and Unit 2 has been reduced from 14.6m high to 12.58m. The ridge of unit 3 remains at 12.6m as submitted.

These improvements are considered to achieve a balance between meeting the objectives and requirements of the Masterplan framework whilst still achieving a viable development

for the applicant. The landscape and visual impacts on the surrounding area have been considerably reduced as a result of the positive changes achieved through negotiations with the application, resulting in a lower quantum of development, reduced heights and improvements in the design and colour palette of the proposal, in comparison to the plans that were first submitted.

Relationship to Dearne Valley Parkway (DVP) - The Masterplan Framework states (on page 28) that as part of the local plan process a Local Character Assessment was prepared. The assessment recommended that the layout of new development should incorporate landscape features to partially screen development from the Dearne Valley Parkway and the wider area. Whilst it is acknowledged that there is a drainage easement along the frontage of DVP, the application initially omitted the significant landscaping required along the frontage either in front or behind the easement so there was nothing to help soften the view of the two employment units to reduce the impact of their massing and scale. The units were additionally placed on top of retaining walls, thereby adding to their height and minimal tree planting left a very 'hard' visual impression of the employment units. The buildings appeared too close to the north western boundary, leaving no room for sufficient landscaping/screening. Similar issues occurred when considering views from the south west edge facing the roundabout and long distance view from Sheffield Road. Little boundary treatment to the car parks or landscaping internal to the site was proposed. However, the changes to the plans already described have enabled the units 1 and 2 to be pulled back 25-30m from the boundary of the Dearne Valley Parkway enabling significantly enhanced structural planting to be proposed. Additionally due to topography, building the units on top of a retaining wall was no longer required and a reduction in roof heights to two of the units all serve to allow a more modest visual impact (now with acceptable colour scheme) allied with significant structural planting to the boundaries of the site which will result in a high quality landscaped setting.

Colours - The Hoyland North Masterplan states that for colours and materials "*It is crucial that the employment units are sympathetic to the surrounding natural landscape and complement the local area. New development should not seek to take design cues from existing employment buildings where they contrast with the natural landscape*". After working closely with the Urban Design Officer the elevations are now proposed to be clad with vertical and horizontal panels of green and grey which closely conform to the Masterplan colour palette, provide visual interest and reduce the visual impact which will blend in further with the structural landscaping as it matures. The roof colour of Goosewing Grey as originally proposed was considered to be too light and visible from long distance views, potentially impacting on the setting of the Listed Hoyland Lowe stand. This has now been amended to Olive Green which will blend into the background and is similar to the commercial buildings under construction further along the Dearne Valley Parkway.

In summary the amended plans are considered to represent an acceptable form of design having regard the Hoyland North Masterplan and other more general design policies in the Local Plan including D1 and GD1.

Highway's considerations

Access to the site is proposed from one of the roundabouts off the A6195 in accordance with the Masterplan. The internal roads are not intended for adoption.

Objections have been raised from local residents in relation to congestion on the Highway network and whilst Highways colleagues raised several technical concerns when the application was originally submitted, they are satisfied that the network can sustain the type and volume of traffic anticipated by the proposed development. The proposed site layout plan proposes reconfigured parking areas with a 3m wide shared foot/cycle way crossing,

parking for cars, disabled spaces, and spaces for cycles and motorcycles. Whilst additional parking would be required for solely B2 use, a Travel Plan to encourage sustainable forms of travel has been provided which is considered acceptable by Highways colleagues.

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

Overall, the Highways Officers has no objections subject to planning conditions and the proposal is in accordance with Local Plan policy T3 and T4 in this respect.

Sustainable Travel and Public Rights of Way

The Hoyland North Masterplan Framework recognises that a key aspect of achieving a well-connected development is the objective of promoting sustainable travel and reducing the need to travel by private vehicle including provision for public transport and a Transport Assessment and Framework Travel Plan have been submitted and reviewed. The nearest bus stop is approximately 400m away on A6135 Sheffield Road and additional bus services are anticipated as the development within the framework area proceeds. The intention is to appoint a travel plan coordinator and each occupier to produce a detailed Travel Plan in line with the Travel Plan Framework. 10 covered cycle spaces per unit will be provided with a timetable, walking, and cycling routes and details of car sharing etc. Electric Vehicle charging points will be provided in accordance with the adopted SPD and in line with Building Regulations.

The Hoyland North Masterplan emphasises on page 31 *“It is vital that the potential to walk or cycle to the development allocations is maximised. Accordingly, the development strategy for each allocation will include the provision of high-quality, safe and convenient walking and cycling routes to make sure that there is good connectivity through the Masterplan Framework area as well as connections to the existing infrastructure on the surrounding network”*

The site is within cycling distance of a large population and National Cycle Route 67 is approximately 1km southwest. In addition to providing a new footpath along the southern boundary of the site and enhancing the existing footpath within the site, the site layout plan now also proposes a multi user link along the northern site boundary along Dearne Valley Parkway.

A similar multiuser route will be provided by the recently permitted developments both north and south of the Dearne Valley Parkway (DVP), leaving just a small section of land between the application site and the development site to the north.

This small section of land is owned by the Council and if a multi-user route were to be created here it would create an unbroken link along the whole DVP from Gateway 36 to Shortwood linking with an existing underpass which would allow all users to move between the north and south sides of the DVP. This would access to and from Hoyland and public transport routes. Funding to provide the route will be secured from Sustainable Travel Contributions from other developments in the area.

Taking into account the proposals for sustainable travel, the application is considered to be in compliance with Local Plan Policy T3 New Development and Sustainable Travel.

Residential Amenity

Local residents who have objected have raised concerns regarding noise, light pollution, and loss of outlook.

Local Plan Policy POLL1 seeks to protect residents from the impact of new industrial and warehouse development and the Pollution Control officer has proposed conditions which will protect the amenity of residents. In addition, the relationship between the proposed new development and the adjacent existing residential properties has been considered in detail. Guidance is found in the adopted SPD Residential Amenity and the Design of Buildings.

In terms of loss of outlook, the nearest residential property (2 Cross Keys Lane) is only 10m distance away from the extreme southwest corner of the boundary of the site. The dwelling however, faces southwest away from the site, and views northeast towards the site would partly be screened by a domestic garage. Additionally, between the dwelling and the proposed buildings to the northeast, is a green space and an existing vegetated boundary which will remain. Trees, landscaping, and the attenuation pond will lie between the dwelling and the units which would provide a substantial visual buffer. The attenuation basin is placed in this location maximising the distance between the dwellings and the units, which will not be in a direct line of site due to intervening existing and proposed landscaping and an existing garage. As such, unit 1 would be almost 130m away and unit 2 120m. Taking into account the modest size and height of the buildings and intervening vegetation, it is not anticipated that there would be a significant loss of outlook. Other dwellings on Cross Keys Lane, Tinker Lane, Regent Street, Rockingham Street and Steele Street face away from the site and would view any new building from a distance and in context with the existing intervening commercial premises and yard at Hoyland Dismantling Co. situated at the northern end of Tinker Lane and the commercial premises at the northern end of Cross Keys Lane.

