

## **Appendix 2 - Copies of SPD's for Adoption**

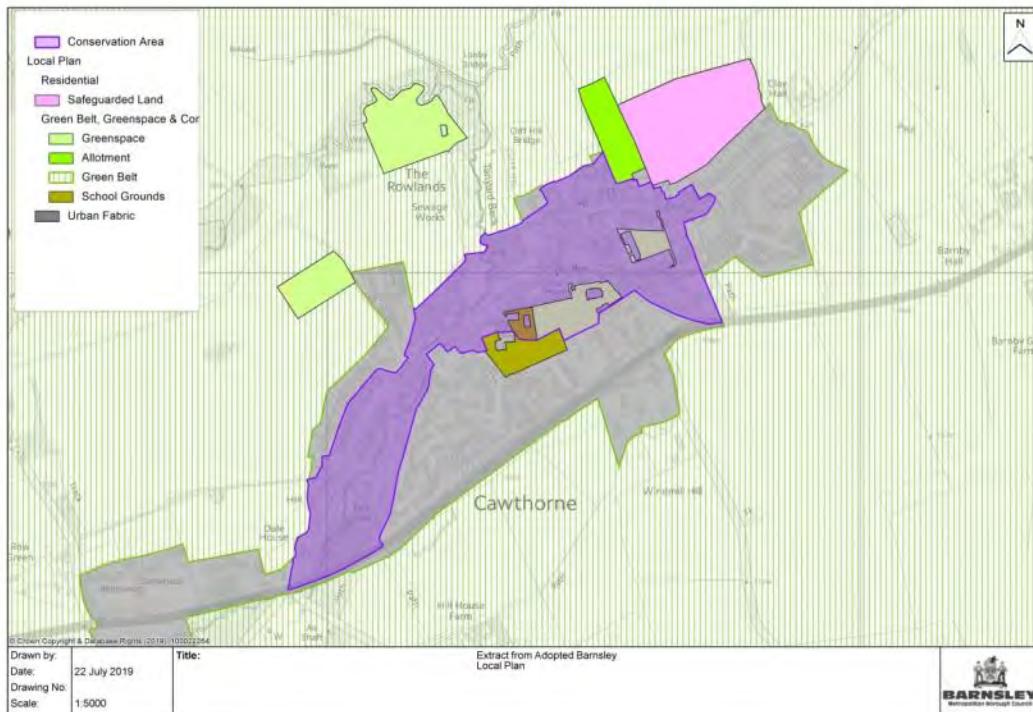
**October 2019**



## CAWTHORNE VILLAGE DESIGN STATEMENT



This guidance has been prepared by the Village Design Group supported by Cawthorne Parish Council, and updated in partnership with the Barnsley MBC. The Parish Council asked BMBC to adopt the design statement as supplementary guidance which supports the Local Plan (Adopted January 2019) and will be used to help make decisions on planning applications in Cawthorne.



## A Statement from the Design Group

Many of us take for granted our lovely old village with its strong sense of identity. We would be wrong, however, to assume that life in Cawthorne will continue unchanged. Villages and communities constantly evolve as does their way of life. For a village of some 1300 or so residents the community is very fortunate to have a well-attended Parish Church and Methodist Chapel, a successful Junior and Infant School, a Pub, a Post Office, two Clubs, a Restaurant, Village Shops and the award winning Victorian Jubilee Museum. Many of these facilities are supported by a host of voluntary village organisations which cater for a wide range of leisure activities for all age groups. This rich pattern of village life will not automatically continue forever and we should all work to ensure our village retains what is left of our traditional rural way of life.

The village design statement briefly describes Cawthorne as it is today and highlights the qualities valued by residents. The statement has been written by Cawthorne residents with input from BMBC so that local knowledge, views and ideas may contribute to the growth and prosperity of the village, and to a high quality environment. The aim is to ensure that further development and change is based on a considered understanding of the village, including its past and present. As such it is intended that change will be carefully managed in order to protect and enhance what is special and will contribute positively to the future of Cawthorne. The statement is not a set of rigid rules but is intended to be a collection of sensible criteria to encourage good design.



## **About this guidance**

The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. The NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a 'material' consideration when planning applications are decided.

As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

## **Introduction**

This document offers guidance to residents, landowners, architects, agents and builders on both new development and smaller day-to-day adjustments to homes and gardens, open spaces, paths and hedges which can alter the look and feel of the whole village. The Statement provides guidance to those proposing development in Cawthorne.

## **Policy**

This document supplements Local Plan policy D1 which states:

Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:

- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

And,

Through its layout and design development should:

- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;

This document also supplements Local Plan policy HE1 which states:

We will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment, especially for those assets which are at risk by:-

a. Supporting proposals which conserve and enhance the significance and setting of the borough's heritage assets, paying particular attention to those elements which contribute most to the borough's distinctive character and sense of place.

These elements and assets include:-

- 18 designated conservation areas of special and architectural interest including three town centre conservation areas, as well as large areas incorporating Stainborough Park, Cawthorne, Penistone and Thurlstone.
- A number of important 18th and 19th century designed landscapes and parks including Wentworth Castle parkland (the only grade I Registered Park and Garden in South Yorkshire), and Cannon Hall Park.

## **OLD CAWTHORNE**

When the Domesday survey was carried out in 1086 it records "*in calthorne there is a priest and A church*". The present parish church of All Saints', like its predecessors on the same site, dominates the village and continues a tradition of service to the community which has lasted unbroken through all weathers and crises since before the Norman Conquest.

Two of the earlier village buildings from the 15th century are still in use. One is part of the house known as Golden Cross at the centre of the village and the other is a building at Barnby Hall, now a farm workshop. Early buildings were all timber framed with thatched roofs and wattle and daub walling. During the latter part of the 17th century these old houses began to be clad in stone-work and roofed in Yorkshire stone slates.

Originally, the core of the village developed to the north of the Parish Church at the top of the hill, and then spread westwards along Tivy Dale and eastwards down Darton Road. In the early days of the village there were more outlying cottages and communities which grew in the late 18th and 19th centuries with the growth of the coal industry.

Residential development in the 1920's and 30's and since the Second World War further extended the village settlement along Darton Road and Kirkfield Close. Subsequently, development extended to Stanhope Avenue, Orchard Terrace, The Park, Tivydale Drive; and, most recently the St. Julien development. Despite the lateral growth of the village, the population of Cawthorne is at a similar level to what it was in 1840; due to the loss of the outlying cottages and communities and the substantial reduction in the labour force in agriculture.

## Design Guidelines

### Building Materials and Prevalent Styles of Architecture

#### Stone and Brick

Historically, the stone used in the buildings of Cawthorne was locally quarried sandstone. This stone is generally not a coarse gritstone, but is a finer grey sandstone (often referred to as Delph) with orange veins caused by the presence of iron. Some of the old houses and particularly their outhouses were partially built of locally made red rustic brick and these have become an acceptable part of the village vernacular. Although stone is preferred for new build, this rustic brick can (if well matched) be an occasional complementary variation to the use of stone in the Conservation Area.

- **Wherever stone remains in reasonable condition it should be retained.**

Where stone has to be replaced or where new development is proposed coursed '**Delph**' sandstone should be used. Coursing of 150mm and above should be avoided as should the use of the courser gritstone (typical of more upland areas) as this is not typical to the village.

#### Pointing

This should be flush or rounded off by brushing or "bagging off" to a gently concave joint. Prominent strap or ribbon (over) pointing which utilises hard (but brittle) cement should always be avoided. **Lime pointing** is always preferable when carrying out the re-pointing of historic buildings or walls\*. A typical mix appropriate for this historic context includes:

- One part Naturally Hydraulic Lime (NHL 3.5) gauged with 3 parts well graded (mixed) aggregate.

\* Further guidance on this can be found within the Mortar Mixes for Historic Buildings Supplementary Planning Document.



## Roofs

Roofs on older 17<sup>th</sup> century houses tend to be steeply pitched with tabling or good over-sail at the gable verges which give the roofs a strong appearance. **This characteristic should be preserved.** Coursing on roofs with stone slates generally diminish in size towards the ridge and normally have ridge tiles that match. From the early 18th century onwards these characteristics continued but with less steeply sloping roofs.

