
2018/0965

Applicant: Barnsley MBC – Highways, Engineering and Transportation

Description: Signalised gyratory roundabout with improvements to the existing Dodworth Road / Broadway / Pogmoor Road junction and re-configuration of park

Site Address: Penny Pie Park, Dodworth Road/Pogmoor Road, Barnsley

Objections from 238 residents in response to the consultation carried out on the original plans and documents. An additional 17 comments have been received in response to the consultation carried out on the amended plans and further supporting documents. A number of objections make reference to the petition set up on the 38 degrees website which contained 2,637 signatures at the time of writing this report. Cllr Kitching, Barnsley Civic Trust, CPRE, Penistone Friends of the Earth and the School Council at Shawlands Primary School also object and Angela Smith MP has written in support of the residents who have made contact to express concerns. Comments requesting changes have been received from Barnsley Road Club cycle group.

Supportive responses have been received from 4 residents, Horizon Community College, South Yorkshire Passenger Transport Executive and Stagecoach.

Site Description

The site comprises the existing signal controlled crossroads where the A628 Dodworth Road is crossed by the A6133 Pogmoor Road/Broadway, the adjacent areas of public Highway and Penny Pie Park which is located immediately to the north east of this junction.

The A628 Dodworth Road is the main road into Barnsley Town Centre from junction 37 of the M1 and from the western areas of the Borough including Penistone and the Trans Pennine crossing to Manchester, which connects Barnsley Town Centre with the Woodhead pass. Whilst some of the roads feeding into the crossroads are two lanes they are only a single lane when turning in any direction or heading straight on.

Barnsley Town Centre is located a short distance away to the east of the site approximately 1 mile away. Additional pressures on the junction are created by it also being located a short distance away from Barnsley Hospital with that being served directly off the A6133 Pogmoor Road. In addition Doncaster bound traffic is signposted to turn south along Broadway to eventually connect with the A635. Furthermore the park is located directly opposite Horizon Community College which has a capacity of 2000 pupils and lies immediately to the south. Pelican pedestrian crossings are located on all 4 sides of the crossroads.

The site and immediate surroundings predominately consist of long established residential areas which are heavily built up in nature. Residential properties with addresses on Dodworth Road, Pogmoor Road and Garden Court are located directly opposite the park. In addition dwellings on Grosvenor Walk, St Martins Close and St Catherines Way are located side on to the park to the east and north respectively. In the case of the latter two however they are separated from the park by the Barnsley to Huddersfield railway line which abuts the site along the full length of the northern site boundary. The site is also located adjacent to open land which is the Pogmoor Recreation Ground/football pitch for approximately half the length of the northern boundary.

Penny Pie Park occupies large grounds amounting to 4.59 hectares of land. It is well provided for by trees around the edges. However the majority of the park is open grassland in the central areas. It is relatively level throughout with no significant topographical undulations. In the north west corner it contains an equipped children's play and a multi used games court. A footpath is located around the edges. In close proximity to the cross road it hosts an electricity substation which comprise two single storey buildings within a compound. In the south east part of the site there is ambulance transfer pad and an associated access onto Dodworth Road for in the emergency situations that the helicopter air ambulance is required to land within the park. A further non signal controlled crossing point which includes a pedestrian refuge in the centre of the road is located nearby provide a crossing point to the opposite side of Dodworth Road and Horizon Community College. Both Dodworth Road and Pogmoor Road have bus stops along the sections of the road passing next to the park. These are marked out within the road and are without a dedicated layby.

Proposed Development

The proposal is to replace the existing signal controlled crossroads and replace it with a new multi lane gyratory road system which would be built within Penny Pie Park that is located immediately adjacent to the crossroads.

The stated aim of the development is to address the problem with the existing crossroads junction which operates over capacity at the present time, resulting in substantial queuing in all directions during peak hours. This would be achieved by removing the conflict that occurs between the right turns onto Broadway from the A628 Dodworth Road and the westbound movement towards the motorway from Pogmoor Road. It is predicted that this would greatly improve capacity for traffic on Dodworth Road in both directions, which would lead to less queuing.

The new road system would see the road system widened to up to 3 lanes of traffic. The road system has been designed as a one way loop. 3 lanes of traffic would feed into the gyratory from Dodworth Road inbound towards the town centre. A left turn lane would provide access to Pogmoor Road. Inbound from Pogmoor Road 3 lanes would feed into the system with one lane going onwards into the town centre and 2 lanes coming back around to connect with Dodworth Road heading westbound to the M1 and new left turn lanes to Horizon and Broadway. New traffic signal controlled junctions and pelican crossings would be installed in each of the 3 corners of the new road system and at the reconfigured junction with Horizon Community College. The existing section of Pogmoor Road adjacent to the park would be downgraded and replaced by the new road system for through traffic. Those properties and Whitehill Avenue would connect to the gyratory via provision of a dedicated left turn lane and a new left turn only junction.

The gyratory would include a 3m wide shared footway and cycle way located around all sides and passing through the middle of the retained parkland in the centre of the gyratory. A 1m high gabion wall would be built along the northern and eastern edge of the new road for sound attenuation purposes. The plans also include fencing to separate the retained areas of park from the road system. Additional noise mitigation measures are shown to the west and north adjacent Pogmoor Road and the boundary with the railway line/Pogmoor Recreation Ground in the form of 1.5m high gabion basket wall and to the east in the form of 3m acoustic fence which would sit alongside the existing vegetation on that boundary to limit noise affecting the houses beyond this boundary located on Grosvenor Walk and Dodworth Road. A similar 2.4m high fence would then be built in the grass verge further to the south on the other side of Dodworth Road for the purposes of reducing sound levels at Firs Care Home at the side of the existing entrance to Horizon.

An equipped children's play area and multi-use games area/outdoor gym would be retained in the section of the park that would be preserved to the north of the new road system. Their locations would be altered slightly but they would stay in the same area of the park as they are located currently. The equipped play area would be upgraded to Neighbourhood Equipped Play Area (NEAP) standard which means it would be designed to serve a substantial residential area with a minimum play zone of 1000sqm and no less than 8 items of play equipment. In addition the nature story trail would be re-provided within the park. Furthermore enhancements would be provided at Pogmoor and Sugdens Recreation Grounds located nearby. This would consist of the upgrade of the equipped childrens play area from Equipped Play Area (EPA) to Neighbourhood Equipped Area for Play (NEAP) standard at Sugdens Recreation Ground at Stocks Lane and the provision of a footpath, benches and dog fouling bins at Pogmoor Recreation Ground.

The road alignment would directly impact on some of the existing trees located around the edges of the site which would need to be removed. The worst affected areas would be the group of trees located immediately to the north east of the existing crossroads and the area where the two new junctions would be formed with Pogmoor Road in the north west corner and Dodworth Road in the south east. Existing trees would be retained just inside the boundary of the new road system. In addition the plans include provision for the planting of new trees on both sides of the new road.

Other provisions include a maintenance access and associated hard standings to both sides of the retained parkland, which the applicant has confirmed would be allowed to be used by the ambulances on the occasions where the air ambulance helicopter is required to land in the park in emergency situations.

Relevant Planning History

There have been no previous planning applications involving the majority of land included within the site. No previous planning applications of any up to date relevance. There is a record advising that part of the site is was the subject of planning application reference B83/1455/BA which saw the granting of permission for the western relief road in May 1984 (Broadway).

Historically the parkland accommodated a colliery, a brickworks and a railway branch line pre-1900, further, there were clay pits and tramways pre 1950. Post 1960 the buildings associated with the brickworks were removed and the clay pits infilled with landfill thought to consist of domestic waste. The park was created thereafter.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

The development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The emerging Local Plan has now reached a very advanced stage with the Council having received the Planning Inspector's report for fact checking. The Final Report is anticipated to be received between this report being written and the date that planning and regulatory board will consider this application. This means that substantial weight can be given to the policies contained within the Local Plan. Strictly speaking, the Core Strategy and Unitary Development Plan remain the development plan for the borough. However, in light of the fact the Local Plan that is on the verge of being adopted, these are now afforded less weight, particularly where it is clear that relevant policies within either of the documents are superseded by up-to-date policies within the Local Plan

Proposed Local Plan Allocation – Urban Greenspace/Local Strategic Highway Network/Urban Fabric

Relevant Local Plan Policies are:

SD1 Presumption in favour of Sustainable Development
GD1 General Development
LG2 The Location of Growth
E1 Providing Strategic Employment Locations
E2 The Distribution of New Employment Sites
E7 Promoting Tourism and encouraging Cultural Provision
H1 The Number of New Homes to be Built
H2 The Distribution of New Homes
T1 Accessibility Priorities
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
LC1 Landscape Character
HE1 Historic Environment
HE3 Developments affecting Historic Buildings
HE6 Archaeology
TC1 Town Centres
GS1 Green Space
BIO1 Biodiversity and Geodiversity
CC1 Climate Change
CC3 Flood Risk
CC4 Sustainable Drainage Systems (SUDS)
CL1 Contaminated and Unstable Land
Poll1 Pollution Control and Protection
AQ1 Development in Air Quality Management Areas
UT2 Utilities Safeguarding

Saved UDP Policies

UDP notation: Urban Greenspace/Strategic Highway Network/Housing Policy Area

Relevant policies:-

T3 Existing Strategic Highway Network
H8 Existing residential areas

The park site was originally the subject of policies GS34 and BA17 'Urban Greenspace'. However these policies were not saved under the direction from the Secretary of State in September 2007.

Local Development Framework Core Strategy

CSP 1 Climate Change
CSP3 Sustainable Drainage Systems
CSP4 Flood Risk
CSP 7 City Regions
CSP8 The Location of Growth
CSP9 The Number of New Homes to be Built
CSP10 The Distribution of New Homes
CSP11 Providing Strategic Employment Locations
CSP12 The Distribution of New Employment Sites
CSP23 Accessibility Priorities
CSP 25 New Development and Sustainable Travel
CSP26 New Development and Highway Improvement
CSP 28 Reducing the Impact of Road Travel
CSP29 Design
CSP30 The Historic Environment
CSP31 Town Centres
CSP 33 Green Infrastructure
CSP 35 Green Space
CSP 36 Biodiversity and Geodiversity
CSP 37 Landscape Character
CSP 39 Contaminated and Unstable Land
CSP 40 Pollution Control and Protection
CSP 41 Development in Air Quality Management Areas

Revised NPPF

The revised National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date planning permission should be granted, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The most relevant paragraphs are as follows:-

8 – The 3 overarching aims of the planning system are economic, social and environmental objectives in order to deliver sustainable development.