Service yards are similarly located far away from the residential properties. Context is important here in that background noise levels are and have historically been relatively high. The proposal complies overall when measured against the guidance set out in the adopted SPD "Residential Amenity and the Siting of Buildings".

In noise and disturbance terms Pollution Control have recommended that conditions are proposed relating to minimising noise from fixed plant, restricting hours of operation and the introduction of noise and dust measures during the construction period.

With respect to the potential for light pollution, a planning condition is proposed to ensure light pollution does not affect residential amenity or harm wildlife.

Overall, and taken in context that this site is allocated as a strategic employment site, and with existing commercial premises nearby at Cross Keys Lane and Tinker Lane, the Pollution Control Officer is satisfied that noise, dust and impacts can be adequately controlled as well as impacts in relation to light pollution during all phases of the development to mitigate against any significant negative impacts on people's lives and wellbeing and is considered to accord with Local Plan Policy POLL 1.

In assessing the residential implications of the construction and engineering operations the main considerations are noise and dust. However, these would be temporary in duration and the Pollution Control Officer is satisfied that conditions can be attached to the permission to manage and mitigate this noise and dust impacts. With respect to light pollution, a planning condition is proposed.

On balance, the above the proposal is considered to conform with the Residential Amenity and Siting of Buildings SPD and Local Plan Policies D1, GD1 and POLL1 on this point.

Impact on trees and landscaping

Page 51 of the Masterplan states that developers will need to justify any loss of green infrastructure, particularly important ecological areas, and set out a clear strategy for mitigation and/or compensation as part of future planning applications, where the loss of existing green infrastructure is unavoidable.

Whilst the centre of this site is empty of trees, there is significant existing trees and vegetation at the eastern and southern boundaries which form a buffer to the existing residential and other development to the south along the high walls and between the remainder of the Masterplan area of which approximately 40% are proposed to be removed. There are also some broadleaved hedgerows and smaller stands of trees and scrub.

The plans as originally submitted proposed landscaping and replacement tree planting which were unacceptably low. However, as a result of the reduction in the quantum of development now proposed on the site, the amount of native tree planting and structural landscaping on the boundaries including shrubs and hedgerows has drastically increased to provide a landscaped setting which is now considered acceptable to the Tree Officer having regards to landscaping part of policy GD1 'General Development'. Additional tree planting may also be achieved as a result of biodiversity net gain (see below).

Ecology and Loss of Habitat

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

As a result of the lost trees and habitat described above the metric identifies that a biodiversity net loss of 5.95 units will result.

There is the need for an off-site solution therefore to enable the development still to come forward on this allocated employment site and to deliver the 10% biodiversity net gain that is required by the Hoyland North Masterplan.

The amended plans have however secured significant improvements to the on-site landscaping and biodiversity mitigations compared to the plans originally submitted, which now include significant broadleaved native tree planting and native hedgerow. Native shrub planting is also proposed. Other mitigations include species specific nest boxes wildflower grassland.

Despite the significant improvement to the proposals, the requirement for 10% biodiversity net gain cannot be achieved on site and still achieve a viable layout for employment uses, and the Planning Ecologists have agreed that it would be appropriate in this case, for offsite mitigation to take place together with long term management, secured by a S106 agreement. Planning conditions are also proposed for on-site mitigation, enhancement and maintenance. The proposal is therefore in accordance with Local Plan Policy BIO1 and the Hoyland North Masterplan on this point.

Air Quality

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

parks. These would previously have been secured by condition but recent changes to the law ensures that EV charging points are secured through Building Regulations legislation.

Overall, the air quality impact is predicted to be negligible taking into account the changes in pollutant concentrations and the operational air quality effects. Pollution Control have no objections. The application is therefore considered to be consistent with the aims of Local Plan Policy AQ1.

Drainage and Flood Risk

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

Sustainable surface drainage is proposed via on-site attenuation basin in the southwest western part of the site. No objections have been received from the drainage engineer subject to the imposition of conditions requiring the subsequent agreement of formal details for foul and surface water drainage at reserved matters, including future management and maintenance arrangements for the lifetime of the development. Yorkshire Water Authority concurs. As such the application is in compliance with Local Plan Policy CC1.

Summary and conclusion

The site is allocated for new employment use development in the Local Plan (site specific reference ES14) making the proposal acceptable in principle. In addition, the site is located in the Hoyland Principal Town area and as such the proposal also accords with policies E1 Providing Strategic Employment Locations, Policy E2 The Distribution of New Employment Sites and LG2 The Location of Growth.

The development would lead to significant investment and new employment opportunities at both the construction and operational stage. Enterprising Barnsley fully support the application and development of speculative units that are needed to generate economic growth in the borough.

In addition, the specified range of uses B2, B8 and E(g) (ii) (iii) accords with Local Plan policy E3 Uses on employment land.

The proposed development is acceptable in all aspects associated with the principle of development/land use planning policy considerations, therefore.

The National Planning Policy Frameworks is another important material consideration related to this case, in particular paragraph 81 which states that 'significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'. This point attracts significant weight as a further material consideration.

In addition to the above an assessment has been carried out of the proposed plans in relation to the detailed design requirements set out within the Hoyland North Masterplan, other local plan policies, SPD's and against other material planning considerations.

The plans have been amended during the course of the application with the building footprints and heights being reduced and this has meant that they are now set in a sufficient distance from the site boundaries and include the necessary amount of soft landscaping around the edges to be an acceptable form of development in terms of its appearance. In addition, the height of units 1 and 2 has been reduced to make the development acceptable in scale and massing terms. Furthermore, the design of the external elevations has changed

to be made up of the neutral colours required by the masterplan including a dark coloured roof (olive green). This means that the development complies with the requirements of the Hoyland North Masterplan and policies D1 which requires High quality design and Place Making in design and appearance terms. Nevertheless, it should be acknowledged that the buildings would still lead to moderate adverse landscape and visual impacts when the development is first undertaken given the nature and mass of the buildings and taking into account that the site is in an open and undeveloped form at the present time.

In relation to biodiversity a combination of on site mitigation and off site compensation would need to be secured by S106 Agreement to achieve sufficient credits so that a 10% biodiversity net gain is achieved as per the requirements of the masterplan.

In residential amenity terms the proposed buildings and service yards are located a sufficient distance away from existing dwellings to comply with the SPD. The plans are judged acceptable in residential amenity terms therefore subject to the conditions requested by Pollution Control in relation to fixed noise and plant and lighting. In addition, a range of conditions would be required to limit the impacts during the construction phase.

In Highways terms the application has been accompanied by a Transport Assessment which has been reviewed by the Council's Highways service and National Highways. Both have raised no objections in network capacity terms. Furthermore, Highways have assessed the internal layout and determined that the design of the internal roads, car parks and service yards meet the required standards. The proposal is therefore in accordance with local plan policies T3 and T4, subject to conditions including the need for a detailed travel plan to be in place to formalise the measures detailed in the draft version. In addition, the plans now include a multi user cycle/footpath running along the Dearne Valley Parkway northern section of the site to facility active travel which would have the potential to link up with the multi user provisions on the Harworth Estates land to the east of the site and would be of benefit for active travel and sustainability purposes.