- Within the Conservation Area natural stone slates are the preferred roofing material. Good quality, matching artificial stone slates may be suitable given the availability and cost of natural stone slates. However, for listed buildings stone slates are preferable.

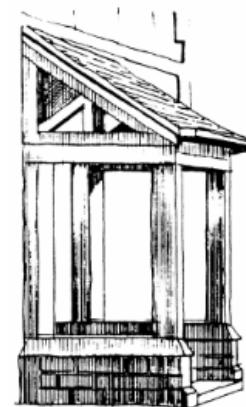


## Porches

Porches on older houses tend to have exposed wooden framework on a stone base or occasionally on pad stones or stylobates.

- This is a village characteristic that should be preserved.

When porches are retrofitted or added as part of a new development the pitch of the porch roof should be similar to that of the roof on the house.



## **Chimneys**

Chimneys are often an important feature of traditional houses and there are many attractive chimneys in Cawthorne, particularly around the historic core of the village.

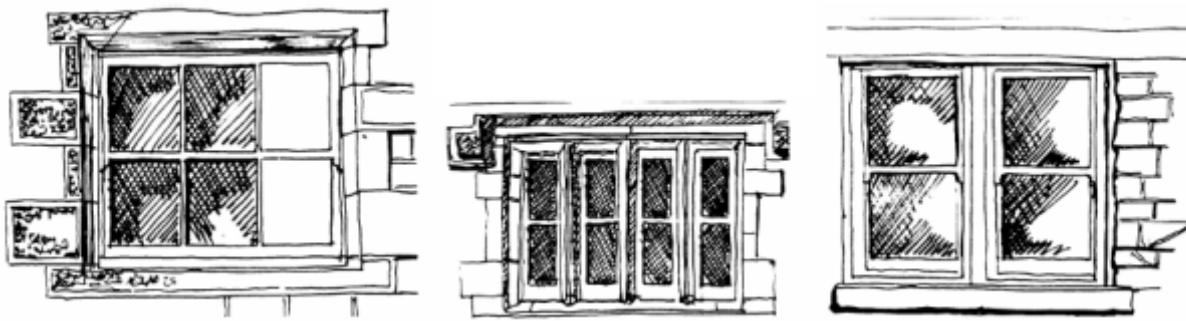
- **Some chimneys are built in stone and these should be maintained and renewed in like for like materials.**

A characteristic of some chimneys in Cawthorne is the chimney stack built in bricks of two shades, with rustic red brick and buff-coloured brick. Oversailing chimneys (where the stack increases in circumference towards the top) are common and are often characterised by corbelled brickwork. Some chimney stacks have been rebuilt in common red brick and may be cement-rendered. These tend to look out of character and should be re-instated as above when the opportunity arises.



## **Windows**

Windows and their design are one of the most influential features within an elevation and careful thought should be given to their appearance. Replacement windows should (whenever possible) reflect and sympathise with the appearance of the host building and should be consistent in terms of character and style. Many of older houses have stone jambs, heads and sills.

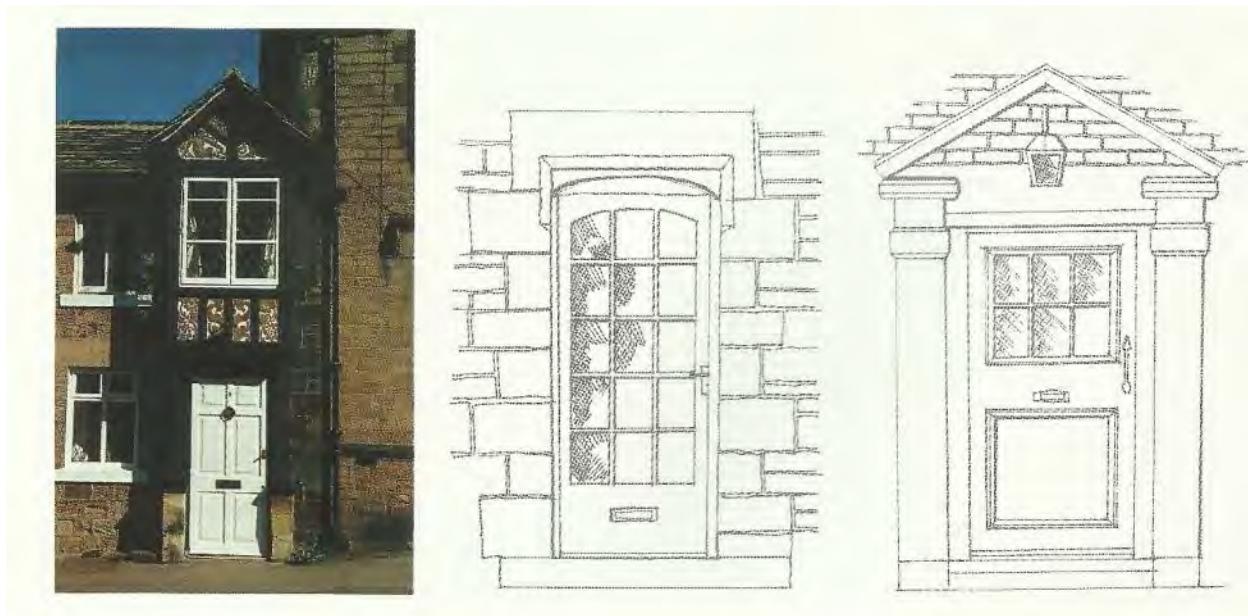


17th century houses tend to have stone mullions (vertical dividers) within the windows and these should be retained or if beyond repair replicated. This is particularly relevant when dealing with listed buildings or historic buildings within the Conservation Area.

- These features give houses substantial character and should be retained and encouraged in any new build or rebuild.

### **Doors**

Traditionally these were ledged, framed and battened and often braced. This is still a favoured design but often additional light is required and glazing is introduced. Fifteen light doors and Victorian panelled doors can often look appropriate, but doors should reflect the age and character of the property or be in balance with the architectural form.



### **Kirkfield Close**

Kirkfield Close was built in 1936; this small development of Art Deco semi-detached houses is perhaps one of the finest examples of this style of architecture in the area. Although not strictly in character with Cawthorne it has matured, retained its individuality, and developed a charm of its own thus contributing much to the village.

### **New Development**

New development should endeavour to reflect the existing mix of properties. It should blend in and enhance the village being sympathetic in design layout and appearance. Existing views of the village, both looking out and into the village should be protected. Any infill development or lateral extensions to existing buildings should maintain significant gaps which provide views into and out of the village.

### **Highways and Footpaths**

The building of the Cawthorne bypass in the early 1930's has done much to protect the village from increased traffic. However, the present network of roads is under pressure. Car parking can be a problem and concerns remain over the excess speed of traffic through the village. We are fortunate that

we still have a network of footpaths which criss-cross the village. With few exceptions these are in good repair. Footpaths in the Conservation Area have mainly stone curbs; these should be preserved whenever possible.

### Street Furniture

Cawthorne has a number of attractive seats which have been donated and placed in strategic positions. Any future seats introduced should match the existing.

Street lamps and road signs have been installed over the years and consequently there is a mis-match of styles and materials.

Progressively, the road signs and street lamps should be replaced. The street lamps should be replaced with swan neck style in keeping with the Conservation Area. Litter bins of a high standard have been installed.



## **Open and Green Spaces**

There are several “open green spaces” in the village and these should be retained and sensitively managed as per Local Plan Policy GS1.

### **Village Green**

The village green is a large grass triangle of land at the entrance to the village. It is used by the village for events such as the Village Sing, Village Fête etc. and was formed when the Cawthorne bypass was built in the 1930's.



### **The Orchard**

The Orchard situated at the back of the Spencer's Arms is the remainder of an old orchard and is used as a play area for children. The orchard status is maintained by keeping the fruit trees (some ancient varieties) and replanting with new trees.

### **The Churchyard**

The churchyard, an ancient burial ground, and the adjoining cemetery, provide tranquil areas. The cemetery is still in use.



## **Rowlands Sports Area**

The Rowlands sports area currently used by the cricket club, has been transferred from C.I.S.W.O. to the Parish Council. A recreation Ground Trust has been formed to manage and enhance these sports facilities.