11 – The presumption in favour of sustainable development.

12 - Presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

38. Local planning authorities should approach decisions on proposed development in a positive and creative way.

47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible.

80. 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.

85. Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

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

97. Existing open space should not be built on unless:

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

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

102. Transport issues should be considered from the earliest stages of plan-making and development proposals.

108. In assessing specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

124 & 127. Achieving well-designed places

175. Habitats and Biodiversity

178. Planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

180. Decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

181. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

Consultations

Responses have been received from the following consultees:-

Air Quality – Do not object to the application for the reasons explained in the assessment section of the report.

Biodiversity – Does not object to the proposal subject to a condition being imposed to ensure that the mitigation measures set out in the updated ecology report are followed through.

Contaminated Land – Has resolved not to object to the development subject to intrusive investigations being carried out to inform any necessary mitigation measures. Has commented that no heightened contamination levels are expected due to historical information available on previous uses and waste streams. However a condition should still be imposed as a suitable precaution.

Conservation Officer – Has resolved not to object to the application given that the existing grade II listed milestone located on the southern side of Dodworth Road would be retained in situ.

Coal Authority – No objections subject to a condition requiring intrusive investigation work to inform any mitigation works which would be necessary.

Drainage – No objections subject to a condition requiring approval of a drainage scheme to ensure that surface water run off is discharged into a local watercourse of the public sewer network at a restricted rate.

Enterprising Barnsley – Support the proposal as they feel it would play an important role in the long term future growth of the local economy.

Highways – Support the proposal (see assessment section of the report for details of Highways comments in full).

Highways England – No objections. Are satisfied that the proposals themselves shall provide betterment to the operation of M1 Junction 37, and on this basis the impact upon the Strategic Road Network can be agreed as being acceptable.

Network Rail – Have confirmed that they have no observations to make on the application.

Regulatory Services – Comments on the noise implications of the proposal these comments are covered in the section on residential amenity.

Tree Officer – The arboricultural implications of the proposal are naturally something that the Tree Officer is not supportive of given the loss of a significant quantity of trees including a number of grade A and B specimens that would be suitable to qualify to be designated under Tree Preservation Orders. However he recognises that the scheme has been designed to limit the impacts on trees as far as possible and welcomes the most up to date plans including identification of what trees would be retained. Further information is required to agree the precise details of tree protection fencing and method statements, including a construction management plan detailing the location of the site compound and means of access for construction traffic. This is in order to provide assurance and guarantees that no further trees would be affected by the development. The trees adjacent to the eastern boundary would require crown lifting to 3.5m in order to accommodate the acoustic barrier. Due to the number of trees that would be required to make way for the development the Tree Officer would wish to see a substantial amount of replacement tree planting by way of compensation. This would need to include the planting of at least an equal number of trees as the number that would be removed.

South Yorkshire Mining Advisory Service – Are content that the risks associated with shallow coal workings and mine entries have been appropriately established. As such they have no objections subject to the recommendations to carry out intrusive investigations to inform the need for any mitigation measures to be installed as part of the construction.

South Yorkshire Passenger Transport Executive – Support the application as they consider that it would bring about a significant improvement and consistency in journey times through the existing Dodworth Road/ Broadway/Pogmoor Road Junction.

Urban Design Officer – Would prefer to see the park retained in its existing format given its existing character and functions and the positive contribution that it makes to the visual amenity of the area on a main approach into the town centre. However if the development is to be allowed he would wish to see the following:-

- Provision of new tree planting either side of the gyratory as is shown on the updated site layout plan in order to create a boulevard effect.
- Retention of the Listed Milestone located on the southern side of Dodworth Road as is shown on the plans.
- He supports the provision of the gabion walling to provide a strong and attractive barrier between the road and the park, although he would like to see that being extended to beyond where the NEAP is located.
- Would wish to see a public art feature being provided as part of the scheme to compensate for the impact on the park which should be secured by condition.

Yorkshire Water – No objections subject to the imposition of a condition requiring approval of a detailed drainage scheme prior to the commencement of development. Information shall need to include evidence that no discharge to a watercourse is possible prior to them accepting flows into the public sewerage system. Discharge rates shall need to be restricted to 5 litres per hectare per second.

Representations

The application was advertised by neighbour notification letters, press and site notices. In addition to this, a drop in session was arranged on 15th September to enable officers to explain the proposal and the planning application process.

Objections have been received from 238 residents in response to the consultation carried out on the original plans and documents. An additional 17 comments have been received in response to the consultation carried out on the amended plans and additional supporting documents. A number of objections make reference to the petition set up on the 38 degrees website which contained 2,637 signatures at the time of writing this report. Cllr Kitching, Barnsley Civic Trust the CPRE, Penistone Friends of the Earth and the School Council at Shawlands Primary School also object and Angela Smith MP has written in support of the residents who have made contact to express concerns. Comments requesting changes have been received from Barnsley Road Club cycle group.

Supportive responses have been received from 4 residents, Horizon Community College and Stagecoach.

Objections received can be summarised under the following themes:-

Impact on the park

- Loss of parkland and impact on its existing functionality and character including its peace and tranquillity.
- Loss of greenspace from an area which is already short on greenspaces.
- Parks not roads should be the priority.
- Harm to health and well being of all age groups who use the park.
- Impact on other community functions within the park including dog and walking groups.
- Concerns that the development would affect the ability of the park to continue to host events such as the funfair.
- Impact on bird spotting hobbies.
- Accessibility problems to Locke Park and Sugdens recreation ground.
- Concerns that the park has been undervalued in the supporting documents.
- It is asserted that the Council may be acting illegally by taking away facilities paid for by the Bellway Homes development.

Visual impact

- Impact on visitor perceptions of the town due to the park being located on one of the main entry routes.
- Poor design/place making.
- Loss of a significant quantity of high amenity value trees.

Harm to living conditions of existing properties

- Noise impacts, light pollution, vibration and loss of privacy.
- Concerns that residents will not be able to open windows in hot weather due to the new noise conditions.
- Increased parking and use of surrounding roads.
- Concerns that noise levels have been over and underestimated in the report.
- Concerns that noise barriers would be ineffective and topographical issues have not been taken into account of.
- Altered views looking at roads and vehicles instead of a green park and trees.
- Local residents needs should be prioritised over commuters.

Questioning of the need for the development and its ability to deliver benefits towards alleviating congestion

- It is asserted that the congestion is manageable and that the need for the scheme has been overstated. Views are expressed that the congestion problems only occur for 2 hours a day, 8-9am and 5-6pm which does not justify the proposal.
- The journey times quoted within the supporting documents is not accepted as being accurate. In addition it is stated that bus journey times are bound to be longer than private vehicles since they stop at bus stops and have to navigate their way through the town centre to the Interchange.
- Concerns are raised that the development would see similar traffic build ups to Harborough Hill, Cundy Cross, Stairfoot roundabouts which have all failed to alleviate congestion.
- It is questioned whether the inclusion of the traffic signals and pedestrian crossings will stop road traffic flows and leading to traffic stacking on the gyratory.
- Similar schemes elsewhere in the Country have failed to deliver similarly forecasted benefits.
- Concerns that solving congestion in one area of the network won't deliver any significant benefit given the problems at Townend roundabout and at the junctions with Pogmoor Road with Summer Lane and Gawber Road.
- Increased queuing on surrounding routes backing up from the gyratory system.
- It is questioned whether stationary buses using new stops would interfere with traffic flows and that laybys are required.

The Council is requested to consider numerous alternatives including:-

- Building a park and ride facility in Dodworth
- Creating a new junction and building a new road from the M1
- Making the whole of Dodworth Road, Racecommon Road and Broadway into one large multi lane one way system
- Re-alignment of Broadway to widen it to 3 lanes for a longer section of the road to unblock use of the left filter lane.
- Provision of a right turn filter light for traffic turning from Dodworth Road onto Pogmoor Road.
- Re-alignment of Pogmoor Road and Dodworth Road using up a smaller amount of the park to create laybys for the bus stops
- A new road from Redbrook roundabout, wide of Barugh Green to join Higham Lane near the bridge crossing over the M1.
- Congestion charging.
- Removing signals from the roundabout at J37 of the M1 to improve flows or making them part-time or provision of yellow box junctions.
- Investing money in improving bus services.
- A free electric bus should be provided into the town centre from Dodworth.
- Widening Dodworth Road between J37 and the Broadway junction by altering footway widths to create an extra lane.
- Widening of Pogmoor Road to create a longer section of two lane traffic approaching the crossroads
- Building a new road from J37 to Broadway.
- Changing the access to Horizon to being from Broadway or Shaw Lane instead of Dodworth Road.
- Increasing train frequency to more than one per hour from Penistone.
- Subsidised train and bus fares.
- It is questioned whether Crown Hill Road/White Hill Avenue could be re-opened to through traffic to enable use by Pogmoor Road bound traffic.
- Upgrade of Broadway into a dual carriageway throughout.

- Closing off the right turn lane onto Broadway from Dodworth Road.
- Reconfiguration of the signal timings so that less time is afforded to right turning vehicles onto Pogmoor Road from Dodworth Road.
- A northern bypass should be created to heading towards Carlton.
- Widening the bridge crossing over the railway on Pogmoor Road to create an additional lane.
- Building a connecting road from Moorland Avenue to Broadway.
- New signposts – changing J38 to say Barnsley North instead of Huddersfield and routing traffic from Barnsley Town centre southbound to J36.
- Build a new roundabout on land adjacent to Park Road, Cemetery Road and Sheffield Road.
- Moorland Avenue and Whitehill Avenue should be opened up to through traffic.
- Connecting Cudworth bypass to New Lodge via building a new road.

Sustainable travel

- Lack of integration with other transport modes. The scheme needs redesigning with the needs of cyclists in mind.
- It is queried where bus stops would be located.
- Increased vehicular traffic to Horizon due to the road system being less user friendly.
- Some of the findings of the reports are challenged. It is stated that modal shift options could yield better results than is predicted.
- Car dependency culture should be tackled locally and nationally.
- It is stated that the cycleway from Dodworth train station to J37 should be extended to the town centre.