In addition to the above the proposal has been assessed in relation to other material considerations including air quality, drainage, coal mining risk and is considered acceptable in relation to each of those areas with consultees offering no objection subject to the imposition of suitably worded conditions and informative notes.

In summary the proposal is considered to be in accordance with the main development plan policies that are relevant to the proposal (most notably Local Plan policies E1, E2, E3, D1) and the Hoyland North Masterplan in that it would lead to the provision of 3no new industrial/warehouse unit buildings on a site that is allocated for those purposes in the Local Plan (site ref ES14). The development would result in substantial economic investment and potential employment opportunities and would deliver the other benefits mentioned above.

The proposal therefore complies with the development plan as whole, and the advice set out in the NPPF. As such the application is considered to accord with policies and guidelines and is recommended for approval accordingly.

Recommendation

Grant planning permission subject to conditions and a S106 Agreement to address off site ecology mitigation and biodiversity offsetting improvements to deliver 10% net gain,

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

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

- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission:
- Location Plan 15315 100
 - Block Plan 15315 101 REV A
 - Constraints Plan 15315 102 REV A
 - Detailed Site Plan sheet 1 15315 104 REV A
 - Detailed Site Plan sheet 2 15315105 REV A
 - Proposed Site Plan 15315 111 REV AE
 - Detailed Site Plan Sheet 1 15315 114 REV Q
 - Detailed site plan sheet 2 15315 115 REV M
 - Proposed site sections 15315116 REV G
 - Proposed site sections 15315 117 REV E
 - Proposed site sections 15315 118 REV E
 - Block Plan15315 119 REV C
 - Unit 1 GA plans 120 REV F
 - Unit 1 Elevations sheet 1 15315 121 REV J
 - Unit 1 Elevations sheet 2 15315 122 REV G
 - Unit 1 Roof Plan 15315 123 REV E
 - Unit 1 3D views 15315 124 REV G
 - Unit 2 GA Plans 15315 125 REV D
 - Unit 2 Elevations sheet 1 15315 126 REV G
 - Unit 2 Roof Plan 15315 128 REV C
 - Unit 2 3D views 15315 129 REV E
 - Unit 3 GA Plans 15215 130 REV D
 - Unit 3 Elevations sheet 1 15315 131 REV G
 - Unit 3 Elevations sheet 2 15315 132 REV G
 - Unit 3 Roof Plan15315 133 REV D
 - Unit 3 3D views 15315 134 REV F
 - Typical Bin Store 15315 135
 - Typical Cycle Shelter 15315 136
 - Typical Fencing Detail 15315 137
 - CGI Viewpoints REV B
 - CGI Viewpoints 2 (close-up) REV B
 - Aerial viewpoint M_01E CGI REV B
 - Landscape Masterplan 15315_VL L01 REV J
 - Landscape Masterplan 15315_VL L02 REV J
 - Landscape Masterplan 15315_VL L03 REV K
 - Car Parking Technical Note with appendices 20-262-005.02
 - Transport Assessment with Appendices 20-202-001.3
 - Framework Travel Plan with appendices 20-262-002-04
 - Highways Note rec 050922 by Bryan G Hall 20-262-004.02
 - Arboricultural Impact Assessment report and plan by Rosetta Landscape Design
 - Tree Plan 3784/1 by Rosetta Landscape Design
 - Tree Survey by Rosetta Landscape Design
 - Biodiversity Management Plan REV A rec 14/09/22 by Brooks Ecological
 - Biodiversity Net Gain Assessment REV D ER-3806-06D by Brooks Ecological
 - Biodiversity Net Gain Calculator
 - Ecological Impact Assessment REV B by Brooks Ecological ER-3806-05-B updated 14/09/22
 - Construction Environment Management plan (Biodiversity) ER-3806-07A by Brooks Ecological updated 21/11/22
 - Breeding Bird Survey by Brooks Ecological ER-3806-07 dated 13/07/22
 - Reptile Survey by Brooks Ecological R-3806-02A

Bat Site Inspection report by Brooks Ecological SI-3806-06 dated 18/11/22
Great Crested Newt Survey by Brooks Ecological R-3806-03
Coal Mining Risk Assessment by JPG dated Feb 2021 5419-JPG-SW-XX-RP-G-0602-S2-P02
Drainage Impact Assessment by JPG dated March 21 5419-JPG-XX-XX-RP-D-0622-S2-P02
Flood Risk Assessment by JPG 5419-JPG-XX-XX-RP-D-0621-S2-P02
Noise Impact Assessment by e3P 50-269-R1-1
Energy Statement by BWB BRJ-BWB-00-XX-RP-ME-0001REV P01

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

3. No 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

Thereafter all works on site shall be carried out in accordance with the approved details for the duration of the construction period.

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

4. Development shall not commence until arrangements have been entered into to secure such works set out below to mitigate the effect of the development. Thereafter the approved works shall be completed prior to the development being brought into use. Such works shall comprise of:

1. Measures for controlling parking on the access road within the development.
2. Any necessary amendments to signing/lining

Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.

5. No works shall commence on site until a scheme to provide Disabled Parking to comply with Barnsley Supplementary Planning Document: Parking (2019) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

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

6. No works shall commence on site until a scheme for the parking of bicycles and parking of powered two wheeled vehicles has been submitted to and approved in writing by the LPA. Thereafter the approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: In interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T3 and T4

7. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. Site operating hours and delivery hours which should avoid peak hours
- ii. The parking of vehicles of site operatives and visitors
- iii. Routes to and from the site and means of access for construction traffic
- iv. Loading and unloading of plant, materials and waste
- v. Storage of plant and materials used in constructing the development
- vi. Staff welfare facilities and offices
- vii. Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety and residential amenity and in accordance with Local Plan Policy T4 and Poll1.

8. Upon commencement of the development, a public right of way and non-adoptable ways and spaces specification and maintenance scheme shall be submitted to the Local Authority for approval in writing. The scheme shall include constructional details and timing of construction, future status and future maintenance plans of existing and proposed footways and footpaths / cycleways / bridleways, and landscaped areas not put forward for adoption by the Local Authority. Once agreed, the development shall, thereafter, be constructed and maintained in accordance with the approved details.

Reason: To ensure that all existing and proposed footpaths / cycleways / bridleways are constructed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4

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

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

10. During the construction/remediation phase, except in an emergency, heavy goods vehicles shall not enter or leave the site, and work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1300 on Saturdays and at no time on Sundays or Bank Holidays.

At times when operations and movements are not permitted, work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Reason: To reduce or remove adverse impacts on health and the quality of life, and protect the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

11. Upon commencement of development details of measures to facilitate the provision of gigabit-capable full fibre broadband for the development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure compliance with Local Plan Policy I1 and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.