- **Careful planning must be adhered to in order to keep the character of the rural environment.**

## **Local Economy**

Cawthorne's major industry of the past was agriculture, but also of importance was coal and iron. The Spencer family, who bought the Cannon Hall estate in the mid-17th century, had many interests in the local iron industry and owned Barnby Furnace. Coal was used extensively in iron smelting in the mid-18th century, and the opening of the Barnby Canal to Cawthorne Basin, in 1800, gave great impetus to the local collieries. Coal production probably reached its peak in Cawthorne shortly after this date. In the middle of the 20th century about 60% of the surrounding land was opencast for coal until the last site, at Barnby Furnace, was restored in the mid 1970's. Today the village exhibits few reminders of its industrial past and often it is only in street place names that the earlier history can be detected.

Today, village shops, small businesses and the school provide everyday needs and help maintain community life. Tourism is increasing and the proximity of Cannon Hall and Country Park, together with the Open Farm, has greatly increased the number of visitors to the village (especially school trips). As such it is important to retain and develop Cawthorne's character as a working village with a variety of employment.

- **Commercial developments or conversions should be complementary to a residential village in a rural environment. Occupiers of commercial properties should maintain them in a condition appropriate to their locality**



Shops and business premises can contribute much to the appearance and quality of a place such as Cawthorne. The look and feel of the village can be enhanced and preserved by using a sympathetic frontage in keeping with neighbouring buildings. Care should be taken to minimise the size of new or replacement shop front windows, branding, colours and signage.

- **Please see Supplementary Planning Document - Shopfront Design, for further guidance.**

Car parking in the village is relatively restricted. New developments or conversions to business use should provide parking facilities. Generally, designs, details and materials must be complementary to existing properties and respect established features in the landscape such as footpaths, trees, views etc.



## Farms

Cawthorne has some exceptionally fine, traditional farm houses dating from the 15<sup>th</sup> to the 19<sup>th</sup> century. Barnby Hall (15th century) and the Golden Cross (no longer a farm) are notable early examples. Many farms have fine stone built and rustic agricultural buildings of a similar age. Several houses and buildings are listed being of architectural and historical interest.

Many farmsteads have ceased to operate as agricultural operations and now form individual or groups of country houses (e.g. Thimble Hall, Pease Grove, Haddon South Lane, Woolgreaves, Waterslack, Lower Greaves and Upper Elmhirst, on South Lane alone). Where old farm buildings are no longer viable for agricultural use, proposals for conversion to other uses will be considered in light of Local Plan policies GB2 and GB3. Further guidance is also contained in Supplementary Planning Document - Barn Conversions.



- Care must be taken to ensure that any new farm buildings blend into the countryside as much as possible and are landscaped with careful planting of appropriate trees. The uses of materials for agricultural buildings that are visually complementary to the rural landscape setting are encouraged. Dark brown or grey-green roofing, lighter brown or timber cladding and if possible stone coloured block work should be encouraged. White, blue or bright green sheeting, cladding or roof materials should be avoided.

### Cannon Hall & Country Park

**Cannon Hall and Country Park** was sold to Barnsley County Borough Council in 1952. Cannon Hall, a Grade II\* listed building (now a Museum) and the Country Park with its three lakes, beautiful old bridges and the Cascade waterfall, are known throughout Yorkshire. Cannon Hall Open Farm, Cannon Hall Museum and Cannon Hall garden Centre which are open most of the year, makes this park a very popular visiting place of many families. The park was originally designed by Richard Woods in 1761 for John Spencer and is now a Registered Park and Garden listed at grade II extending to 85 acres.



### Landscape

An important feature of the area is the network of dry stone walls and managed hedgerows.

- **Maintenance of drystone walls and hedgerows should be encouraged and care taken to ensure these are not damaged due to new development.**



## Woodland

Cawthorne is surrounded by farms and woodland which combined with extensive tree planting in the parish allows the village to merge effectively into the surrounding landscape. The countryside has changed substantially over the past century due to open cast mining which began in 1943. Work is progressively underway to reinstate the natural landscape with extensive tree planting. The smaller pockets of woodland consist of broadleaf trees such as Oak, Sycamore and Ash and are in contrast to commercial woodlands which contain large plantings of conifer.

- **New planting of trees and hedges should include native species to retain landscape character and benefit wildlife within the village.**
- **Views of Cannon Hall from the village should be protected.**
- **Leylandii and other quick growing conifers should be avoided.**



## Biodiversity and Wildlife in Cawthorne

Cawthorne is rich in natural heritage assets and comprises a diverse mix of habitats for native flora and fauna.

- New development should avoid direct and indirect impacts on biodiversity. Landscaping schemes should incorporate locally prevalent species and provide areas of new habitat, such as grassland, deciduous woodland, wood pasture and parkland, ponds and water courses which benefit biodiversity.

Advice on wildlife issues is available from Barnsley Metropolitan Council contact number 01226 772606.

### Allotments

The allotment gardens situated off Church Walk, Taylor Hill and below the Chapel off Horncroft provide useful extra garden space for residents, especially where properties have little or no garden land attached to the property.

- There should be a presumption against development on these allotment sites other than to provide improved access to other land.



### The Future

New developments and the many small changes that owners make to existing properties have the potential to alter the character of Cawthorne. Cawthorne's charm lies in the fact that it still retains its traditional simplicity and restrained vernacular character. As such carefully considered and managed change that is harmonious and sympathetic to the character of the village is to be encouraged.

Wherever possible, improvements and exterior alterations are to be kept simple, avoiding out of scale or complex urban embellishments which are generally not in keeping with the village.

**Thank you for helping to conserve Cawthorne**



**The Design Group**

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## Supplementary Planning Document: Development on Land Affected by Contamination

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# Supplementary Planning Document: Development on Land Affected by Contamination

## 1. About this guidance

- 1.1** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a ‘material’ consideration when planning applications are decided.
- 1.2** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

## 2. Introduction

- 2.1** This SPD offers guidance to developers, architects, agents and landowners considering submitting a planning application. It supplements Local Plan Policy CL1 Contaminated and Unstable Land. It consists of the Technical Guidance prepared by the Yorkshire and Lincolnshire Pollution Advisory Group in April 2019. This guidance is contained in full in appendix 1. Should there be any future updates to this technical guidance, appendix 1 will be updated accordingly.

## 3. Policy

### Policy CL1 Contaminated and Unstable Land

Where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report which:

- Shows that investigations have been carried out to work out the nature and extent of contamination or stability issues and the possible effect it may have on the development and its future users, the natural and historic environment; and
- Sets out detailed measures to allow the development to go ahead safely, including, as appropriate:
  - removing the contamination;
  - treating the contamination;
  - protecting or separating the development from the effects of the contamination; and
  - addressing land stability issues resulting from former coal mining activities.

Where measures are needed to allow the development to go ahead safely, these will be required as a condition of any planning permission.

Supplementary Planning Document: Development on Land Affected by  
Contamination

## Appendix 1

Technical Guidance for Developers, Landowners and Consultants

Yorkshire and Lincolnshire Pollution Advisory Group

April 2019



# Development on Land Affected by Contamination

**Technical Guidance  
for Developers,  
Landowners and  
Consultants**



**Yorkshire and Lincolnshire  
Pollution Advisory Group**

**Version 10.3 – April 2019**



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## Disclaimer

This guidance is intended to serve as an informative and helpful source of advice. It is intended to review this guidance annually, but readers must note that legislation, guidance and practical methods are inevitably subject to change and therefore should be aware of current UK policy and best practice. This note should be read in conjunction with prevailing legislation and guidance, as amended, whether mentioned here or not. Where legislation and documents are summarised this is for general advice and convenience, and must not be relied upon as a comprehensive or authoritative interpretation. Ultimately it is the responsibility of the person/company involved in the development or assessment of land to apply up-to-date working practices to determine the contamination status of a site and the remediation and verification requirements.

## Acknowledgments

YALPAG would like to thank City of York Council, City of Lincoln Council, Harrogate Borough Council, Hull City Council, Leeds City Council, Durham County Council and Kings Lynn & West Norfolk Borough Council for producing this guidance.