Highway safety

- Increased speeding.
- Views are expressed that the road system would be confusing to navigate for motorists similar to the gyratory at Birdwell.
- Pedestrian safety – Concerns have been raised that the road system would be difficult to cross for pedestrians, including children travelling to and from Horizon.
- Increased conflicts between residents accessing/egressing their driveways and through traffic.
- It is questioned whether the new pedestrian refuges have been designed to be large enough to prevent bottlenecks and pedestrians spilling out onto the highway.
- It is queried whether dedicated cycle crossings would be provided.

Overdevelopment/future development concerns/link to the Local Plan

- Barnsley is a town not a City and should reign in growth aspirations.
- A major strategic review of the Barnsley road network is required looking at Dodworth Road, Huddersfield Road, Sheffield and Doncaster Roads rather than dealing with one problem in isolation.
- It is asserted that the proposal is underpinned by empty promises of jobs in warehouses that shall be fulfilled by people from outside of the area rather than local people.
- It is questioned why the proposal was not included in the Local Plan.
- Views are expressed that the link between the proposal and future development is not explained within the supporting documentation.
- Concerns that the proposal is premature and should await the outcome of the Planning Inspectors verdict on the Local Plan.
- Concern that the problems are self inflicted due to overdevelopment of the Borough and the construction of Horizon.
- Conflict with the Strategic Economic Plan.

- Views are expressed that the development is not intended to alleviate congestion but is instead intended to facilitate further development.

Others:-

- Harm to biodiversity in the park including bats.
- Impact on human health including heart and respiratory illnesses as a result of the air quality implications.
- Potential for increased anti-social behaviour and public safety risks.
- Lack of public consultation.
- A new footbridge should be provided to connect Penny Pie Park with Pogmoor Recreation Ground and beyond.
- It is queried whether the trees in the path of the works could be translocated to the centre of the gyratory.
- Conflict with Barnsley in Bloom initiative.
- Concerns with the ecology survey methodology/results.
- Loss of shading benefits provided by the trees.
- Concerns that replacement tree planting would take decades to mature.
- Increase in CO₂/Carbon Monoxide/Nitrogen Dioxide emissions.
- Cost of the development
- Disruption during the construction phase.
- Increased fuel costs.
- Increased journey times for emergency services
- Loss of the helipad as a loading/transfer station for the Yorkshire Air Ambulance.
- It is queried whether walking routes through the park qualify for public right of way status.
- Increased carbon footprint.
- Over development of this area of the Borough.
- Conflicts with local and national planning policies.
- Depreciation of property values.
- It is questioned whether the land is safe enough to be built on because of unstable land arising from its coal mining and landfill legacies.
- Disturbance of landfill gas.
- Disturbance of Japanese Knotweed.
- A skate park should be provided.
- Inadequate landscaping proposals.
- Lack of user friendly documentation.
- It is questioned whether the sewer serving the flats off Dodworth Road would be impacted by the development.
- Impact on mental health.
- Bias to motorists.
- Priority should be given to electric cars.
- It is questioned whether a cost/benefit analysis of the proposal has been carried out.
- Danger of the application being determined by political and not planning considerations.
- Money should instead be invested in Green Infrastructure.
- An offer of volunteering has been received to plant further trees within the park if the application is refused permission.

4 Supports based upon the following reasons:-

- It is stated that existing traffic levels are unsustainable.
- The view is expressed that the Transport Assessment has identified that there are no other viable alternative options.
- Levels of air pollution at the park and Horizon are unnecessarily high at the present time as a result of standing traffic.
- The project is seen as essential for Barnsley's future economy.
- It is stated that other greenspaces are located nearby such as Pogmoor Recreation Ground.
- It is suggested that conditions are imposed to secure the retention of the play areas within the park.
- The proposal is supported but should include a trail through the closed section of Pogmoor Road.
- Replacement planting should include Hawthorne.
- It is stated that the benefits outweigh the harm.

Old Town ward Councillors – Express support for the proposal to create a surfaced footpath between St Owens Drive and the car park off Pogmoor Road, subject to the car park serving Pogmoor Recreation Ground remaining secure for use by the football club only.

Cllr Kitching – Objects to the proposed development based upon the following summary of reasons:-

- Impact on the park
- Loss of mature trees
- Air quality
- Concerns that the development may result in less people walking to Horizon increasing car journeys
- Scepticism that the development would deliver its stated aim of alleviating congestion.

Angela Smith MP has written to pass on the concerns of the constituents who have been in contact with her. Concerns raised include:-

- Harm to a green space that is valued by a close knit local community and is used by people of all ages.
- The development may impact the amenity and quality of life for local residents.
- Air quality impacts.
- Harm to residential amenity caused by increased noise levels.
- Concerns about the visual impact of the development on the setting of a route to the town centre from approaches from the west.
- Increased flood risk affecting properties on Grosvenor Walk.
- Increased access difficulties for residents accessing their properties.
- Concerns that the development may pose a greater risk to pedestrian safety to children accessing Horizon.
- Increased traffic generation.

Barnsley Civic Trust – Object on a number of the same grounds stated within the objections submitted by local residents, namely:-

- Harm to the park
- Scepticism that the development would solve congestion problems.
- Congestion problems only at peak times.
- Impact on air quality.
- Alternatives should be considered and consulted upon more widely.
- There are wider traffic network management issues across Barnsley which need addressing with the involvement of the public.
- Concerns that the development would not solve air quality problems.
- Noise affecting residential amenity.

The Campaign for the Protection of Rural England have objected to the application. In summary the main concerns that they have expressed are as follows:-

- Impact on the integrity of the park and opportunities for recreation and relaxation by local residents.
- Road building would not solve congestion problems as extra capacity would soon become filled.
- Conflict with emerging Local Plan Policy BTC7 Gateways in that they view that the townscape and approach to the town centre would be harmed.
- The Transport Assessment is criticised for being too narrow which they view means that it has failed to maximise public transport, modal shift and smart choices, and minimise the need to travel, which would contribute to wider sustainability and health objectives and fulfil Government policy.

They suggest the following solutions by way of alternatives:-

- Reducing traffic generated by development through inclusion of pedestrian and cycle routes and car sharing initiatives.
- Workplace parking levy's.
- Improving cycle infrastructure within the Borough
- Introducing a 20mph speed limit on all 4 roads leading into the crossroads.
- Formation of a park and ride from a site in Dodworth with the left hand lane of the A628 inbound to the town centre being changed to a bus lane.
- Removal of the traffic signals from the crossroads.
- It is argued that a combination of the above measures and option D would arrive at some of the benefits listed above and impact much less of the park.

Penistone Friends of the Earth – Object. Their suggestions for alternatives which are different to those already covered are as follows:-

- The Council and Sheffield City Region should look at initiatives such as introducing staggered office times over a longer period, working from home, car sharing schemes, provision of secure cycle parking, limiting car parking at workplaces and car pools.
- Park and ride at Penistone train station as well as Dodworth.
- Concerns that the employment allocation sites in the Local Plan are not located close enough to existing and proposed residential areas to enable more walking and cycling to work.
- An origin and destination survey should be carried out of users of the crossroads to inform a plan for dealing with the congestion.

Barnsley Road Club have expressed comments similar to some of the points already made within the representations covering sustainable travel. Further comments include:-

- Any solution needs to be designed to prioritise pedestrians and cyclists to reduce the number of car journeys.
- The proposed plans would not provide a safe and secure environment for pedestrians and cyclists.
- Gyrotorys are often a feature of the more car centred transport planning seen in the 1960s and 1970s that are recognised amongst the most dangerous blackspots for cycling injuries and deaths.
- Examples where gyrotorys built during a previous era are being expensively changed and altered and retro-fitted with space and priority for cycles.
- Conflict with HGV's.
- Problems if cyclists are forced to dismount it is a problem with their specialist footwear.
- The proposal would discourage cycling to Horizon which would not help promote healthier lifestyles that would help alleviate traffic congestion.

Horizon Community College have written in support of the application based upon the following summary of reasons:-

- One way traffic flows would make it easier for pedestrian access to and from the school.
- Increased number of pedestrian crossings compared with the present situation.
- They view that the changes would reduce congestion within their site and make it easier for vehicles to exit.
- The alterations would potentially create the opportunity to accommodate more parking spaces within the site and a review of the need for staggered start and finishing times across the various year groups.

Shawlands Primary School – The School Council made up of pupils ranging from year 1 to year 6 have submitted an objection. Their comments explain that they campaign for improved road safety initiatives on the routes to the school. They are concerned that the development would be a highway safety danger to pupils living near to Penny Pie Park. In addition they are concerned about the impact on trees, greenspace and biodiversity.

Stagecoach – Welcome proposals to address congestion issues on Dodworth Road and are supportive as a result. They state that they have voiced concerns over a period lasting several years on how bus journey times have increased significantly on this corridor, adding to operating costs and making their services less attractive.

Assessment

Having assessed the policy context, the material planning considerations and having regard to the representations that have been received, for the reasons explained below, it is considered that the scheme does have some harmful impacts. The applicant asserts that there is a clear need for the scheme and those alternative options have been robustly assessed and discounted. The assessment therefore focusses on whether there is such an overriding need for the scheme, assesses possible alternatives and appraises the specific impacts, both negative and positive. This results in a balancing exercise to establish whether the weight attributed to identified benefits is sufficient to outweigh the identified harm taking into account proposed mitigation and compensation for this harm.

The Need for the Proposal

The case in support of the development is one based around need and the claim that this need cannot be satisfied by less harmful alternatives. The applicant argues that this need is particularly pressing given the strategic location of the junction on a key arterial route connecting Junction 37 of the M1, Barnsley Town Centre, the Hospital, the A628 connection to western parts of the Borough including Penistone and the Trans-Pennine Woodhead pass located beyond and the A6133 connection to Doncaster.

The proposed development is therefore intended as a means of improving the flow of traffic through the junction in all directions to address existing congestion and provide capacity for further growth in the event that it is not possible to achieve modal shift in accordance with wider objectives.