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

Reason: To ensure the proper drainage of the area and in accordance with Local Plan Policy CC4

13. Fixed plant shall be located as far as practicable from the nearest residential receptors. Cumulative impact of noise from all fixed plant sources, shall not exceed 42 dB LA,r at the closest receptors so as not to exceed the typical background sound level, after accounting for any acoustic feature corrections.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

14. Best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

15. Effective steps shall be taken by the operator to prevent the deposition of mud, dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

16. The site is located within a Coal Authority coal mining referral area due to the presence of extensive opencast backfill. As detailed in the JPG Geo-environmental desk top study report (ref 419-JPG-SW-XX-RP-G-0601-S2-P02) dated Feb 2021, the land could therefore be at risk from mining legacy risks such as ground instability and fugitive gas migration. Site investigations must therefore be

undertaken to confirm ground conditions and finalise foundation design. The site investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication C758D “Abandoned Mine Workings Manual” where applicable.

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

Reason: To address potential land instability through mining legacy issues and in accordance with Local Plan Policy CL1 and Land stability NPPF sections 178 a,b,c. 179 and 170 e & f

17. Notwithstanding the submitted details, before above ground works commence, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall be provided by a suitably qualified ecologist and clearly demonstrate that lighting will not adversely impact local residential amenity or wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but not limited to, the following:

- (i) A drawing showing sensitive areas, dark corridors and buffer areas;
- (ii) Technical description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
- (iii) A description of the luminosity of lights and their light colour;
- (iv) A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
- (v) Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
- (vi) Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.
- (vii) The lighting scheme shall be designed so that it does not impact on the residential amenity of nearby dwellings

Once agreed, the lighting scheme shall be implemented in full for the lifetime of the development.

Reason: In the interests of protecting residential amenity and local habitats and wildlife in accordance with Local Plan policies D1 and GD1.

18. Notwithstanding the measures set out in approved document Biodiversity Management Plan ER-3806-08 REV A rec 14/09/22 by Brooks Ecological, within 3 months of the date of this permission, a revised Biodiversity Enhancement Plan shall be submitted to the Local Planning Authority for approval in writing. In addition to the measures already contained in the approved document, the revised document shall contain the following:

- (i) a plan of the areas of habitat to be maintained, enhanced and/or created;
- (ii) a schedule of actions to create or enhance and maintain each habitat at the required quality for a period of 30 years;
- (iii) a schedule of ecological monitoring for the 30 year period identifying when key indicators of habitat maturity should be achieved; and
- (iv) schedule of actions to be undertaken in case signs of failing being identified.
- (v) The schedules must include the following details: details of the technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.
- (vi) The BEMP will also include measures to be adopted on site to enhance opportunities for wildlife, such as bat and bird boxes.

Following approval the revised BEMP shall be implemented in full.

Reason: In the interests of long term biodiversity interests, in accordance with Local Plan Policy BIO1.

19. Prior to the first occupation of the development hereby permitted, the proposed access roads, on-site car and cycle parking, and turning shall be laid out in accordance with the approved plan. Access roads and vehicle parking areas must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard.

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

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

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

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

22. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall thereafter be carried out in accordance with the approved plan.

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

23. 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 of measures set out in the Travel Plan shall be prepared, submitted to and agreed in writing with the Local Planning Authority unless alternative timescales are agreed in writing.

Reason: To support sustainable transport objectives, reduce reliance on the private motor car as a primary form of transport and to reduce the impact of travel and transport on the environment

24. Upon completion of construction, a certificate shall be provided to the Local Planning Authority demonstrating that the Very Good standard for BREEAM as set out in Energy Statement by BSB BRJ-BWB-00-XX-RP-ME-0001REV P01 has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.

Reason: To enable delivery of efficient and sustainable design and construction in accordance with Local Plan Policy CC2

25. Prior to the first occupation of the development hereby permitted, the proposed access roads, on-site car and cycle parking, and turning shall be laid out in accordance with the approved plan. Access roads and vehicle parking areas must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard in accordance with Local Plan Policy T4

26. No surface water runoff shall be allowed to discharge onto the adjacent highway

Reason: In the interests of Highway Safety in accordance with Local Plan Policies T4 New Development and Transport Safety and Poll1 Pollution Control and Protection.

27. Notwithstanding the provisions of the Town and Country Planning (use Classes)(Amendment)(England) Regulations 2020, (or any Order revoking or re-enacting that Order with or without modification, other than ancillary office use, Class E uses which would otherwise be permitted by that Order shall be limited to Class E(g)ii and E(g)iii.

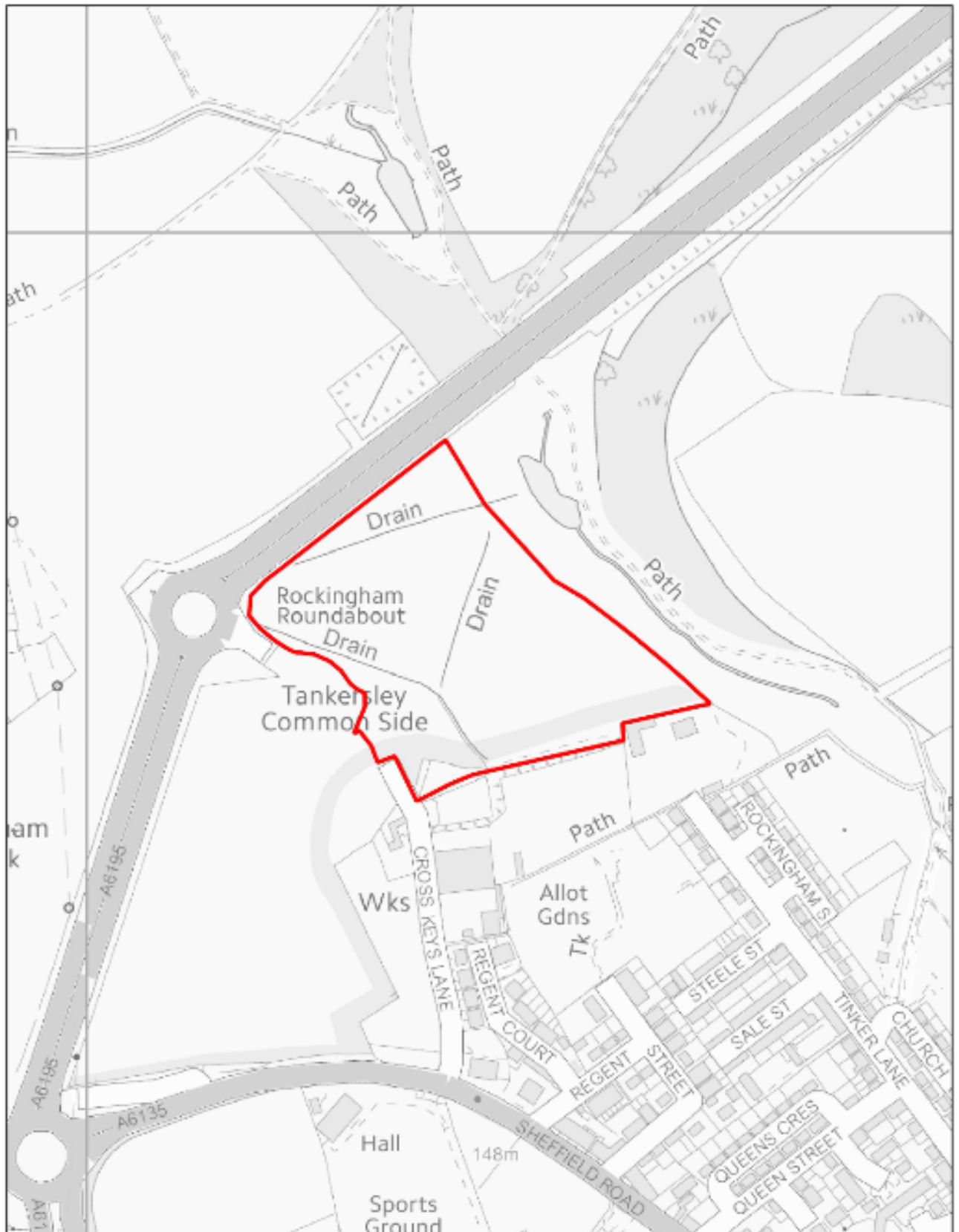
Reason: To ensure the majority of the site remains in employment use as set out in in accordance with the Hoyland North Masterplan and Local Plan Policy ES14.