## Consultation

39 Local Authorities and 15 Environmental Consultants were consulted over a four week period in 2011 during the production of this guidance. At that time, consultation comments were considered by the review panel and a number of revisions were made to the guidance to reflect these comments. This guidance has been reviewed annually, given that no major changes have subsequently taken place, only Local Authorities were consulted during the production of Version 10.3 of the guidance.

## Introduction

Land may be affected by contamination if substances present in, on or under the land are actually or potentially hazardous to people or the environment. Much of today's land contamination originates from polluting industrial processes from the 19<sup>th</sup> and 20<sup>th</sup> centuries. Contamination can also sometimes be caused by agricultural activities or by naturally occurring sources (e.g. radon gas/coal gas from underlying rock or ground gases from peat deposits).

The purpose of this guidance is to assist developers, landowners and consultants who intend to introduce a vulnerable end use (e.g. a residential development) to land, or wish to redevelop or significantly change the use of land/buildings which could potentially be contaminated.

The guidance specifies what information should be submitted to the Local Planning Authority. All aspects of investigations into possible land contamination should follow the guidelines within Land contamination: risk management (Environment Agency, 2019), in line with current best practice.

**Failure to comply with this guidance is likely to result in delays in your planning application being processed or in your planning application being refused.**

## **Why is Land Contamination a Concern?**

As stated in the National Planning Practice Guidance, ‘Land affected by contamination’ category (Department for Communities & Local Government, 2014), ‘failing to deal adequately with contamination could cause harm to human health, property and the wider environment. It could also limit or preclude new development; and undermine compliance with European Directives such as the Water Framework Directive.’

The presence of contamination does not necessarily present an unacceptable risk. Risk exists when a source (a contaminant) and a receptor (e.g. people, groundwater, rivers or the wider environment) both exist at a site with a pathway linking the two. This is known as a pollutant linkage (also referred to as a contaminant linkage). For example, people can be affected by contaminants in soil by eating vegetables grown in that soil.

Contamination may be present in various forms, including chemical, biological or radioactive. Development can create risk by introducing new pathways and also by introducing new receptors e.g. by introducing residents to a site affected by contamination.

**Where a proposed development introduces a vulnerable end use (see Appendix 1A) and/or the development site could be affected by a former potentially contaminative land use (see Appendix 1B), the possibility of land contamination should always be considered.**

Planning

The role of the planning process is to ensure that land is made suitable for its proposed future use. The National Planning Policy Framework (NPPF) aims to encourage sustainable development and the reuse of brownfield land.

All planning applications (including prior approval applications) have to be considered for potential contamination issues to ensure compliance with the Town and Country Planning Act 1990, the NPPF and the Council's Local Plan. The NPPF states that 'Planning policies and decisions should also 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.' (Department for Communities & Local Government, 2018).

On any site where there is the potential for contamination to impact the site, or where the proposed development is vulnerable, the Planning Officer will consult with the Council's Contaminated Land Officer. The Contaminated Land Officer will then assess the application and may recommend that further information be submitted or planning conditions be imposed upon the development, to ensure that the site will be suitable and safe for the end users, the environment and the public. The Planning Officer will consult with the applicant/agent regarding any possible pre-commencement conditions (planning conditions which prevent development from commencing until further details have been approved) Such conditions are usually required where contamination is a possible issue unless sufficient investigation works have been carried out in advance. Conditions requiring remediation works however will usually still form a pre-commencement condition. Advice should be sought from the Council's Planning department and Contaminated Land Officer.

### **The Developer's Responsibility**

Where a development is proposed, it is the responsibility of the developer to ensure that issues of land contamination are appropriately considered, that remediation takes place (where necessary) and that the land is safe and 'suitable for use' i.e. the site is cleaned up to a level which is appropriate for the proposed end use.

As per the NPPF, it is the developer's responsibility to ensure that the investigation and remediation of land contamination (Phases 1 to 4) is carried out by a competent person with a recognised relevant qualification and sufficient experience in contaminated land i.e. an environmental consultant. **Carrying out unacceptable or insufficient work, or submitting unsuitable or incomplete reports to the Local Planning Authority, may lead to delays and additional costs. Please note that anonymous reports will not be accepted.**

Please note that each phase, including the Local Planning Authority's review of each report and subsequent approval, may take considerable time to complete. These timescales should be factored into the developer's overall project plan.

This guidance addresses land contamination only, but please be aware that investigation and remediation work can sometimes require permits or consents. For example, from the Environment Agency, Coal Authority or the Local Planning Authority.

### **Completing the 'Existing Use' Section of the Planning Application Form**

Some of the national planning application forms (1APP) include a section on land contamination. The 'Existing Use' section is usually Question 14 or 15, but can vary depending on the type of application form used. This section requires the applicant to identify if there is a potential for land contamination at the site or if a vulnerable use is being introduced. Applicants must address the questions in the 'Existing Use' section (shown overleaf) when preparing a planning application.

**Land which is known to be contaminated**

This includes a development on land which has known contamination, or on land which is known to be affected by contamination.

**Land where contamination is suspected for all or part of the site**

This includes a development on or near land, which has had a potentially contaminative use. Further information on potential contaminative activities can be found in Appendix 1B. It should be noted that contamination is not restricted to land with previous industrial use; it can occur on greenfield sites as well as on previously developed land.

**A proposed use that would be vulnerable (see Appendix 1A) to the presence of contamination**

For residential buildings, this includes any development of one or more dwellings.

**15. Existing Use**

Please describe the current use of the site:

Is the site currently vacant?

Yes

No

If Yes, please describe the last use of the site:

When did this use end (if known)?

DD/MM/YYYY

(date where known may be approximate)

Does the proposal involve any of the following:

Land which is known to be contaminated?  Yes  No

Land where contamination is suspected for all or part of the site?  Yes  No

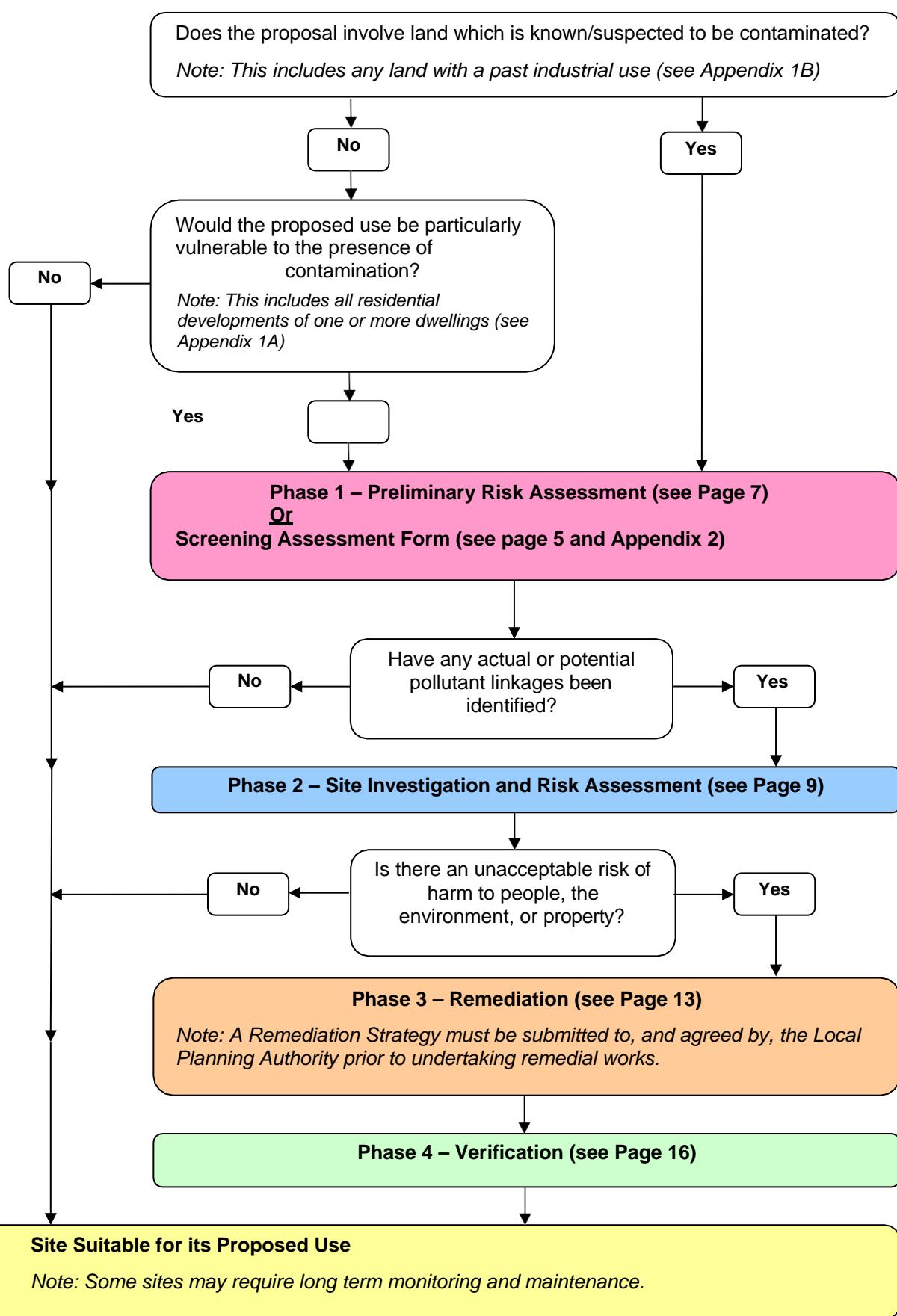
A proposed use that would be particularly vulnerable to the presence of contamination?  Yes  No