Existing Highway Conditions

Dodworth Bypass was constructed in 2006 to improve traffic flow in this area of the Borough and to serve the development land which is now known as Capitol Park. At that time, it was demonstrated that with this improvement, the highway network had sufficient capacity to accommodate development of the remainder of Capitol Park. Part of the site was developed shortly afterwards but the remainder has been left undeveloped until recent years. During this time, traffic growth continued and the network around junction 37 of the M1 started to experience capacity issues. This resulted in the M1 J37 Pinch Point scheme which introduced traffic signals and improvements to the entries to the M1 northbound and southbound slip roads. The purpose of this scheme was to improve the flow of traffic, reduce journey times and increase air quality on Dodworth Road. However, this scheme could not address all the issues on the A628 corridor towards Barnsley as the biggest hindrance to traffic flow is the Dodworth Road/ Pogmoor Road/Broadway signalled controlled junction.

The A628 and A6133 are therefore heavily trafficked main roads with the crossroads operating over capacity during both the morning and evening peak hours which is resulting in extensive queuing in all directions. This is perhaps no surprise given that Barnsley is the only major town in South Yorkshire that is not served by a purpose built dual carriageway (either in full or in part) to connect the town centre with the nearest motorway (Sheffield has the A630/Parkway or the routes through Attercliffe and Brightside, Rotherham the A630/Centenary Way or the A6109/Meadowbank Road and Doncaster the A630/Balby Road, A638/York Road or A6182/White Rose Way). In addition to this, it is important to note that Barnsley town centre is far closer to the motorway in comparison with these examples.

At present all manoeuvres are permitted at the crossroads resulting in a complex signal arrangement which changes between two different control systems to maximise performance. The systems used are Split Cycle Offset Optimisation Technique (SCOOT) and Microprocessor Optimised Vehicle Actuation (MOVA). SCOOT is a real time adaptive traffic control system which automatically adjusts the traffic signal delays to adapt to traffic conditions. MOVA is a well-established strategy for the control of signals. It is designed to cater for the full range of traffic conditions, from very low flows to a junction which is overloaded and it maximises the capacity in the junction. There are no further improvements possible at the Dodworth Road/ Pogmoor Road/Broadway signalled controlled junction. The modelling done at that time identified that this junction with further growth had the potential for vehicles to start queuing back onto the M1 southbound slip road in future years.

Future Growth

Further modelling was carried out using VISSIM, a microscopic multi-modal traffic flow simulation software package. This indicated that if the Dodworth Road/ Pogmoor Road/ Broadway signal controlled junction stays as existing, vehicles will queue onto the M1 slip roads by 2023 with just standard anticipated traffic growth. The situation has been exacerbated further in highway terms by the recent developments in the Capital Park area. Each development had to demonstrate the impact on this junction amongst others. These developments had to be restricted in terms of how many vehicles could be placed on the network as any remaining capacity at the junction has now been utilised. There can be no further development and the existing developments which have gained consent cannot be fully built out until there is a major intervention to increase capacity at the junction.

Delivering more and better quality homes and jobs and business growth are all high up the local and national agenda and form part of many Council growth strategies including the existing adopted Core Strategy and the Local Plan. The proposal therefore has relevance in the context of many of the strategic policies concerning where future growth should be centred such as CSP8 The Location of Growth, CSP9 The Number of New Homes to be Built, CSP10 The Distribution of New Homes, CSP11 Providing Strategic Employment Locations, CSP12 The Distribution of New Employment Sites, CSP31 Town Centres of the Core Strategy. Furthermore the majority of these policies are proposed to be carried across in a similar format with new growth targets to take into account the plan period changing from 2026 to 2033. The equivalent replacement policies where weight is attributed are LG2 The Location of Growth, E1 Providing Strategic Employment Locations, E2 The Distribution of New Employment Sites, E7 Promoting Tourism and encouraging Cultural Provision, H1 The Number of New Homes to be Built, H2 The Distribution of New Homes, TC1 Town Centres.

In recognition of this growth the Infrastructure Delivery Plan, which accompanied the Local Plan and was based on the findings of a borough-wide Barnsley Transport Model, identified that with full plan delivery and no mitigation, congestion was forecast in a number of areas including around M1 Junction 37.

In addition to the above, a large section of the A628 running from the town centre to the west, including the junction subject to this application, is identified in the Sheffield City Region Transport Strategy 2018-2040 as being one of the top 20 highway corridors forecast to experience increased delay resulting from population and economic growth by 2025 in the whole of the City Region. This lends credibility to the applicant's case that the existing problem of over-capacity is only likely to worsen if nothing is done.

Implications for the Highway Authority if Impacts Arise on the M1

The Council is a local traffic authority and the Traffic Management Act 2004 requires it to manage and secure expeditious movement of traffic on the network and to facilitate the expeditious movement on road networks for which another authority is the traffic authority. Highways England is the authority for the strategic highway network in England and is responsible for the M1. Under the provisions of the Traffic Management Act 2004, if the national authority, acting on behalf of the Secretary of State considers that a local traffic authority is failing to perform its duty by not facilitating the expeditious movement of traffic which then impacts on its network an intervention process can be implemented. In this case, it would entail Highways England considering that BMBC had failed to implement measures to prevent vehicles queuing back onto another network (the M1), a network for which they have responsibility for the movement and safety of traffic. The intervention process would commence with an Intervention Notice being served on BMBC which can then be escalated to an Intervention Order. The Intervention Order would enable Highways England to appoint a traffic director who would monitor, report on, intervene in activities or carry out and control the network management function of BMBC, as the offending authority. In this event, Highways England would be able to recover any sums it considers appropriate from BMBC.

Conclusions in relation to need

Having considered all of the above, it is accepted that there is a pressing need for an intervention of the corridor between the town centre and junction 37 of the M1, specifically at the Dodworth Road/Broadway/Pogmoor Road crossroad junction.

The Assessment of Alternatives

The supporting statement provides a commentary on need, potential problems and the 'do nothing' scenario. It explains that "*when seeking to address capacity issues on the network the starting point is to consider whether or not it would be possible to achieve the necessary modal shift from private car usage to more sustainable modes of transport such as public transport or active travel (cycling & walking). Not only would these potentially be a better way of addressing health and air quality but they would also be a more effective way of reducing carbon emissions and the associated impact of climate change*".

Modal shift

The Council has recently adopted its updated Rail Vision and collaborates closely with South Yorkshire Passenger Transport Executive and bus operators through the Barnsley Bus Partnership and is currently developing its Active Travel Strategy (walking and cycling) all of which reflect the aims of its Transport Strategy.

The supporting statement submitted with the application contains the following information concerning the Council attempts to promote modal shift alternatives:-

The Council is involved in a number of initiatives to promote walking and cycling. Over the past 4 years, £3.9m external capital funding has been secured and provided improved and new cycleways within the borough (including Dearne Valley Enterprise Corridor and Pontefract Road to Town Centre) and £1.1m external revenue funding has been secured to promote and encourage active travel in the borough including the Cycle Hub, Dr Bike and Bike Loans. The Council is currently developing its Active Travel Strategy and will seek to ensure that walking and cycling routes are considered and promoted throughout the design and delivery of any potential highway improvements in the borough. However as has already been explained it is not expected that the modal share of active travel within the borough will increase to such an extent that it would not be necessary to improve the capacity of this junction.

In respect of modal shift from car to bus, bus patronage has been falling within the borough and this mirrors both the national and regional trend. This is despite significant investment over previous decades in bus priority measures such as bus lanes delivered elsewhere in the borough and investment in newer vehicles. To address this, the Barnsley Bus Partnership was established and is working with the commercial and statutory public transport sector to enhance the bus network, services and ticketing initiatives. However, the increasing congestion on Dodworth Road is continuing to have a detrimental impact on service quality and significant increases in journey times for buses using this corridor between Barnsley Town Centre and Dodworth. Stagecoach have confirmed that in 2000, inbound journeys took 10 mins in both the AM and PM peak. By April 2017, journey times for the inbound AM peak had increased to 26 mins, with the PM peak increasing to 17 minutes. In addition, the, outbound journeys in the AM and PM peak in 2000 took 10 mins. By April 2017, journey times for the outbound AM peak had increased to 14 mins, with the PM peak increasing to 16 minutes. Not only does this make bus use less attractive as a potential travel mode to members of the public, but in a deregulated bus market, the financial viability of providing a bus service along Dodworth Road becomes more difficult to justify as increasing levels of investment are regularly required to maintain the same levels of service and punctuality, and as a result at least one of the bus operators has had to reduce the frequency of their services. In addition to the above, the Dodworth Road corridor does not benefit from any bus priority measures largely due to not being able to be accommodated within the confines of the existing highway. The council acquired a parcel of land at the time when the Dodworth by-pass was constructed, for a potential park and ride. Regrettably, due to the confines of the site, the unfeasibility of providing bus priority measures in the vicinity and park and ride not proving to be as effective as was originally envisaged elsewhere within the borough, the proposal could not be progressed.

In contrast, the borough has seen a notable increase in rail patronage which mirrors the national trend. This has been particularly evident of the Hallam Line which can in part be attributed to the introduction of the fast Sheffield to Leeds service via Meadowhall, Barnsley and Wakefield Kirkgate. In 2015 the Council published its Rail Vision, which is in the process of being updated to reflect significant changes that are likely to emerge through Northern Powerhouse Rail and HS2 as well as the commitments contained within the various franchises. This process has involved significant engagement with Network Rail, South Yorkshire Passenger Transport Executive, both city regions, rail operators and numerous other stakeholders. However there are no firm proposals in the short to medium term of delivering rail improvements that would sufficiently offset car journeys along Dodworth Road during peak times.

At the request of the Planning Service, work was commissioned following submission of the planning application to establish how much traffic would have to be removed for the crossroads to operate within capacity. *This concluded that in the worst case of signal operation with demand on all stages of the signals, 45% of the current traffic would have to be removed. A more realistic signal set up still shows that 40% of current traffic would have to be removed from the highway network.* Furthermore Highways consider that in reality even more traffic would have to be removed to make an allowance for the anticipated growth that will occur in the future.

This analysis has been considered to establish whether modal shift is a realistic means of dealing with the existing congestion. This is in the context of a pressing need for an intervention that, arguably, is long overdue and the lack of direct control the council has, particularly in respect of rail. Accordingly, notwithstanding the various strategies and efforts of the Council to promote alternatives to private car journeys, removing 45% of existing traffic through modal shift is considered undeliverable. This remains the case even if the 45% could be reduced significantly via a potentially less harmful road layout that would provide some additional capacity. As such, it is accepted that improvements to junction capacity are unavoidable.