28. The external materials shall match those specified within the approved plans Unit 1 Elevations sheet 1 15315 121 REV J, Unit 1 Elevations sheet 2 15315 122 REV G, Unit 2 Elevations sheet 1 15315 126 REV G, Unit 3 Elevations sheet 1 15315 131 REV G, Unit 3 Elevations sheet 2 15315 132 REV G

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1.

PA Reference:-

2021/0479



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BARNESLEY MBC - Regeneration & Property



Scale: 1:3482

Item 6

Planning Enforcement Report to Planning Regulatory Board

Quarter 2 July 2022 – September 2022 Inclusive

Introduction

This report is to provide elected members with an update on Planning Enforcement service activity covering the Quarter 2 of the last reporting period 2022/2023 (July 2022 – September 2022). 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 2:

July	2022	82
August	2022	86
September	2022	89

Total number of requests for service Quarter 2 2022/23 **257**

	Cases Received	Investigated/Resolved	Under Consideration
Quarter 2 (22/23)	257	131	126

Enforcement Statistics, Year on Year

Year (Calendar)	Enforcement Notices Served	Ranking (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.

On November 10th, the Government published the latest planning enforcement statistics for the year to the end of June 2022. Regarding the number of enforcement notices served, Barnsley currently ranks joint 13th Nationally and joint 4th outside of London. With reference to Temporary Stop Notices served, Barnsley is ranked joint 2nd nationally and joint highest in terms of Local Authorities outside London. Indeed, during that period, Barnsley served 29% of all Stop Notices and Temporary Stop Notices in the Yorkshire and Humber Region.

The service has a triage system to assess and prioritise complaints in order of the seriousness of the harm being caused so that the resources of the service can be deployed in the most effective way. This approach has included filtering out low priority cases at an early stage to allow officers

to invest time and resources resolving more difficult or complex cases. It has also enabled complaints where no breach of planning control has been identified (i.e., neighbour disputes or civil matters) to be resolved at the earliest point of contact.

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

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

Summary of Case Activity

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

<u>Case Reference & Location</u>	<u>Breach of Planning Control</u>	<u>Details of Service/Appeal</u>
<p>2022\ENQ\00239</p> <p>Land at Lund Hill Lane, Royston, Barnsley, S71 4BD otherwise known as Monckton Colliery Site, Lund Hill Lane, Royston, Barnsley, S71 4BD.</p>	<p>Without planning permission, the material change of use of the Land for the importation and storage of construction and other waste materials (The Unauthorised Works).</p>	<p>Enforcement notice served 1st July 2022 requiring:</p> <p>(i) Cease the unauthorised use specified.</p> <p>(ii) Remove all waste materials relating to the breach of planning specified in paragraph 3 from the Land.</p> <p>(iii) Restore the Land to its previous condition, prior to the breach of planning control taking place.</p> <p>Notice Effective 1st August 2022</p> <p>Time period for compliance 3 Months</p> <p>Appeal submitted</p> <p>Status: Awaiting Determination of Appeal</p>

<p>2022\ENQ\00305</p> <p>Land associated with 433 Rotherham Road, Smithies, Barnsley, S71 1UX</p>	<p>Without planning permission: The material change of use of the Land for the mixed use for residential purposes and for the commercial or non-domestic operation of a swimming Pool.</p>	<p>Enforcement Notice served 14th July 2022 requiring:</p> <p>(i) i) Cease the commercial or none-domestic use of the swimming pool. Ensuring the pool is only used incidental to the enjoyment of the dwelling house and for no commercial or hire purposes.</p> <p>Effective 18th August 2022.</p> <p>Time period for compliance One Month</p> <p>Status: Notice complied with and commercial bookings have ceased.</p>
<p>2022\ENQ\00177</p> <p>Land on the West side of Sandybridge Lane, Shafton, Barnsley, S72 8PL</p>	<p>Without planning permission, the material change of use of the Land for:</p> <p>i. The siting of caravans for human habitation with associated infrastructure (as marked in Appendix 1).</p> <p>ii. Importation of a skip and a shipping container (as marked in Appendix 1)</p> <p>iii. The storage of vehicles (as marked in Appendix 1) as well as other miscellaneous items and general detritus</p> <p>iv. The erection of outbuildings (as marked in Appendix 1)</p> <p>v. The erection of gates, walls, and fences (as marked in Appendix 1) materials and vehicles.</p>	<p>Enforcement Notice served 21st July 2022 requiring:</p> <p>(i) Cease the unauthorised use described in paragraph 3</p> <p>(ii) Remove from the land all caravans and vehicles</p> <p>(iii) Remove from the land all walls and fences and gates on the land</p> <p>(iv) Remove from the land all materials, items</p> <p>Effective: 20th August</p> <p>Time Period for compliance: 8 Months</p> <p>Status: Still within compliance period, monitoring</p>

<p>2020\ENQ\00458</p> <p>Land on the East side of Sandybridge Lane, Shafton, Barnsley, S72 8PL</p> <p>Otherwise known as "The Ranch Stables" Sandybridge Lane, Shafton, Barnsley, S72 8PL</p>	<p>Without planning permission, the material change of use of the Land for:</p> <p>i. The siting of two static caravans for human habitation.</p> <p>ii. siting of a horsebox, the erection of stable blocks, the erection of outbuildings and the use of land for an equestrian paddock.</p> <p>iii. The use of the land for "The Ranch Stables" with associated storage of materials, vehicles and animals</p>	<p>Enforcement Notice served 13th May 2022 requiring:</p> <p>((i) Cease the unauthorised activity specified in paragraph 3 (i-iii) at the Land.</p> <p>(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.</p> <p>Effective 13th May 2022</p> <p>Time period for compliance: 6 months</p> <p>Status: Still within compliance period, monitoring</p>
<p>2021\ENQ\00186</p> <p>348 Barugh Green Road, Barugh Green, Barnsley, S75 1HH</p>	<p>Without planning permission, the erection of an outbuilding with external staircase.</p>	<p>Enforcement Notice served 24th August 2022 requiring:</p> <p>(i) Demolish the unauthorised outbuilding as specified in paragraph 3, removing all associated waste from the Land.</p> <p>OR</p> <p>(ii) Carry out remedial works to the unauthorised outbuilding, ensuring that the external staircase is removed and that the structure specified in paragraph 3 is no more than 2.5 metres in height.</p> <p>Effective 23rd September 2022</p>