If you have answered Yes to any of the above, you will need to submit an appropriate contamination assessment.

**If the answer to any of the questions in the ‘Existing Use’ section is ‘Yes’, then an appropriate contamination assessment must be submitted with the planning application.** As a minimum a contamination assessment must include a Phase 1 investigation, which consists of a desk study, a site walkover and a conceptual site model – see page 7 for further details. If contamination is known or suspected to an extent which may adversely affect the development, a Phase 2 investigation (and possibly a Phase 3 report) may be required to support the application. You may wish to contact the Council’s Contaminated Land Officer for advice.

**If you are undertaking a small development, e.g. one house in a garden, the Screening Assessment Form in Appendix 2 can be used as a basic contamination assessment. Speak to the Contaminated Land Officer in the relevant Planning Authority with regard to any other situations where the use of this form may be acceptable.** The form guides you through the development proposal and previous uses of the site to aid in the decision as to whether land contamination is an issue. If no potential sources of contamination are identified, then no further work will be required (subject to review and agreement by the Council’s Contaminated Land Officer). If potential sources of contamination are identified, then further investigation will be required and you should contact the Council’s Contaminated Land Officer for advice. Please ensure that the Screening Assessment Form is submitted with your planning application.

# Flow Chart for the Phased Investigation of Land Affected by Contamination



## **Phase 1 – Preliminary Risk Assessment**

The purpose of a Phase 1 assessment is to obtain a good understanding of a site's history, its setting and its potential to be affected by contamination. Failure to demonstrate this may result in the Local Planning Authority refusing a planning application, as important information could be missed.

Phase 1 (referred to as a contamination assessment on the planning application form) comprises a desk study, a site walkover and a conceptual site model, with the findings compiled in a Phase 1 report. The results of a Phase 1 assessment will determine if further investigation is required.

**Please note that the submission of a commercial environmental search (produced by Sitecheck, Envirocheck, Homecheck or Groundsure etc) on its own is not sufficient to meet the requirements of a Phase 1 report. These reports may contribute useful factual information about the site but do not contain the level of interpretation required for a full phase 1 assessment.**

## Desk Study

A desk study is a detailed search of available historical and current records and maps to identify potential on-site and off-site sources of contamination. It should include information on:

- Site location and setting (including a site plan).
  - Current land uses on and in the vicinity of the site.
  - Past land uses on and in the vicinity of the site obtained from various sources including historical maps and directories.
  - Mining or quarrying activities.
  - Licensed, unlicensed and exempt waste sites (landfill sites).
  - Details of spillages or pollution incidents.
  - Environmental Permits.
  - Types of contamination that may be present (e.g. heavy metals, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and asbestos).
  - Ground gases (including radon).
  - Soils and underlying geology.
  - Groundwater and surface water, including abstraction and discharge licences.
  - Ecology.
  - Other relevant documentation, e.g. coal mining reports, site investigation reports, verification reports

We recommend that you contact the Council's Contaminated Land Officer, as they may hold useful information about your site which is not available from external sources.

## Site Walkover

A site walkover survey should be undertaken to confirm and build upon the information gathered by the desk study. Observations should be made relating to:

- The site's layout, nature and setting (including information on the presence and condition of above-ground fuel tanks and manholes, deposits of waste material and asbestos, and the storage of hazardous chemicals).
  - The condition of the site and structures (including the condition of suspected asbestos containing material).

- Visual or odorous evidence of contamination.
- Signs of vegetation distress.

### **Conceptual Site Model**

After carrying out a detailed desk study and site walkover survey, a preliminary conceptual site model should be developed. A conceptual site model is usually a diagram or table that illustrates the potential pollutant linkages at a site. It should include the following, together with details of limitations and assumptions/uncertainties:

- **Sources** of any potentially significant contamination e.g. historical industrial activity (see Appendix 1B), tanks or nearby landfill sites.
- **Pathways** through which contaminants can travel e.g. direct contact, vapour migration
- **Receptors** that ultimately can be affected by the contamination e.g. future residents or groundwater.

Please note that not every source will be linked to every receptor through every pathway.

**The conceptual site model will enable a preliminary risk assessment to be made, which will indicate whether a Phase 2 investigation is required. The conceptual site model should be reviewed and revised through the subsequent phases as more information is gathered.**

**A Phase 1 report containing the information listed in the checklist below must be submitted to, and approved by, the Local Planning Authority BEFORE proceeding to the next phase. If you have any queries please contact the Council's Contaminated Land Officer.**

### **Checklist for a Phase 1 Report**

|   | Preliminary Risk Assessment  | Included? |
|---|--|-----------|
| 1 | Purpose and aims of study.   |           |
| 2 | Site location and layout plans.  |           |
| 3 | Appraisal of site history and previous surrounding land uses, since the 1840s where possible (to include copies of historical plans where possible).   |           |
| 4 | Assessment of the environmental setting, including: <ul style="list-style-type: none"> <li>- Geology, hydrogeology, hydrology.</li> <li>- Information on coal workings and other mining or quarrying activities.</li> <li>- Information from the Environment Agency on water abstractions, pollution incidents and landfill sites etc.</li> <li>- Information from the Council on former landfill sites, private water supplies and land contamination etc.</li> </ul> |           |
| 5 | Findings of site walkover survey – including photographs and an assessment of the current site uses and surrounding land uses.   |           |
| 6 | Assessment of any previous land contamination reports (desk-based or intrusive) or remedial works.   |           |
| 7 | Conceptual site model (illustrative/tabular/written).  |           |
| 8 | Preliminary risk assessment based on proposed development, including an appraisal of actual and/or potential contaminant sources, pathways and receptors.  |           |
| 9 | Recommendations for intrusive investigation works if necessary, detailing rationale behind the proposed design of the investigation.   |           |

## **Phase 2 – Site Investigation and Risk Assessment**

If Phase 1 indicates that there is a potential for contamination, a Phase 2 investigation will be required. Phase 2 comprises site investigation and risk assessment, to determine whether there are any unacceptable risks to people, property or the environment.

## Site Investigation

A site investigation should be designed to determine the nature and extent of contamination where it is present/suspected and also areas where it is absent. It is important to refer to the conceptual site model completed in Phase 1, as this will ensure that all possible pollutant linkages are investigated. Investigations should be carried out in accordance with relevant British Standards and current UK guidance e.g. BS 10175:2011 + A2:2017, BS 5930:2015, BS8576:2013 and Land contamination: risk management (Environment Agency,2019).