Alternative Junction Layouts/Designs

The case in support of the development is underpinned by the evidence in support of the need for the development to solve the existing problem of the crossroad operating overcapacity and create sufficient capacity to cater for the long term future development needs envisaged by the Local Plan. The Council as the Highway Authority are applicants and principle advocates of the proposed development. They proposed this option above all others based upon the modelling work and as the other schemes would not generate as much capacity or be as long lasting. The modelling work has been carried by AECOM but has been considered and reviewed by Highways, who agree with the findings. The Transport Assessment explains that 8 main scheme options have been considered along with multiple variants of each. These are summarised as follows along with associated comments from the scheme applicants:-

Option A - The construction of a roundabout in the greenspace between roadway and Horizon Community College and a diverted Pogmoor Road. 16 variations of this option were tested. The short and limited stacking space for queuing vehicles limits capacity of this option for certain movements, and coupled with three adjacent road junctions, present co-ordination challenges.

Option B -The construction of left turn flares at the existing crossroads. 4 variations of this option were tested. This option requires Compulsory Purchase of third party land, along with development in the greenspace and did not resolve all forecast issues.

Option C - The construction of a roundabout in the greenspace, linking into the access to Horizon Community College and a diverted Pogmoor Road. 8 variations of this option were tested. This option presents navigational challenges for pedestrians and cyclists and does not resolve all forecast capacity issues.

Option D - The construction of a roundabout to replace the existing crossroads. This option requires Compulsory Purchase of third party land, along with development in the greenspace and did not resolve all forecast capacity issues.

Option E - The construction of a gyratory in the greenspace, with a diverted Pogmoor Road. This option did not resolve all forecast capacity issues.

Option F - The construction of a left turn flare from Dodworth Road (West) into Pogmoor Road. This option requires Compulsory Purchase of third party land to accommodate the flare, and would severely impact on residents' vehicle movements to access / egress their properties, in addition, this option did not resolve all forecast capacity issues.

Option G - This is the preferred option/application proposal.

Option H - Dualling of Dodworth Road between the crossroads and junction 37 of the M1, with additional short turn left flares from Dodworth Road in to both Pogmoor and Broadway. This option requires Compulsory Purchase of significant third party land to accommodate the flare and additional lanes and in addition, this option did not provide a comparable level of capacity when compared to the preferred option G.

This summary table which was produced by the applicant shows the impact of each option:

Option	CPO Required	Impacts on the green space	Presents navigational challenge for pedestrians / cyclists	Resolves capacity issues
A	x	v	v	X
B	v	v	X	X
C	x	v	v	X
D	v	v	X	X
E	x	v	X	X
F	v	v	X	X
G	x	v	X	v
H	v	v	x	X

All were tested at a very high level using the LinSig method of modelling traffic signals and their effect on traffic capacities and queuing and this resulted in some being ruled out due to them not providing sufficient capacity. Four options were tested in VISSIM and a further five more options were also identified and tested in VISSIM. Some of the options required the acquisition of gardens and some involved the demolition of properties in the immediate vicinity of the junction. The final four options which maximised capacity due to the increased length of highway but all encroached into Penny Pie Park.

These options were tested against journey times, link flows, total delay and latent demand. The option which consistently gave the best results in highway terms is the gyratory, which is the subject of this submission. When compared with the do nothing scenario, the modelling of the proposed gyratory showed journey times decreasing, link flows increasing and there was a reduction in overall delay. This indicates that although more vehicles would be using the network, there was increased capacity and a decrease in latent demand. The increased length of highway for "stacking" of vehicles and bans some manoeuvres are key reasons for this as they allows a simpler signal arrangement which increases the through put of vehicles.

The proposed development has the capacity to allow the completion of the development already permitted to the west of the motorway, accommodate traffic growth and further development within the period of the emerging Local Plan. It provides improved pedestrian and cycle facilities with signal controlled crossings at all junctions. The access to Horizon Community College is relocated, and it becomes a left turn in/left turn out only under signal control. The removal of right turns in/out of Horizon at peak times has a significant benefit in terms of road safety and capacity. Purely in highway terms, the proposed development delivers the best improvement to vehicle movement and gives capacity and network resilience for the future.

All of the options encroached into the green space to some degree. However it is the application proposal which is predicted to have the greatest level of benefit in terms of capacity, reduced journey times and reduced delays. Furthermore in contrast to options B, D and F it would not involve the proposed demolition of any existing dwellings.

In addition, during the course of the application being considered Officers asked for a further variant to be tested, variant (C-A) which involved the provision of a bus lane passing alongside the park on much the same alignment of the existing Dodworth Road to avoid buses having to use the gyratory in lieu of one of the dual traffic lanes travelling to Pogmoor Road from west bound Dodworth Road traffic. However Option Variant C-A would be unlikely to operate within capacity in the selected flow scenarios and would not give rise to the capacity benefits associated with the application proposal.

Many other alternative solutions have been put forward by local residents opposed to the scheme. These have been considered but ultimately there is no evidence to show that they would definitely prevent the junction operating over capacity, nor be possible for a variety of technical reasons. Some would also involve the release of unallocated land from the Green Belt. There are also questions about costs of alternatives, deliverability given that in many cases the land is outside of Council ownership, timescales and other consents that would be needed such as from Highways England. Furthermore as trains and buses are private commercial enterprises they are outside the direct control of the Council.

Conclusion in relation to alternative options

Overall it is considered that a very thorough assessment has been made into potential alternatives starting with modal shift and then looking at detailed layouts/designs. These have been assessed in detail alongside the suggestions made in representations but none of these are considered capable of achieving the key objectives of the proposal.

Suitability of the Proposed Design

Policy CSP 25 in the Core Strategy and policy T3 in the Local Plan both expect new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists. In this particular case the applicant has demonstrated that there is a need for the scheme along a key arterial route that is also a key bus route connecting the town centre to the west.

Policy CSP 26 in the Core Strategy and policy T4 in the Local Plan also both require new development to be designed and built to provide safe, secure and convenient access for all road users. Paragraph 12.58 in the Local Plan, which provides supporting text to policy T4, states that “whilst all applications will be expected to meet the sustainable travel criteria in policy T3 there will be occasions where improvements to the existing highway network are also required. We are responsible for making sure the borough’s streets are safe for everyone using them”.

Paragraph 12.59 goes on to state that “When new developments are built, we make sure any new roads are up to standard and that people using the new development can do so safely and without negatively affecting existing roads. They must be designed and built to provide safe, secure and convenient access for all road users, which will include pedestrians, cyclists, people with special needs and people with mobility problems. In doing so we will support the long term aspirations of the South Yorkshire Road Safety and Casualty Reduction Strategy (delivered through the LTP) which focuses on the need to achieve further reductions in casualties, focusing on vulnerable road users including children and motorcyclists, and on local areas where road safety is a known problem”.

The highway and pedestrian safety implications of the proposed design are other highly significant considerations that have been afforded detailed consideration, particularly given the quantum of objections. According to the TA, the proposals will incorporate full facilities for non-car modes of travel and will greatly increase capacity through the junction thus reducing driver frustration and potentially reduce the number of accidents. A variety of mitigation works shall be required within the existing highway network however to make the roads around the development safe, including new signals and crossings as per the recommendations of an independent road safety audit. Subject to incorporation of these measures, the road safety audit did not identify any fundamental issues that would mean that the scheme is unsafe, meaning that the proposal is considered to comply with these aspects of policies CSP26 and T4

In terms of convenience, the properties on Dodworth Road and Pogmoor Road that are a direct neighbour of the site shall be the ones most familiar with the existing congestion problems caused by the crossroads operating over capacity during the morning and evening peak hours leading to standing traffic in front of many houses and their driveways and the resulting impacts though inconvenience accessing /egressing their properties, the noise and vehicle emissions. In principle therefore the residents of these properties and those located on the approach stand to benefit from traffic flowing more freely through the junction.

The new road layout has been designed as a one way system in order to give the best results. This could potentially have caused some inconvenience for the Dodworth Road residents living in houses between Horizon school and the cross roads. They would be accessed from the new system so that instead of turning right to head into the town centre as they do at the moment, they will have to drive in the opposite direction around the loop system. Similar arguments have also been made in representations in relation to the manoeuvre from Dodworth Road onto Broadway and from Pogmoor Road onto Dodworth Road, particularly during inter-peak periods. In recognition of this, the applicant was requested to supply inter-peak modelling to establish if the new arrangement would increase journey times when the network is less busy. The results of this showed the in the main, whilst drivers would be driving further, journey times would not increase due to the additional lanes and improved junction sequencing.

In terms of easier and safer access and egress properties on Pogmoor Road would benefit the most as the existing section of Pogmoor Road in front of their properties would be downgraded and replaced by the new road system for through traffic. Those properties and Whitehill Avenue would connect to the gyratory via provision of a dedicated left turn lane and a new left turn only junction.

Concerns have been expressed that the development does not make suitable provision for cyclists. However the amended site layout plan includes annotation showing combined 3m wide cycle and footways would be located around the edge and through the centre of the gyratory which would provide a segregated and safe route for both modes of traffic. In addition the road system would be served by multiple toucan pedestrian and cyclist crossings which would enable safe navigation across all of the main junctions. The central route would connect to the junction located directly opposite Horizon. Furthermore the development would link with the signed cycle route connecting Moorland Avenue/Broadway and Pogmoor Road via Whitehill Avenue and the traffic free cycle route that exists on the southern side of Dodworth Road from Horizon to Shaw Lane where there is a signed cycle route to Pitt Street located at the southern side of the Town Centre. There is also an advisory cycle route on Lancaster Street to link with the lower section of Dodworth Road near to Townend roundabout. To the north there are routes linking to the town centre from Farrar Street, Summer Lane and Sackville Street.

Taking into account all of the above and other issues raised in the representations, it is considered that in respect of highway and pedestrian safety, accessibility to public transport and the needs of pedestrians and cyclists as well as the convenience of access for all road users, the proposal complies with policies CSP25, CSP26, T3 and T4.