		<p>Time period for compliance; Three Months</p> <p>Status: Still within compliance period</p>
<p>2022\ENQ\00386</p> <p>Land adjacent to All Hallows Church, Church Lane, High Hoyland, Barnsley, S75 4BJ</p>	<p>Without planning permission: The material change of use of the Land for the siting of caravans, for human habitation ('The Unauthorised Works').</p>	<p>Enforcement Notice served 6th September 2022 requiring:</p> <p>(i) Cease the residential occupation of the caravan for human habitation purposes and remove the caravan from the.</p> <p>Time period for compliance: 4 Months</p> <p>Status: Still within compliance period</p>
<p>2020\ENQ\00020</p> <p>9 Clifton Road, Grimethorpe, Barnsley, S72 7EP</p>	<p>Without planning permission, the material change of use of the land and buildings from a residential dwellinghouse (C3 use class) to one of a house in multiple occupation (C4 use class). ("The Unauthorised use").</p>	<p>Listed Building/Enforcement Notice served 13th September 2022</p> <p>(Cease the unauthorised use of the Land as a house in multiple occupation (C4 use class) .</p> <p>(ii) Restore the dwelling to its previous condition prior to the change of use taking place; including the restoration of the previous configuration of internal rooms and other domestic facilities.</p> <p>Effective 14th October2022</p> <p>Time period for compliance: Four Months</p> <p>Status: Still within compliance period</p>

<p>2022\ENQ\00337</p> <p>Land adjacent to Larford House, Hand Lane, Crane Moor, Sheffield, S35 7ER</p>	<p>Without planning permission; The material change of use of the Land to use for residential purposes incidental to the dwellinghouse.</p>	<p>Enforcement Notice served 14th September 2022 requiring:</p> <p>i) Cease the use of the Land for residential purposes incidental to the dwellinghouse</p> <p>(ii) Remove any personal effects and item related to residential use from the Land</p> <p>(iii) Restore the Land and its boundaries to their original condition before the breach of planning control took place.</p> <p>Effective: 14th October 2022</p> <p>Time for compliance: Two Months,</p> <p>Status: Still within Compliance Period</p>
<p>2022\ENQ\00250</p> <p>(X2 Enforcement Notices)</p> <p>41 Broomhead Road, Wombwell, Barnsley, S73 0SA</p>	<p>Without planning permission; The material change of use of the Land to a mixed use comprising of; a residential dwellinghouse (C3 use class) and use of a garden outbuilding for holiday accommodation or separate occupation not incidental to the dwellinghouse 41 Broomhead Road, Wombwell, Barnsley (the accommodation also described as a Sunrise Garden).</p>	<p>Enforcement Notice issued 30th September 2022 requiring:</p> <p>i) Cease the unauthorised use of the garden outbuilding for holiday occupation or for separate occupation, not incidental to the occupation of the dwellinghouse 41 Broomhead Road, Wombwell, Barnsley.</p> <p>Effective 31st October 2022</p> <p>Time period for compliance: Three Months</p> <p>Status: Appeal commenced</p>

	<p>The unauthorised construction of a rear extension to the dwellinghouse 41 Broomhead Road, Wombwell, Barnsley, S73 0SA</p> <p>The construction of a rear garden boundary wall which exceeds 2 metres in height.</p>	<p>Enforcement notice issued 30th September 2022</p> <p>(i) Demolish the development described in Paragraph 3.1 to this notice</p> <p>(ii) Remove all waste materials from the Land as a result of complying with Paragraph 5.1 (i).</p> <p>5.2 In relation to the breach in paragraph 3.2 of this notice either;</p> <p>(i) Demolish the boundary wall, or</p> <p>(ii) Reduce the height of the boundary wall to a height not exceeding 2 metres measured from the adjoining ground level</p> <p>(iii) Remove all waste materials from the Land as a result of complying with Paragraph 5.2 (i) and (ii).</p> <p>Effective 30th October 2022</p> <p>Details still within compliance period</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>
<p>91 Pye Avenue, Mapplewell Barnsley, S75 6AG</p>	<p>Clearance & maintenance of of Land</p>	<p>7th July 2022</p>
<p>52 Wood Lane, Carlton, Barnsley, S71 3JJ</p>	<p>Clearance & maintenance of of Land</p>	<p>7th July 2022</p>

(c) Legal action

<u>Case Reference & Location</u>	<u>Case Details</u>	<u>Prosecution Status</u>
2020\ENQ\00202 27 Ashbourne Road, Mapplewell, Barnsley, S71 3DQ	Non-compliance with S215 Notice	Court Hearing: September 2022 Magistrates adjourned hearing until 26 th January 2023 to allow property owner to complete remedial works. Court will review progress thereafter and council officers to visit property prior to court hearing.
Land at Clayton Lane, Thurnscoe, S63 0BG	Unauthorised use of land for residential occupation of caravans	Court hearing August 2022, interim injunction granted to prevent further works to the land and for the use of the land to cease. Status: ongoing subject to challenge, next court hearing 26 th January 2023

(d) Enforcement Appeals

<u>Case Reference & Location</u>	<u>Breach of Planning Control</u>	<u>Appeal Decision</u>
2021/ENQ/00354 APP/R4408/F/22/3294269 Lemon Tree, 5 Peel Square, Barnsley, S70 2QT	Unauthorised works to a Listed Building	Appeal Decision issued 11 th July 2022 Appeal dismissed “The current signage has an appreciably greater harmful impact on the character, special interest and significance of the listed building than the previous signage. Overall, for the

		reasons given above I find that individually and cumulatively the unauthorised works have had an adverse effect on the special interest and significance of the listed building.
2021/ENQ/00615 APP/R4408/C/22/3295994 Elsecar Cricket Club The Pavilion, Armroyd Lane, Elsecar, S74 8ES	Without planning permission; the material change of use of the Land for the purposes of stationing storage containers used to accommodate a snack bar and shop.	Appeal Decision issued 12 th July 2012 Appeal Allowed

Compliance Monitoring

Enforcement Notices served 2022/23 (year to date)	Enforcement Notices Complied with 2022/23
44	23

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 2 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 4th highest nationally (excluding London Authorities) 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

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Item 7

BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

October 2022

APPEALS RECEIVED

5 appeals were received in October 2022:

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee / Delegated</u>
2022/0344	Demolition of existing garage outbuilding and erection of 2no semi-detached dwellings and associated works including access from Rother Croft (Outline seeking approval over means of access and layout) Land to the rear of 55 Market Street (fronting Rother Croft), Hoyland, Barnsley, S74 0ET	Written Reps	Delegated
2022/0496	Variation of condition 1 of application 2021/1175 (Erection of detached garage (Part Retrospective)) to allow for alteration to roof 343 Darton Lane, Mapplewell, Barnsley, S75 6AW	Written Reps	Delegated
2022/0732	Erection of 1no. dwelling following demolition of stables Land off Old Anna Lane, Work Bank Lane, Thurlstone, Sheffield, S36 9RR	Written Reps	Delegated
2022/0766	Retrospective application for siting of caravans for residential purposes Land off Clayton Lane, Thurnscoe, Barnsley, S63 0RU	Written Reps	Delegated
2022/0782	Upward extension of roof ridge and eaves height at side and rear of dwelling to create attic bedroom within the roofspace, rear dormer extension and rooflights to front	Written Reps	Delegated

APPEALS WITHDRAWN

0 appeals were withdrawn in October 2022.