The proposed site investigation works should be recorded in a sampling strategy and submitted to the Local Planning Authority for approval. The sampling strategy should include the following information:

- The purpose and objectives of the investigation formulated on the basis of the conceptual site model and the information gaps highlighted during Phase 1.
  - Overview of the intended sampling – including information and justification of sample locations, depths, patterns and numbers and the frequency and duration of sampling or monitoring to be undertaken.
  - Identify access constraints (i.e. the presence of buildings onsite) and provide details of additional sampling which will be carried out when access is available (i.e. post demolition).
  - If demolition is required prior to redevelopment, consider the presence of asbestos containing material and summarise the steps that will be taken to prevent contamination of the soil.
  - Sampling and/or monitoring methods to be used.
  - The contaminants and parameters that will be assessed.
  - The likely number of samples (soil, water, leachate and/or ground gas) that will be taken for subsequent laboratory analysis.
  - The analytical methods that will be used. Please note that independently accredited laboratories and analytical methods should be used (e.g. UKAS, MCERTS). The use of in-situ testing and rapid measurement techniques is accepted as per the requirements stated in the EA's position statement 'Chemical Test Data on Contaminated Soils – Qualification Requirements, Position 307\_03, 2016.

**A written sampling strategy (scope of works) should be submitted to, and agreed by, the Local Planning Authority before the commencement of site investigation works. Early consultation with your Local Planning Authority is particularly encouraged for large or complex sites with significant contamination issues.**

Analysis of samples of soil, water and/or ground gases may be required to assess the contamination at a site. Please note that there are numerous sources of ground gases derived from both natural and human activities. Buried organic matter is of particular concern, as it has the potential to generate methane and carbon dioxide, so sites located

in the vicinity of refuse tips may be at risk from ground gases. Coal workings and peat deposits are other potential sources of ground gases. Further information is available in British Standard BS 8485:2015+A1:2019, CIRIA C665 and NHBC Guidance on Evaluation of Development Proposals on Sites where Methane and Carbon Dioxide are Present (NHBC, 2007).

Free fibres of asbestos cannot be seen, so the absence of visible asbestos containing material (ACM) does not necessarily mean that asbestos is not present in the soil. Sampling for asbestos is required, on all sites where a potential pollutant linkage has been identified, to ensure that it has not dispersed in the soil pre or post demolition. If asbestos is identified it must be quantified.

The Joint Industry Working Group (JIWG) has produced guidance, CAR-SOIL, (CL:AIRE, 2016), to assist in the compliance of the Control of Asbestos Regulations 2012 (CAR 2012) when working with asbestos contaminated soils and construction and demolitions materials. Guidance is also available in CIRIA document C733 (2014) 'Asbestos in soil and made ground: a guide to understanding and managing risks'.

### **Risk Assessment**

After approval of the sampling strategy and completion of all the site investigation works, including all required rounds of gas monitoring, the preliminary conceptual site model developed in Phase 1 should be reviewed and updated. It is important to consider each potential pollutant linkage during the risk assessment and decide whether it is active at the site and whether it has the potential to harm the receptor before and after mitigation measures.

### **Assessing Risk to People (Human Health)**

A tiered approach to estimating risk should be followed involving the direct comparison between observed levels of contamination and firstly Generic Assessment Criteria (GAC), followed by Site Specific Assessment Criteria (SSAC) if deemed necessary.

GAC must be derived from current and authoritative published sources. If other values are used, they must be adapted to ensure that they are relevant to UK policy and the environment. Justification of their use must also be provided and agreed by the Local Planning Authority.

If the observed levels of contamination exceed the GAC, then a more detailed site-specific risk assessment may be required. This involves the formulation of SSAC using risk-modelling. The Contaminated Land Exposure Assessment (CLEA) model is a government supported method that can be used to estimate the risks to people from contaminants in soil. Please ensure that the current version of the CLEA software is used at the time of submission (check the Environment section on the GOV.UK website for details). A number of alternative risk assessment models are available. Please ensure that all models are in line with UK policy and include all relevant site specific pollutant linkages. All risk-modelling assumptions and uncertainties must also be presented and referenced.

Where ground gas is identified as a potential risk, a suitable period of monitoring should be undertaken to characterise any gas regime. Current industry guidance should be followed to undertake a risk assessment and calculate the Gas Screening Value (GSV), a guideline value. For low-rise residential housing the NHBC has produced a traffic light

risk-based classification system (NHBC, 2007). For all other types of development, including residential that does not meet the specification used in the NHBC guidance, a characteristic situation can be calculated from the GSV as described in CIRIA C665. This can then be used to identify what, if any, protection measures are required. Where monitoring has not been carried out at times to assess the reasonable worst case scenario for gas migration (e.g. falling barometric pressures etc.) further monitoring will be required.

## Assessing Risk to Controlled Waters

Controlled waters include, but are not limited to, groundwater, rivers, streams and estuaries. In relation to land contamination and the planning regime, the Local Planning Authority may ask the Environment Agency to act as a consultee and provide advice on risks to controlled waters. One of the Environment Agency's main aims is to protect and improve controlled waters.

The developer/applicant should provide sufficient information to assess the risks to controlled waters. This may include groundwater, surface water and soil leachate sampling and analysis. As part of the site investigation the observed levels of contaminants should be compared to the most relevant water quality standards, for example environmental quality standards (EQS) or drinking water standards (DWS), and further risk assessment using the Environment Agency's Remedial Targets Methodology and/or remediation may be required.

## **Assessing Risk to Other Receptors**

These may include risks to buildings, structures, crops, livestock or ecological systems. In situations where such receptors have been identified in pollutant linkages, early consultation with the appropriate authoritative body (e.g. Natural England, Historic England) is advised.

The Environment Agency has published an Ecological Risk Assessment Framework, which provides a tiered approach to assessing the risks from land contamination to organisms, animals or whole ecosystems.

Further advice and documents are available on the GOV.UK website  
(<https://www.gov.uk/government/collections/land-contamination-technical-guidance>).

**On completion of the risk assessment process, a recommendation should be made as to whether Phase 3 works (remediation) will be required to remove unacceptable risks and to make the site ‘suitable for use’.**

If topsoil or other material is to be imported as part of the development, regardless of whether remediation is required, then it is imperative to ensure that the material is ‘suitable for use’ and does not contain unacceptable levels of contamination. For further information please refer to the YALPAG guidance on ‘Verification Requirements for Cover Systems, Version 3.4’ (YALPAG, 2017).

**A Phase 2 report containing the information listed in the checklist below must be submitted to, and approved by, the Local Planning Authority BEFORE proceeding to the next phase. If you have any queries please contact the Council's Contaminated Land Officer.**

## **Checklist for a Phase 2 Report**

|   | <b>Site Investigation and Risk Assessment</b>  | <b>Included?</b> |
|---|--|------------------|
| 1 | Review of any previous land contamination reports or remedial works.   |                  |
| 2 | <p>Site investigation methodology, including:</p> <ul style="list-style-type: none"> <li>- Methods of investigation and justification.</li> <li>- Plan showing sampling locations and justification of locations laterally and vertically.</li> <li>- Sampling and analytical strategies.</li> </ul>   |                  |
| 3 | <p>Results and findings of the investigation, including:</p> <ul style="list-style-type: none"> <li>- Ground conditions (soil, gas and water regimes and made ground).</li> <li>- Exploratory hole logs.</li> <li>- Certificate(s) of laboratory analysis.</li> <li>- Discussion of soil/gas/water contamination (including visual, olfactory, analytical and monitoring data).</li> </ul> |                  |
| 4 | <p>Risk assessment based on contaminant-pathway-receptor model. Should take account of severity of consequences and likelihood of occurrence. Justification of any risk assessment models used. A detailed quantitative risk assessment may be required.</p>   |                  |
| 5 | Updated conceptual site model, including comments on the revisions from Phase 1.   |                  |
| 6 | Recommendations and rationale for further investigation if necessary.  |                  |
| 7 | Recommendation for remediation if necessary.   |                  |

## **Discharge of Planning Conditions**

To discharge land contamination conditions the Local Planning Authority must be satisfied, at all the relevant stages, that satisfactory reports have been submitted to demonstrate that the development is suitable for use. Failure to appropriately resolve planning conditions can lead to delays in the construction and sale of developments.

## Phase 3 – Remediation

If Phase 2 identifies any unacceptable risks, then Phase 3 (known as remediation) will be required. Remediation involves the ‘clean up’ of a site to ensure that the finished development is ‘suitable for use’. Remediation can take many forms (e.g. removal of the source of contamination or breaking a pathway by inserting a barrier) and is entirely site specific and is ultimately the mitigation of unacceptable risks.