Other Potential Benefits

Members will recall that when Horizon school opened it was required to have staggered times for each of the 5 school years. The purpose of this was to manage journeys to and from the school during morning and afternoon peaks. In 2015, it was agreed that two of the school year start and finish times could be merged. This was primarily as a result of the following benefits that it offered:

- Staff availability for out-of-hours clubs would be improved.
- It will significantly benefit parents with children in different school years.
- By finishing 30 mins earlier, between late November and mid-January, pupils would be able to leave before it is dark. This significantly improves safety and potentially reduces the number of parents arriving in cars to collect them.
- There is evidence that the late finish has a detrimental impact on learning.

Were the scheme to be considered acceptable, once delivered there could be potential to revisit the staggers further, particularly if the school are able to identify other tangible benefits. Given the scale of the school, it is unlikely that staggers could be removed completely but the school has offered its support to this proposal, suggesting that this is something they would intend to explore.

Conclusions in relation to the Highway Benefits of the Proposed Scheme

Having assessed the evidence provided in support of the application and considered the consultations and representations, it is accepted that there is a pressing need to improve the capacity of the existing network with the primary objectives needing to be:-

- Improve the strategic highway access from the M1 J37 to Barnsley;
- alleviate congestion at the A628 Dodworth Road / Broadway crossroads;
- alleviate congestion on the M1 J37 Southbound exit;
- facilitate future growth identified in the Core Strategy and the Local Plan if it is adopted.

Cumulatively these factors, particularly in the context of a lack of viable alternatives, are such that the benefits of the scheme attract great weight.

Impact on Penny Pie Park

The development would result in the loss of approximately 1 hectare of green space from within Penny Pie Park, which is subject of the Urban Greenspace Designation. Within the wider area Pogmoor Recreation ground is located immediately to the north of the site but has a different formal recreation function in the form of a football pitch. There are additional outdoor sports pitches available to hire at Horizon. However access is not free and is not available during school times. Sugdens recreation ground off Stocks Lane in Pogmoor is also located close proximity as the crow flies but the nearest site with comparable facilities is Locke Park, approximately a mile away from the site off the A6133 Broadway. This is a much larger Borough wide facility of approximately 7ha in size which hosts a children's play area and is of a size that sees it play host to events.

Protection for land designated Green Space is provided within proposed Local Plan policy GS1 and Core Strategy policy CSP35. Both state that proposals which would result in the loss of Green Space shall not normally be allowed unless:

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

The Council also has an adopted a Green Space Strategy which amongst other things identifies a hierarchical status that is afforded to the Council's portfolio of Green Space sites. In terms of the green space hierarchy, Penny Pie Park is categorised as a local neighbourhood green space, with secondary functions as a play area, youth facility and local neighbourhood sports facility. Although it has benefitted from recent investment, this places the park below Borough wide facilities such as Locke Park. It is nonetheless assessed as being of fair to good quality and is highly valued within the community. At 4.92 hectares it is the largest area of green space within the Pogmoor and Town End neighbourhood. There are deficiencies in most typologies of green space in the neighbourhood area, particularly the provision of NEAP standard play areas, and Penny Pie Park is not therefore surplus to requirements.

Given that the proposal involves the creation of a multi-lane gyratory running through the park it is inevitable that this will result in harm to its functionality, particularly given the severance between the central area and the sections along the northern and eastern boundaries. The introduction of traffic will also increase levels of noise and air pollution within the park as well as being a visual intrusion. Cumulatively these effects result in a significantly adverse impact upon the character of the park and the amenity afforded to its users.

In order to address the requirements of policy CSP35 the applicant has therefore put forward a package of mitigation and compensation in an attempt to reduce the level of harm. These are considered in detail below.

Proposed Mitigation/Compensation

The applicant has sought to address the impact of the proposed development on the green space by retaining and relocating all the existing play facilities, fitness equipment and the story telling trail, within the park area to the north of the proposed gyratory, and upgrading the existing play area from a LEAP (Local Equipped Area of Play) to a NEAP (Neighbourhood) standard. This ensures that the recent investments in the park, including those funded by Section 106 contributions, will not be lost as a result of the proposal.

Whilst it is considered that the areas of resulting green space immediately adjacent to the gyratory will not be capable of supporting as many green space functions as they did previously, additional improvements are proposed to create a multi-functional area for informal recreation, community events, etc, with hard and soft landscaping throughout. The area of land retained within the centre of the proposed gyratory system would remain of a size that is large enough to accommodate events, including the annual circus and include provision of access accordingly.

Further compensatory measures for the loss of green space are proposed off site. These include improvements to the pedestrian access, and provision of footpaths, benches and dog fouling bins at the neighbouring Pogmoor Recreation Ground and the upgrade of the children's play area at Sugdens Recreation Ground to a NEAP standard facility, which will cater for a wider age range and serve a greater catchment area. This will ensure that there is no loss of any of the facilities that are currently provided within Penny Pie Park. The off-site improvements also seek to improve deficiencies elsewhere in the locality.

Policy CSP35 'Green Space' does potentially allow for development on land designated as Green Space in the circumstance that appropriate replacement green space of at least an equivalent community benefit, accessibility and value is provided in the area which it serves. Securing this mitigation and compensation would therefore be essential if the application is granted.

Conclusion in relation to the Impact on Penny Pie Park

Overall, the proposed mitigation/compensation does go some way to addressing the harmful impacts of the development on the park but given the quantitative loss of greenspace and the change to the character of the park, it is not considered that these can be fully mitigated/compensated. In these respects the proposal fails to comply if full with the requirements of Core Strategy policies CSP29, CSP33, CSP35 and Local Plan policies GD1, D1 and GS1. This harm therefore needs to be considered alongside other identified harm and weighed against the benefits of the proposal.

Impact on Residential Amenity

Noise

In general noise and activity levels in the area are high during daytime hours for reasons previously set out including the roads being heavily trafficked and this being a built up area near to the town centre with a strongly urban character. However, the proposal for the gyratory introduces a new road layout, which in some cases takes traffic closer to existing properties, and changes alignment and flows. This inevitably leads to an increase in noise levels to those properties affected.

Modelling work carried out has therefore identified a need for the physical noise mitigation measures described earlier in the report. However, the Noise Assessment showed that in the vast majority of cases the increase in noise levels predicted by the scheme was generally considered to be negligible or minor in terms of impact (noise increases of between 0-1 and 1-3 decibels), and therefore cannot be considered as having a significant effect. However, as some of these properties are already adversely affected by noise levels (56 properties, on Dodworth Road/ Pogmoor Road) even a minor increase in noise levels could be considered as significant.

For these 56 properties the applicant is willing to offer a noise insulation scheme to the affected facades in line with the Noise Insulation Regulation package of measures (supplementary to any duty or power afforded to BMBC to provide noise insulation to eligible buildings under the Noise Insulation Regulations). This mitigation measure would be subject to acceptance by the owner of the property. Where the owner accepts the offer on the basis that they do not already have higher specification noise attenuation, the proposal would result in an improvement in noise levels internally to the properties already adversely affected by high noise levels.

Out of the 2153 residential properties and 5 non-residential noise sensitive buildings within the 600m boundary (of the proposal) noise calculation area this leaves 9 properties where the increase in noise levels would be described as significantly adverse. Other mitigation options were therefore afforded consideration including a 3m high earth bund being created in the northern section of the retained park. This would result in 4 no less properties being affected by significant adverse noise impacts. However, it would require a land uptake of approximately 7700m² and so it has not been supported as benefits are not considered to outweigh the additional harm to the park.

Another option considered was to assess the difference between the noise levels for absorptive and reflective noise barriers and whilst absorptive barriers do show a reduction, the maximum reduction is only 0.3dB compared to a reflective barrier. The use of an absorptive barrier does not change the impacts or the significant adverse effects resulting from the use of a reflective barrier. As a further mitigation, consideration was given to the type of road surfacing material, but as the proposed speed limit is below 50km/h, the use of low noise surfacing materials is unlikely to result in any benefit.

In summary, whilst Option A is the most effective in acoustic terms, it would result in the loss of most of the park and would be contrary to Core Strategy Policies 33 and 35 and Local Plan policy GS1. Core Strategy Policy 40 and Local Plan policy Poll1 require developers to minimise the effect of any possible pollution, including noise pollution, and provide mitigation measures where appropriate. Therefore, it is accepted that the only viable balance between these policies is the one proposed by the applicant (Option C). Nonetheless, although the vast majority of properties within the noise calculation area will not experience significant adverse impacts and that some stand to benefit from the scheme if they accept the Noise Insulation Regulation package of measures, the fact that 9 properties will experience significant adverse impacts means the proposal fails to comply with policies Poll1 and CSP40.

Air Quality

Similarly from an air quality perspective, vehicle emission levels along Dodworth Road, because of its heavy use and the amount of queuing traffic, have resulted in it being designated an Air Quality Management Area. Again, in principle, enabling traffic to flow more freely through this area has the potential to deliver air quality benefits to the existing residents in the immediate vicinity. This is not straight forward however as the results of the modelling has shown that whilst some locations, especially those nearest the crossroads would be benefitted, conditions would be worsened where the properties are located on the approach to the gyratory on Dodworth Road from the town centre. However these increases have been assessed as "slight adverse" and in those locations predicting an increase in concentrations of nitrogen dioxide gas, these concentrations would remain within permitted levels. Elsewhere, the scheme is predicted to have "negligible" or a "slight to substantial" beneficial" impact. For this reason the Air Quality Pollution Control Officer has resolved not to object to the application.

Accordingly, where emissions are forecast to increase, because they will remain within the objective, the effects are not considered to be significantly harmful. Moreover, in the areas above the objective, residents stand to benefit from the scheme. Accordingly, the proposal complies with Core Strategy policy CSP41 and Local Plan policy AQ1.

Other Residential Amenity Considerations

The proposed acoustic fencing, both on and off site, is of a height where it could potentially impact on the outlook of neighbouring residents and appear overbearing. However, the location and the presence of other features, such as the trees within the park ensures that the impact on residential amenity would not be significant.

Future lighting proposals would need to be controlled for the joint reason of limiting the effect of the development on the living conditions of existing properties and biodiversity. This would need to be the subject of a condition therefore. Noise and disturbance would be evitable during the construction phase. A further condition therefore would need to be the imposition a construction management plan and a restriction on working times.