APPEALS DECIDED

3 appeals were determined in October 2022:

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2021/1465	Erection of 20m high telecommunications monopole with wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works (Application to determine if prior approval is required) Vernon Road, Worsbrough, Barnsley, S70 5BB	Dismissed 18.10.2022	Delegated
2021/1195	Change of use from use class C3 dwellinghouse to use class C4 - 5 no. bedroom House of Multiple Occupation (Retrospective) 4 Spencer Street, Kingstone, Barnsley, S70 1QX	Dismissed 27.10.2022	Delegated
2021/1472	Demolition of 49 Woodstock Road and residential development of 5no dwellings (Outline with matters reserved apart from means of access) 49 Woodstock Road, Wilthorpe, Barnsley, S75 1DX	Allowed 31.10.2022	Delegated

2022/2023 Cumulative Appeal Totals

- 19 appeals have been decided since 01 April 2022
- 14 appeals (74%) have been dismissed since 01 April 2022
- 5 appeals (26%) 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
7	2020/1221	Residential development of 28 no dwellings and associated works Land south of New Smithy Avenue, Thurlstone, Sheffield, S36 9QZ	Allowed 19/07/2022	Committee

8	2022/0140	New pair of free standing illuminated 48-sheet digital advertisement displays. Land at Shambles House, Shambles Street, Barnsley, S70 2RN	Dismissed 25/07/2022	Delegated
9	2021/0892	Demolition of existing detached treble garage and erection of replacement one and a half storey outbuilding with a first floor located within the roof space. 362 Pontefract Road, Lundwood, Barnsley, S71 5JY	Dismissed 27/07/2022	Delegated
10	2021/0791	Erection of bungalow Rear of 109 Barnsley Road, Wombwell, Barnsley, S73 8JH	Dismissed 09/08/2022	Delegated
11	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	Allowed 17/08/2022	Delegated
12	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	Dismissed 17/08/2022	Delegated
13	2022/0214	Additional level to part of building and associated alterations. The Cottage, The Kennels, Renald Lane, Hoylandswaine, Sheffield, S36 7JX	Dismissed 18/08/2022	Delegated
14	2021/1156	Erection of 1no dwelling (Outline with All Matters Reserved) - Resubmission of application 2021/0465 11 Willow Bank, Barnsley, S75 1EF	Dismissed 30/08/2022	Delegated
15	2022/0159	Change of use of part of house (garage) to beauty salon with external changes 7 Longwall Close, Mapplewell, Barnsley, S75 6NY	Dismissed 27.09.2022	Delegated
16	2021/1437	Change of use from residential (C3) to guest house (C1) 131 Dodworth Road, Barnsley, S70 6HL	Dismissed 30.09.2022	Delegated
17	2021/1465	Erection of 20m high telecommunications monopole with wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works (Application to determine if prior approval is required) Vernon Road, Worsbrough, Barnsley, S70 5BB	Dismissed 18.10.2022	Delegated
18	2021/1195	Change of use from use class C3 dwellinghouse to use class C4 - 5 no. bedroom House of Multiple Occupation (Retrospective) 4 Spencer Street, Kingstone, Barnsley, S70 1QX	Dismissed 27.10.2022	Delegated
19	2021/1472	Demolition of 49 Woodstock Road and residential development of 5no dwellings (Outline with matters reserved apart from means of access) 49 Woodstock Road, Wilthorpe, Barnsley, S75 1DX	Allowed 31.10.2022	Delegated

Item 8

BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

November 2022

APPEALS RECEIVED

4 appeals were received in November 2022:

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee / Delegated</u>
2022/0571	Erection of two storey side extension to dwelling 19 Worsbrough Road, Birdwell, Barnsley, S70 5RF	Written Reps	Delegated
2022/0796	Proposed replacement of existing 11.8m high EE/H3G L30 Lamp post. Proposed EE/H3G 20m high AGL Phase 7 monopole complete with wraparound cabinet to be installed on root foundation and associated ancillary works (Application to determine if prior approval is required for a proposed telecommunications installation) Salisbury Street, Junction of Salisbury Street, Huddersfield Road, Barnsley, Wilthorpe, S75 1AH	Written Reps	Delegated
2022/0532	Change of use of agricultural land to allow for caravan storage Land at Hazelhead Hall Farm, Lee Lane, Millhouse Green, Sheffield, S36 9NN	Written Reps	Delegated
2022/0466	Conversion and alterations of former barn to residential tourist accommodation Little Doubting Farm, Hartcliff Hill Road, Penistone, Sheffield, S36 9FS	Written Reps	Delegated

APPEALS WITHDRAWN

0 appeals were withdrawn in November 2022.

APPEALS DECIDED

1 appeal was determined in November 2022:

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
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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	Dismissed 15.11.2022	Delegated
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2022/2023 Cumulative Appeal Totals

- 20 appeals have been decided since 01 April 2022
- 15 appeals (75%) have been dismissed since 01 April 2022
- 5 appeals (25%) have been allowed since 01 April 2022

	Audit	Details	Decision	Committee/ Delegated
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
7	2020/1221	Residential development of 28 no dwellings and associated works Land south of New Smithy Avenue, Thurlstone, Sheffield, S36 9QZ	Allowed 19/07/2022	Committee
8	2022/0140	New pair of free standing illuminated 48-sheet digital advertisement displays. Land at Shambles House, Shambles Street, Barnsley, S70 2RN	Dismissed 25/07/2022	Delegated
9	2021/0892	Demolition of existing detached treble garage and erection of replacement one and a half storey outbuilding with a first floor located within the roof space. 362 Pontefract Road, Lundwood, Barnsley, S71 5JY	Dismissed 27/07/2022	Delegated
10	2021/0791	Erection of bungalow	Dismissed	Delegated

		Rear of 109 Barnsley Road, Wombwell, Barnsley, S73 8JH	09/08/2022	
11	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	Allowed 17/08/2022	Delegated
12	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	Dismissed 17/08/2022	Delegated
13	2022/0214	Additional level to part of building and associated alterations. The Cottage, The Kennels, Renald Lane, Hoylandswaine, Sheffield, S36 7JX	Dismissed 18/08/2022	Delegated
14	2021/1156	Erection of 1no dwelling (Outline with All Matters Reserved) - Resubmission of application 2021/0465 11 Willow Bank, Barnsley, S75 1EF	Dismissed 30/08/2022	Delegated
15	2022/0159	Change of use of part of house (garage) to beauty salon with external changes 7 Longwall Close, Mapplewell, Barnsley, S75 6NY	Dismissed 27.09.2022	Delegated
16	2021/1437	Change of use from residential (C3) to guest house (C1) 131 Dodworth Road, Barnsley, S70 6HL	Dismissed 30.09.2022	Delegated
17	2021/1465	Erection of 20m high telecommunications monopole with wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works (Application to determine if prior approval is required) Vernon Road, Worsbrough, Barnsley, S70 5BB	Dismissed 18.10.2022	Delegated
18	2021/1195	Change of use from use class C3 dwellinghouse to use class C4 - 5 no. bedroom House of Multiple Occupation (Retrospective) 4 Spencer Street, Kingstone, Barnsley, S70 1QX	Dismissed 27.10.2022	Delegated
19	2021/1472	Demolition of 49 Woodstock Road and residential development of 5no dwellings (Outline with matters reserved apart from means of access) 49 Woodstock Road, Wilthorpe, Barnsley, S75 1DX	Allowed 31.10.2022	Delegated
20	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	Dismissed 15.11.2022	Delegated