A remediation strategy should be produced and submitted to the Local Planning Authority for approval prior to commencement of remedial work or any construction work. A remediation strategy should comprise an options appraisal, remediation objectives, details of the proposed remediation and verification works, mitigation measures, licences/consents and contingency measures. It should inform, and be informed by, the site development proposals including any proposed changes to existing ground levels and the layout of buildings, roads and garden areas.

### Options Appraisal

An options appraisal considers the advantages and disadvantages of different remediation techniques, in order to establish the best overall approach to remediate a site. It is important to ensure that the chosen remediation option is sustainable and that it breaks all of the pollutant linkages that have been shown through the risk assessment to present unacceptable risks. A variety of remediation techniques may be required to address all of the pollutant linkages on a site. Please be aware that some remediation options can take months/years to complete. Please see Land contamination: risk management (Environment Agency, 2019) for details on how to undertake an options appraisal.

A brief justification as to why a particular remediation technique has been chosen should be included in the remediation strategy.

### Objectives

A summary of the site investigation(s) should be included, detailing the nature and extent of the contamination found which is to be addressed through the remedial works. Clearly state the objectives of the remediation works to be carried out.

### Proposed Remediation Works

A detailed explanation of the exact works to be undertaken must be given along with the full method of the processes to be used. This should include site plans and drawings to indicate the areas to be remediated. Details of the depths and volumes of the material involved, source of any imported material, volume of remediated material to be re-used on site and waste disposal locations must also be given.

Mitigation measures may have to be incorporated within the development itself to protect future users from any potential contamination, e.g. gas protection systems, cover systems and specific types of drinking water pipes. All such requirements should be clearly detailed in the remediation strategy. If all of the details are not known at this stage, then an undertaking must be provided within the remediation strategy to submit these details to the Local Authority for approval in sufficient time prior to installation.

Remediation proposals must take account of any Local Authority policies relating to remediation and/or verification. The details of the responsible persons who will be

undertaking and supervising the work must be provided. Due regard must also be paid to health and safety requirements.

### **Proposed Verification Works**

Details must be included on how remediation works will be verified to demonstrate that the remediation has been successful. Remedial target criteria are required to state what levels of individual contaminants can remain on site without posing an unacceptable risk to any receptors. The risk assessment package used to derive these criteria must be detailed, including the input and output data sheets. There are a variety of risk assessment tools available, however please ensure that all models are aligned to UK policy and are appropriate for the site. The conceptual site model should be revised to demonstrate how all the relevant pollutant linkages will be addressed.

If soil verification samples are required, details of these samples should be identified and included within the remediation strategy. Please note that independently accredited laboratories and analytical methods should be used (e.g. UKAS, MCERTS). Further guidance specifically relating to cover systems can be found in the YALPAG guidance entitled 'Verification Requirements for Cover Systems, Version 3.4' (YALPAG, 2017).

If a gas protection system is required, details of how it will be installed and verified must be included within the remediation strategy. Further guidance on all the specific details required to be submitted at this stage can be found in the YALPAG guidance entitled 'Verification Requirements for Gas Protection Systems, Version 1.1' (YALPAG, 2016).

Where ground or surface waters are to be monitored, the locations of sampling points must be clearly stated. The Environment Agency may be involved when agreeing compliance and assessment points.

Some sites may require long term verification monitoring and management. The exact timescales for achieving the remediation criteria must be clearly stated in the remediation strategy. It would be unreasonable to allow verification to continue for a lengthy period of time without an assessment of the progress. If long term groundwater, surface water or gas monitoring is required, details and timescales of interim reports will also be required including interim verification criteria.

### **Permits**

Details of the permits and consents/licences required for the remediation should be included in the remediation strategy e.g. waste management, mobile treatment, abstraction/discharge. Consideration should also be given to dust, noise and odour controls and the control of any surface run-off from wheel washes, stockpiles etc.

### **Contingency Measures and Unexpected Contamination**

Contingency measures may be required if remediation is unsuccessful or if unexpected contamination is found during the works. The remediation strategy should include an undertaking detailing that if such circumstances arise, details of the further works required will be submitted to the Local Planning Authority for approval. A timescale should also be included to state when the contingency details will be submitted. Please note that any unexpected contamination should be reported immediately to the Local Planning Authority.

**Remediation works can only commence once the remediation strategy has been submitted to and agreed by the Local Planning Authority. The remediation strategy should include the information listed in the checklist below. If any information cannot be included, please provide details of when the outstanding information will be submitted. If you have any queries please contact the Council's Contaminated Land Officer.**

## **Checklist for a Phase 3 Report**

|   | <b>Remediation Strategy</b>   | <b>Included?</b> |
|---|---|------------------|
| 1 | Summary of the options appraisal.   |                  |
| 2 | Objectives of the remediation works and any site constraints.   |                  |
| 3 | <p>Detailed outline of remediation works to be carried out, including:</p> <ul style="list-style-type: none"> <li>- Description of ground conditions (soil, gas, water).</li> <li>- Type, form and scale of contamination to be remediated.</li> <li>- Remediation method.</li> <li>- Proposed gas protection systems, if required.</li> <li>- Site plans/drawings.</li> <li>- Programme of works including any phasing and approximate timescales (as required to fulfill the planning conditions).</li> <li>- Materials management plan if required</li> <li>- Asbestos management plan, if required</li> </ul> |                  |
| 4 | Consents, agreements, permits and licences (discharge consents, waste management licences etc).   |                  |
| 5 | Site management procedures to protect site neighbours, environment and amenity during works. Where appropriate include health and safety, dust/noise/odour controls and the control of surface run-off.   |                  |
| 6 | <p>Details of proposed verification works, including:</p> <ul style="list-style-type: none"> <li>- Sampling strategy.</li> <li>- Use of onsite observations, visual/olfactory evidence.</li> <li>- Chemical analysis/monitoring data.</li> <li>- Proposed remediation target criteria.</li> <li>- Verification of cover systems, if required.</li> <li>- Verification of gas protection systems, if required.</li> <li>- Any phased timescales for verification, if appropriate.</li> </ul>   |                  |
| 7 | Contingency measures and procedure for dealing with unexpected contamination.   |                  |

## **Discharge of Planning Conditions**

To discharge land contamination conditions the Local Planning Authority must be satisfied, at all the relevant stages, that satisfactory reports have been submitted to demonstrate that the development is suitable for use. Failure to appropriately resolve planning conditions can lead to delays in the construction and sale of developments.

## Phase 4 – Verification

Phase 4 works, also known as verification or validation, are undertaken following remediation. The purpose is to identify the success or otherwise of remediation works and to identify whether any further remediation or risk management measures are necessary to ensure the site is suitable for its intended use.

On completion of the remediation works a verification report is required to be submitted to the Local Planning Authority. This will detail the remediation and verification carried out as agreed with the Local Planning Authority, including evidence that demonstrates whether the remediation objectives have been achieved. Where longer term monitoring is required, e.g. groundwater or gas monitoring, an interim report should be submitted detailing all the verification work undertaken to date. Where the site's remediation criteria have not been met details of the contingency work must be included, these could comprise further detailed quantitative risk assessment, physical remediation works or mitigation measures etc.

## Objectives

The verification report should include the details and objectives of the remediation works undertaken on site.

## Works

A detailed description of all remediation works carried out on site must be included along with any plans, drawings etc. to show the areas remediated.

The total volume of material affected by contamination should be included, along with the volume of imported material and the volume of any materials which have been sorted or treated on site for re-use. Full details should be provided of the locations where verification samples were taken, including depths and volumes etc. Further guidance specifically relating to imported material and cover systems can be found in the YALPAG guidance entitled 'Verification Requirements for Cover Systems, Version 3.4' (YALPAG, 2017).

Evidence showing the appropriate installation of gas protection systems, as detailed in the remediation strategy, should be included where necessary. Further guidance, and a useful proforma for validating membranes, can be found in the YALPAG guidance entitled ‘Verification Requirements for Gas Protection Systems, Version 1.1’ (YALPAG, 2016).

### Verification Results

Analyses Analytical results for all verification samples should be included within the report with a detailed comparison and interpretation against the remediation criteria, which were agreed in the remediation strategy.