Summary of Residential Amenity Impacts

The proposal provides some benefits to residential amenity but also significant adverse noise impacts to 9 residential properties and an increase in air pollution (albeit remaining within the objective). It has therefore been found compliant with Core Strategy policy CSP41 and Local Plan policy AQ1 but in conflict with policies Core Strategy policy CSP40 and Local Plan policy Poll 1.

Specifically in relation to Local Plan policy GD1, insofar as a new section of road running through a greenspace can do so, the proposal seeks to minimise and mitigate adverse impact on the environment, natural resources, waste and pollution. However, it does have significant adverse effect on the living conditions and residential amenity of the nine dwellings where significant adverse noise impact are forecast such that the proposal fails to comply with policy GD1.

Visual Impact

Clearly the construction of a road system through a central area of the park would have a significant visual impact given its existing green and open form. Added to that would be the loss of approximately 75 trees out of the existing total of 116 individual trees and 8 groups identified within the tree survey. Of these 4% are grade A, 29% are grade B, 62% are grade C, and 5% are unsuitable for retention. The greatest impacts would be in the 3 corners of the gyratory scheme adjacent the existing crossroads, the north west corner where the connection would be with Pogmoor Road and in the south east corner where the connection would be back with Dodworth Road. The park is located on a main approach into the Town Centre from J37 of the M1 and is passed by visitors to the Hospital using the A6133 route. This gives the site a heightened sensitivity whereas otherwise it occupies a position where it is surrounded by urban forms of development, which is the dominant character of the area being so near to the town centre.

Plans include the retention of trees inside and outside the edges of the gyratory system which is where their retention has greatest landscaping benefits. In addition it is proposed to carry out tree planting within the park to compensate for the lost trees. Whilst replacement planting would take a long time to establish the fact that most of the existing trees were planted no earlier than the 1960s indicates that given a reasonable time period they could mature into equivalent high specimens.

The physical noise attenuation measures raise visual amenity considerations. For the most part the implications would be relatively minor in that they would be gabion walls measuring between 1m and 1.5m in height. The more significant proposal is the 3m acoustic fence proposed along the duration of the eastern boundary and in the verge on the southern side of Dodworth Road adjacent to the entrance to Horizon. In both cases however the fence would be positioned immediately adjacent to existing trees and hedges which would lessen its visual impact.

Beyond the park, the grade 2 listed milestone located on the southern side of Dodworth Road adjacent to the entrance to Horizon would not be affected by the development. As such there are no objections to the application from the Conservation Officer in relation to policy CSP 30 The Historic Environment.

In their objection the CPRE have made reference to proposed local plan policy BTC7 Gateways. However this policy would not be applicable as the area intended to be covered by this policy is only a small section of Dodworth Road immediately adjacent to Town End Roundabout and not the area of Dodworth Road where this planning application site is located. Similarly the Landscape Character Area policies CSP37/LC1 are of limited relevance given that the visual impact of the proposal is very localised in the context of the wider character area.

Overall, notwithstanding the mitigation and compensation that is proposed and the fact there is no conflict with heritage assets or adverse impact on the wider landscape character area (Core Strategy policies CSP30 & CSP37 and Local Plan policies HE1, HE3 and LC1), the impact of the proposal upon visual amenity of the park as a result of the introduction of a 3 lane gyratory is significantly adverse. The proposal therefore fails to comply in full with the requirements of Core Strategy policy CSP29 or Local Plan policies GD1 and D1.

Climate Change

A number of representations express significant concern that the proposal will increase greenhouse gas emissions and exacerbate climate change. Core Strategy policy CSP1 and Local Plan policy CC1 relate to climate change with development expected to reduce and mitigate the impact of growth on the environment and carbon emissions.

Many representors therefore consider that the Council should refrain from any additional road building and instead focus on reducing the need to travel and achieving modal shift. Whilst their motives are undoubtedly well-meaning and reflect some of the key objectives within the existing Core Strategy and the Local Plan, as things stand, there is no moratorium either nationally or locally in relation to road building or schemes that increase network capacity. In this case the Council, as the applicant, has demonstrated that all such options been explored in full and that they have sought to mitigate and compensate for adverse impacts as far as possible.

The scheme itself is not a traffic generator but it is accepted that increasing capacity will provide a more convenient network for motorists. This has the potential to entice more motorists onto the section of network but it is difficult to be certain whether these would amount to new journeys or diversions by drivers who deliberately avoid the junction by either using junction 36, junction 38 or rat-running through nearby settlements on the local road network. In the case of the latter, were this to be the case, the proposal could be said to have road and pedestrian safety benefits by diverting traffic onto a purpose built section of highway designed to cater for higher volumes of traffic. However, for the purpose of assessing this application, it is not considered that any weight can be afforded to any of these assertions.

The situation in respect of climate change is further complicated by the shift to electric vehicles which is expected to occur during the lifetime of the local plan and the lack of clarity regarding what sources of energy would be used to power them and their whole life emissions.

Focusing specifically on the requirements of policy CSP1 and CC1, the key considerations are loss of a section of the park, associated tree loss and proposed mitigation, demonstration that modal shift has been fully explored, air quality, flood risk and biodiversity considerations each of which are explored under their own headings.

Flood Risk and Drainage

The site is located in an area of low flood risk and so this is not an issue affecting the proposal. However a condition would need to be imposed requiring a surface water management system so as to prevent an increase in flood risk off the site. First priority needs to be given to establishing connection to a watercourse. Should that not be possible however Yorkshire Water have confirmed that they would be prepared to consent to flows being discharged into the public sewer network at a restricted discharge rate of 5 litres per hectare per second. This would require the development to be constructed with appropriate storage capacity and attenuation systems.

Subject to the inclusion the suggested condition, the proposal therefore complies with Core Strategy policies CSP3 and CSP4 as well as Local Plan policies CC3 and CC4.

Contaminated Land

Pollution control considers the risk of significant environmental impacts arising from pollution/contaminated land to be low. Nevertheless, as is standard practice where the site history confirms that the site is not greenfield, intrusive investigations shall be required to confirm this. Furthermore gas monitoring shall be required to inform any mitigation measures which would be necessary as a result.

Subject to the inclusion the suggested condition, the proposal therefore complies with Core Strategy policy CSP 39 and Local Plan policy CL1.

Mining Legacy

The desk top ground investigation report has identified that the area of the site where the development would take place are forecast to avoid mine entries and shallow coal workings. However as one entry is in close proximity and because of the potential for unrecorded shallow coal workings the Coal Authority and SYMAS have insisted upon a condition requiring intrusive site investigations to inform any mitigation measures which would be necessary to ensure that the development is not affected by any land instability issues. Again, the imposition of this condition would ensure the proposal complies with policies CSP 39 and CL1.

Biodiversity

The habitats present on site include amenity grassland, scattered parkland trees, introduced shrubs, tall ruderals, improved grassland and a strip of dense scrub/hedgerow with some mature trees. In general there are no notable plant species present; the strip of dense scrub/hedgerow along the northern boundary is the most important in terms of both biodiversity and forming a wildlife corridor. This strip is not affected by the proposed works.

The initial ecological appraisal identified that some trees in the path of the proposed works have low and moderate potential for bat roosts, and one tree with high potential and some possible signs of bat use. Some of these trees are directly in the path of the proposed works. The later ecology survey did not identify any bat roosts that would be affected by the development. Given that it is foraging habitat however mitigation is recommended in the form of street lighting being designed to limit the effects on bats and enhancement being proposed in the form of attaching roosting boxes to trees.

The site has local value for birds, with the mature trees and berry-bearing bushes offering roosting, nesting and foraging opportunities, and the grassland offering foraging opportunities for ground feeders such as thrush. The most valuable area is the dense scrub along the railway line to the north which is off the site and would be retained. It is possible those hedgehogs will occasionally be present on site and that the site might be locally important for hedgehogs.

Overall the value of the existing habitat on the site and likelihood of significant numbers of protected species is sufficiently low that the significant impacts are not envisaged. The site is not designated for its ecological value. In addition the impacts can be reduced via mitigation including carrying out tree removal works outside of bird nesting season, ensuring that no bat roosts are present prior to felling works, replacement tree planting and the provision of new habitat to encourage protected species to nest and roost at the site.

Subject to securing the mitigation through the imposition of a planning condition, the proposal complies with Core Strategy policy CSP 36 and Local Plan policy BIO1.

Archaeology

SYAS agree with the desk based archaeological assessment which is that the site has low potential for archaeological remains due to the amount of ground disturbance that has taken place within the site since the 19th century. As such they have confirmed that they do not object to the proposed development and do not require any conditions imposing. In respect of archaeology, the proposal therefore complies with Local Plan policies HE1 and HE6.

Helicopter Landing

Concerns have been raised within the representations that the development would result in the loss of the emergency helipad used by Yorkshire Air Ambulance. However the applicant has confirmed that ambulances would be permitted to use the area of hard standing and vehicular access proposed to be created to serve the retained parkland in the centre of the gyratory system, with helicopters landing within the park as is the case at the present time.

Balancing Exercise/Conclusion

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

This assessment has considered the need for the proposal and existing highway conditions, the assessment of alternatives including modal shift, impact on Penny Pie Park and other material considerations including residential amenity, visual impact, highway and pedestrian safety, climate change, flood risk and biodiversity.

The assessment has established that the development would give rise to harm through reducing the size of a valuable park/green space by 1ha, which is equivalent to around 25% of existing park. In addition the development would result in a change in the character and ambience of the park via the construction of a new multi lane road system, which would split it into two parts. In turn it would give rise to associated noise and disturbance impacts and the loss of a significant quantity of high amenity trees, including several which would qualify to be designated with Tree Preservation Orders.

The impact on the park would be reduced by to the retention of existing park functions, including upgrade of the existing childrens play area to Neighbourhood Play Area standards together with the upgrades proposed at Pogmoor recreation Ground and Sugdens Recreation Ground. However, at a local level, the development would still have negative impacts on place making therefore meaning that it would conflict elements of Core Strategy policies CSP29, CSP33, CSP35 and Local Plan policies GD1, D1 and GS1.

Further harm would occur at 9 properties which would be the subject of a significant adverse impact in noise levels. This would mean that the development is partially in conflict with criterion a of Local Plan policy GD1 'General Development' as well as Core Strategy policy CSP 40 and Local Plan policy Poll 1.