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Item 9

BARNSELY METROPOLITAN BOROUGH COUNCIL

PLANNING APPEALS

December 2022

APPEALS RECEIVED

2 appeals were received in December 2022:

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee / Delegated</u>
2022/0969	Erection of a detached two storey dwellinghouse and associated works Land adjacent to 2 Overdale Avenue, Worsbrough, Barnsley, S70 4BB	Written Reps	Delegated
2022/0503	Residential development of 1no detached two storey dwelling and associated works (Outline seeking approval over means of access and layout) 119 Cross Lane, Royston, Barnsley, S71 4AR	Written Reps	Delegated

APPEALS WITHDRAWN

0 appeals were withdrawn in December 2022.

APPEALS DECIDED

2 appeals were determined in December 2022:

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2022/0316	Erection of single storey extensions to the front, side and rear of existing detached garage and upward extension to the roof height to a create double garage with storage rooms to the rear 28 Tenters Green, Worsbrough, Barnsley, S70 5HG	Dismissed 09.12.2022	Delegated
2021/1673	Change of use of agricultural building to dwellinghouse (Prior Approval) Land at the rear of 24 Common Road, Brierley, Barnsley, S72 9ES	Dismissed 28.09.2022	Delegated

2022/2023 Cumulative Appeal Totals

- 22 appeals have been decided since 01 April 2022
- 17 appeals (77%) have been dismissed since 01 April 2022
- 5 appeals (23%) have been allowed since 01 April 2022

	Audit	Details	Decision	Committee/ Delegated
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
7	2020/1221	Residential development of 28 no dwellings and associated works Land south of New Smithy Avenue, Thurlstone, Sheffield, S36 9QZ	Allowed 19/07/2022	Committee
8	2022/0140	New pair of free standing illuminated 48-sheet digital advertisement displays. Land at Shambles House, Shambles Street, Barnsley, S70 2RN	Dismissed 25/07/2022	Delegated
9	2021/0892	Demolition of existing detached treble garage and erection of replacement one and a half storey outbuilding with a first floor located within the roof space. 362 Pontefract Road, Lundwood, Barnsley, S71 5JY	Dismissed 27/07/2022	Delegated
10	2021/0791	Erection of bungalow Rear of 109 Barnsley Road, Wombwell, Barnsley, S73 8JH	Dismissed 09/08/2022	Delegated
11	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	Allowed 17/08/2022	Delegated
12	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	Dismissed 17/08/2022	Delegated
13	2022/0214	Additional level to part of building and associated alterations.	Dismissed 18/08/2022	Delegated

		The Cottage, The Kennels, Renald Lane, Hoylandswaine, Sheffield, S36 7JX		
14	2021/1156	Erection of 1no dwelling (Outline with All Matters Reserved) - Resubmission of application 2021/0465 11 Willow Bank, Barnsley, S75 1EF	Dismissed 30/08/2022	Delegated
15	2022/0159	Change of use of part of house (garage) to beauty salon with external changes 7 Longwall Close, Mapplewell, Barnsley, S75 6NY	Dismissed 27.09.2022	Delegated
16	2021/1437	Change of use from residential (C3) to guest house (C1) 131 Dodworth Road, Barnsley, S70 6HL	Dismissed 30.09.2022	Delegated
17	2021/1465	Erection of 20m high telecommunications monopole with wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works (Application to determine if prior approval is required) Vernon Road, Worsbrough, Barnsley, S70 5BB	Dismissed 18.10.2022	Delegated
18	2021/1195	Change of use from use class C3 dwellinghouse to use class C4 - 5 no. bedroom House of Multiple Occupation (Retrospective) 4 Spencer Street, Kingstone, Barnsley, S70 1QX	Dismissed 27.10.2022	Delegated
19	2021/1472	Demolition of 49 Woodstock Road and residential development of 5no dwellings (Outline with matters reserved apart from means of access) 49 Woodstock Road, Wilthorpe, Barnsley, S75 1DX	Allowed 31.10.2022	Delegated
20	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	Dismissed 15.11.2022	Delegated
21	2022/0316	Erection of single storey extensions to the front, side and rear of existing detached garage and upward extension to the roof height to a create double garage with storage rooms to the rear 28 Tenters Green, Worsbrough, Barnsley, S70 5HG	Dismissed 09.12.2022	Delegated
22	2021/1673	Change of use of agricultural building to dwellinghouse (Prior Approval) Land at the rear of 24 Common Road, Brierley, Barnsley, S72 9ES	Dismissed 28.09.2022	Delegated

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Item 10


BARNSELY METROPOLITAN BOROUGH COUNCIL

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

LIST OF APPLICATIONS WITHIN THE AGENDA PACKS:-

<u>Reference</u>	<u>Details</u>	<u>Committee/ Delegated</u>
2022/0898	Erection of free standing sign for the Glass Works multi storey car park, Grass Verge adjacent to entrance to The Glass Works multi storey car park, Lambra Road, Barnsley, S70 1SF Summary of consultation comments received:- 1. No comments received	To proceed delegated for approval in accordance with the officer recommendation, and the conditions set out in the officer report.
2022/0939	Single storey extension to side of existing dwelling and associated works including new driveway to front of dwelling with fence modifications and dropped kerb, creation of new footpath around new extension, level access to rear door and blocking up of landing window at 127 Neville Avenue, Kendray, Barnsley, S70 3HT Summary of consultation comments received:- 1. No comments received	To proceed delegated for approval in accordance with the officer recommendation and the conditions set out in the officer report.

Signed:



Joe Jenkinson
Head of Planning and Building Control

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Item 11

BARNSELY METROPOLITAN BOROUGH COUNCIL

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

LIST OF APPLICATIONS WITHIN THE AGENDA PACKS:-

<u>Reference</u>	<u>Details</u>	<u>Committee/ Delegated</u>
2022/0723	<p>Reconfiguration of building frontage to create wheelchair access ramp and associated works including balustrades, new steps and removal of existing front boundary wall at Former Council Offices, Commerce House, Westgate, Barnsley, S70 2DJ</p> <p>Summary of consultation comments received:-</p> <ol style="list-style-type: none">1. Two comments received raising no objections to the proposal and expressing support for it.	<p>To proceed delegated for approval in accordance with the officer recommendation, and the conditions set out in the officer report.</p>

Signed:



Joe Jenkinson
Head of Planning and Building Control

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