The cumulative weight attributed to the negative impacts of the proposal and the associated conflict with the development plan attracts substantial weight. However, it is necessary to consider whether there are other material considerations that exist, which outweigh the identified conflict with the development plan. These other material considerations include the need for proposal, the lack of alternative options and other benefits of the proposal.

Based on the information supplied by the applicant, it is accepted that the "do nothing" option is not viable as the crossroads is already operating over capacity leading to significant queuing along Dodworth Road, Pogmoor Road and Broadway during the morning and afternoon peak hours. The assessment has established that the crossroads assumes a very high status in terms of strategic highways within the Borough and that there shall be substantial adverse socio-economic consequences if identified growth and strategic objectives are thwarted as a result of an inability to address congestion through modal shift or failing this, capacity improvements.

The assessment has established that the objectives of the scheme cannot be satisfied through modal shift and no less harmful alternatives have been found to be viable or deliverable in the short to medium term. In addition, the design and layout is considered to comply with policies CSP25, CSP26, T3 and T4.

In accordance with Local Plan policy SD1, the service has worked proactively with the applicant jointly to secure a proposal that, insofar as it is possible with a proposal of this nature, improves the economic, social and environmental conditions of the borough as a whole. The combination of the urgent need to address existing congestion, the significance of the scheme in the context of facilitating future growth and the fact no viable and deliverable alternatives exist cumulatively attract great weight.

The air quality implications of the proposal have been explored given that Dodworth Road forms part of an existing Air Quality Management Area. However, Pollution Control have resolved not to object to the proposals given that the scheme would deliver benefits within the study area. Furthermore in those locations predicting an increase in nitrogen dioxide gas concentrations, these concentrations would remain within permitted levels. Nonetheless, given that the benefits can only be achieved by accepting some increases, only limited weight can be afforded to these benefits.

Assessments of other development plan policies and material considerations including, flood risk, land stability, contaminated land have been carried out with conclusions being covered in the individual sections of the report. These show that the specific requirements of the development plan policies have been satisfied but these are not main considerations when balancing the benefits of the scheme against the harm.

The impact of the proposal on climate change is also difficult to fully quantify. On the one hand, increasing road capacity has the potential to increase emissions but, alternatively, the scheme has been designed to be resilient to climate change and mitigation can be secure to help offset short term impacts.

Having regard to the above matters and all others raised in representations, it is considered that the benefits of the scheme attract great weight, primarily due to the lack of viable, alternative options. The scheme regrettably gives rise to a number of significant adverse impacts and although these can be mitigated to some extent, they nonetheless attract substantial weight. On balance therefore, whilst the proposal does not comply with the development plan, the great weight attributed to the benefits of the scheme is considered to outweigh the substantial weight given to the adverse impacts. Accordingly, other material considerations exist to justify a departure from the development plan and the application is therefore recommended for approval subject to the necessary conditions.

Recommendation

Grant planning permission subject to the following conditions:

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

- 2 The development hereby approved shall be carried out strictly in accordance with the following plans and specifications as approved unless required by any other conditions in this permission:-
-HD/7122127/C/LP rev A 'Location Plan'
-HD/7122127/C/2 SITE BOUNDARY
-HD/7122127/C/1 rev A 'GENERAL LAYOUT'
-HD/7122127/C/2 rev A 'STORY TRAIL PLAN'
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Core Strategy Policy CSP 29, Design and Local Plan policy D1.
- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26 and Local Plan policy T4.
- 5 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
-The parking of vehicles of site operatives and visitors
-Means of access for construction traffic
-Loading and unloading of plant and materials
-Storage of plant and materials used in constructing the development
-The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
-Wheel washing facilities
-Measures to control the emission of dust and dirt during construction
-Measures to control noise levels during construction
Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40 and Local Plan policies T4 and Poll 1.

- 6 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:-
- a) Provision of gyratory with traffic signal controls;
 - b) Provision of/any necessary alterations to street lighting;
 - c) Provision of/any necessary alterations to highway drainage;
 - d) Any necessary resurfacing/reconstruction;
 - e) Any necessary signing/lining;
 - f) Measures to prevent/control parking and loading.
- e) Provision of bus stops
- The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.
- Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26 and Local Plan policy T4.**
- 7 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
- Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26 and Local Plan policy T4.**
- 8 No development shall take place until full foul and surface water drainage details, including a scheme to limit surface water run off has been submitted to and approved in writing 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 and the scheme shall be retained throughout the life of the development.
- Reason: To ensure proper drainage of the area, in accordance with Core Strategy policies CSP1, CSP3 and CSP4 and Local Plan policies CC1, CC3 and CC4.**
- 9 Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).
- Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policies CSP1, CSP 29, CSP 35 and CSP 36 and Local Plan policies SD1, GD1, D1, GS1, CC1 and BIO1.**

- 10 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policies CSP1, CSP 29, CSP33, CSP35 and CSP36 and Local Plan policies SD1, GD1, D1, GS1, BIO1 and CC1.
- 11 Prior to commencement of development details of tree protection fencing shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed before machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity and in accordance with Core Strategy Policies CSP1, CSP 29, CSP33, CSP35 and CSP36 and Local Plan policies SD1, GD1, D1, GS1, BIO1 and CC1.
- 12 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality.
- 13 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be submitted to and approved in writing by the Local Planning Authority:
-Tree protective barrier details
-Tree protection plan
-Arboricultural method statement
No development or other operations shall take place except in complete accordance with the approved methodologies.
Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality and in accordance with Core Strategy Policies CSP1, CSP 29, CSP33, CSP35 and CSP36 and Local Plan policies SD1, GD1, D1, GS1, BIO1 and CC1.

- 14 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40 and Local Plan policies GD1 and Poll1.
- 15 Prior to commencement of development, full details of the boundary treatments indicated on plan HD/7122127/C/1 rev A 'GENERAL LAYOUT' 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 before the development is first brought into use and shall be maintained in thereafter for the lifetime of the development.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29 and Local Plan policies GD1 and D1.
- 16 Prior to commencement of development an investigation and risk assessment to assess the nature and extent of any contamination on the site shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:
(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
o human health,
o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
o adjoining land,
o groundwaters and surface waters,
o ecological systems,
o archeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
The development shall be carried out in accordance with the approved report including any remedial options.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39 and Local Plan policy CL1.

- 17 Prior to commencement of the development full details of the mitigation measures identified in the Ecological Survey (Wildscapes report ref , including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policies CSP1, CSP33 and CSP 36 and Local Plan policies SD1, GD1 GS1, BIO1 and CC1.
- 18 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26 and Local Plan policy T4.
- 19 Development shall not commence until full highway engineering construction details have been submitted to and approved in writing by the Local Planning Authority and the development shall be implemented in accordance with the approved details.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26 and Local Plan policy T4.
- 20 Development shall not commence until locations for parking bays for signal control maintenance have been submitted to and approved in writing by the Local Planning Authority. Once approved the bays shall be provided prior to the development being brought into use and retained for that sole purpose thereafter.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26 and Local Plan policy T4.
- 21 Prior to commencement of the development precise details of a scheme for the relocation of the existing equipped children's play area, multi used games court and existing park trail within the park including design specifications have been submitted to and approved in writing with the Local Planning Authority. Details shall substantially accord with the indicative locations indicated on plans HD/7122127/C/1 rev A 'GENERAL LAYOUT' and HD/7122127/C/2 rev A 'STORY TRAIL PLAN' and shall consist of the equipped childrens play area being upgraded from a Local Equipped Local Equipped Area for Play (LEAP) and Neighbourhood Equipped Area for Play (NEAP). Thereafter the development shall be implemented in accordance with the approved details and timescales.
Reason: In order to safeguard and enhance the existing play functions in the park in accordance with Core Strategy policies CSP29, CSP33 and CSP35 'Green Space' and Local Plan policies SD1, GD1, D1 and GS1.

- 22 Prior to commencement of the development precise details of a scheme for the provision of enhancements at Pogmoor and Sugdens Recreation Ground including design specifications have been submitted to and approved in writing with the Local Planning Authority. Details shall include the upgrade of the equipped childrens play area from Equipped Play Area (EPA) to Neighbourhood Equipped Area for Play (NEAP) standard and provision of footpath, benches and dog fouling bins at Pogmoor Recreation Ground. Thereafter the development shall be implemented in accordance with the approved details and timescales.
Reason: In order to provide suitable compensation for the loss of Green Space in accordance with Core Strategy policies CSP29, CSP33 and CSP35 'Green Space' and Local Plan policies SD1, GD1, D1 and GS1.
- 23 No development 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.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26 and Local Plan policy T4.
- 24 Prior to commencement of the development a scheme for the provision of a public art feature within the confines of the park shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and timescales.
Reason: In the interests of the visual amenities in accordance with Core Strategy policies CSP 29 and CSP35 and Local Plan policies SD1, GD1, D1 and GS1.
- 25 The development hereby approved shall be carried out in accordance with the noise mitigation measures as specified in Option C of the report dated 9th November titled Noise and Vibration assessment Technical Note - Comparison of alternative noise mitigation options, with construction of the mitigation measures (walls and fences) to be carried out and completed before the gyratory is in operation. Details of the specifications of the acoustic fences shall be submitted to and approved by the Local Planning Authority prior to installation. The approved details shall be implemented prior to the development being brought into use and shall be retained as such thereafter.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection and Local Plan policies SD1, GD1 and Poll 1.

- 26 Prior to the development commencing a scheme taking account of the Noise Insulation Regulations 1975 (as amended) designed to mitigate adverse noise levels experienced by nearby residents shall be submitted to and approved in writing with the Local Planning Authority and the approved scheme shall be complied with in conjunction with the implementation of the development.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40 and Local Plan policies SD1, GD1 and Poll 1.
- 27 No development shall commence until a scheme for the provision of lighting for the new areas of highway and the combined cycle and footways including the location of columns and light levels has been submitted to and approved in writing with the local planning authority. Therefore the development shall be constructed in accordance with the approved details and maintained thereafter.
Reason: In the interests of residential and visual amenity and biodiversity and promoting walking and cycling in accordance with Core Strategy policies CSP26, CSP29, CSP35 and CSP40 as well as Local Plan policies SD1, GD1, T3, D1, GS1, BIO1 Poll1.

PA Reference:-

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BARNSELY MBC - Regeneration & Property



Scale 1: _____