If the remediation criteria have not been met, further work will be required to ensure that the site is suitable for its intended use. This may involve undertaking further detailed risk assessment, returning to undertake further remediation at the site or installing some form of mitigation method, e.g. a barrier to prevent users being impacted by the contamination. Discussions should be held with the Council as soon as possible once it

is known that the remediation works have not met the targets, to agree the extent of work required to make the site suitable for its intended use.

### **Interim Verification**

In some cases longer term monitoring will be required to provide verification of remediation works. Where this is required, timescales should have been set when agreeing the remediation strategy as to when interim reports would be submitted to the Local Planning Authority, including any interim remediation criteria. The details similar to those given above should be included in interim verification reports.

### **Conclusions**

The report should detail whether all pollutant linkages have been broken or effectively controlled and whether the site is suitable for its intended use. An updated conceptual site model should also be included.

**On completion of remediation and verification works, a verification report should be submitted to the Local Planning Authority for approval. The verification report should include the information listed in the checklist below. If you have any queries please contact the Council's Contaminated Land Officer.**

### **Checklist for a Phase 4 Report**

|   | <b>Verification Report</b>  | <b>Included?</b> |
|---|---|------------------|
| 1 | Objectives for verification.  |                  |
| 2 | Detailed outline of remediation works, including: <ul style="list-style-type: none"><li>- Method &amp; extent of remediation.</li><li>- Site plans/drawings.</li><li>- Phasing of works, where appropriate.</li></ul>   |                  |
| 3 | Details of who carried out the work.  |                  |
| 4 | Details and justifications of any changes to the agreed remediation strategy.   |                  |
| 5 | Verification data, including where appropriate: <ul style="list-style-type: none"><li>- Laboratory and <i>in situ</i> test results including original lab data sheets and chain of custody documents.</li><li>- Monitoring results for groundwater and gases.</li><li>- Comparison and interpretation with remediation criteria.</li><li>- Plans showing treatment areas, locations of any verification samples, and details of any differences from agreed remediation strategy.</li><li>- Photographs showing the remedial work undertaken.</li></ul> |                  |
| 6 | Details and verification of mitigation measures, including where appropriate: <ul style="list-style-type: none"><li>- Details of capping/site won material/imported topsoil and test results.</li><li>- Details of gas protection systems.</li><li>- Specification of drinking water pipes.</li></ul>   |                  |
| 7 | Consents, agreements and licences.  |                  |
| 8 | Details on any ongoing verification or long term management.  |                  |
| 9 | Confirmation that remediation objectives have been met and the site is suitable for use.  |                  |

### **Discharge of Planning Conditions**

**To discharge land contamination conditions the Local Planning Authority must be satisfied, at all the relevant stages, that satisfactory reports have been submitted to demonstrate that the development is suitable for use. Failure to appropriately resolve planning conditions can lead to delays in the construction and sale of developments.**

## Useful References

**Please note that this list is not exclusive or exhaustive:**

- British Standards Institution (2015). **BS 8485:2015+A1:2019: Code of Practice for the Characterisation and Remediation from Ground Gas in Affected Developments.** BSI, London.
- British Standards Institution (2015). **BS 5930:2015: Code of Practice for Site Investigations.** BSI, London.
- British Standards Institution (2013). **BS 8576:2013 Guidance on investigations for ground gas. Permanent gases and Volatile Organic Compounds (VOCs).** BSI, London
- British Standards Institution (2011). **BS 10175:2011+A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice.** BSI, London.
- CL:AIRE (2016). **Control of Asbestos Regulations 2012 – Interpretation for Managing and Working with Asbestos in Soil and Construction and Demolition Materials: Industry guidance.** CL:AIRE, London. (available at [www.claire.co.uk/asbestos](http://www.claire.co.uk/asbestos))
- Construction Industry Research and Information Association (2007). **CIRIA C665: Assessing Risks Posed by Hazardous Ground Gases to Buildings.** CIRIA, London.
- Construction Industry Research and Information Association (2014). **CIRIA C733: Asbestos in Soil and Made Ground: A Guide to Understanding and Managing Risks.** CIRIA, London.
- Department of the Environment (1995). **Industry Profiles (Various Titles).** DoE, London (available from: <https://www.claire.co.uk/useful-government-legislation-and-guidance-by-country/198-doe-industry-profiles> ).
- Environment Agency (2015). **Contaminated Land Exposure Assessment (CLEA): Software and Relevant Publications.** Environment Agency, Bristol.
- Environment Agency (2019). Land contamination: risk management. Environment Agency, Bristol. <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>
- National House Building Council, Environment Agency & CIEH (2008). **R & D Publication 66: Guidance for the Safe Development of Housing on Land Affected by Contamination.** NHBC & Environment Agency, London.
- National House Building Council (2007). **Guidance on Evaluation of Development Proposals on Sites where Methane and Carbon Dioxide are Present.** NHBC, London.
- Ministry of Housing, Communities & Local Government. **National Planning Policy Framework (2018)** and associated **National Planning Practice Guidance on Land Affected By Contamination (2014).** Ministry of Housing, Communities & Local Government, London (available from: <http://planningguidance.planningportal.gov.uk/>).
- Yorkshire and Lincolnshire Pollution Advisory Group (2017). **Verification Requirements for Cover Systems: Technical Guidance for Developers, Landowners and Consultants.** Version 3.4. YALPAG, UK (available to download from most council websites in the region).
- Yorkshire and Lincolnshire Pollution Advisory Group (2016). **Verification Requirements for Gas Protection Systems: Technical Guidance for Developers, Landowners and Consultants.** Version 1.1. YALPAG, UK (available to download from most council websites in the region).

## **Appendix 1 – Examples of Vulnerable End Uses and Potentially Contaminating Land Uses**

**A.** These are examples of **vulnerable end uses**. If you are in doubt about the vulnerability of an end use please contact the Council's Contaminated Land Officer:

- All residential developments (houses, flats, nursing homes etc).
- Allotments.
- Schools.
- Nurseries and crèches.
- Children's play areas.
- Playing fields.
- Mixed use developments including vulnerable end uses.

**B.** These are examples of **potentially contaminating land uses**. Further details are available in the Department of the Environment Industry Profiles (DoE, 1995), which are available to download free of charge from the CL:AIRE website <https://www.claire.co.uk/useful-government-legislation-and-guidance-by-country/198-doe-industry-profiles>

- Smelters, foundries, steel works, metal processing & finishing works.
- Coal & mineral mining & processing, both deep mines and opencast.
- Heavy engineering & engineering works, e.g. car manufacture, shipbuilding.
- Military/defence related activities.
- Electrical & electronic equipment manufacture & repair.
- Gasworks, coal carbonisation plants, power stations.
- Oil refineries, petroleum storage & distribution sites.
- Manufacture & use of asbestos, cement, lime & gypsum.
- Manufacture of organic & inorganic chemicals, including pesticides, acids/alkalis, pharmaceuticals, solvents, paints, detergents and cosmetics.
- Rubber industry, including tyre manufacture.
- Munitions & explosives production, testing & storage sites.
- Glass making & ceramics manufacture.
- Textile industry, including tanning & dyestuffs.
- Paper & pulp manufacture, printing works & photographic processing.
- Timber treatment.
- Food processing industry & catering establishments.
- Railway depots, dockyards (including filled dock basins), garages, road haulage depots, airports.
- Landfill, storage & incineration of waste.
- Sewage works, farms, stables & kennels.
- Abattoirs, animal waste processing & burial of diseased livestock.
- Scrap yards.
- Dry cleaning premises.
- All types of laboratories.

### **Other uses and types of land that might be contaminated include:**

- Radioactive substances used in industrial activities not mentioned above e.g. gas mantle production, luminising works.
- Burial sites & graveyards.
- Agriculture – including the excessive use or spills of pesticides/herbicides/fungicides, spreading of sewage sludge and onsite disposal of farm waste/asbestos.
- Naturally-occurring radioactivity, including radon.
- Naturally-occurring elevated concentrations of metals and other substances.
- Methane & carbon dioxide production and emissions in coal mining areas, wetlands, peat moors or former wetlands.

## **Appendix 2 – Screening Assessment Form (Version 10.3)**

If you are undertaking a small development (i.e. one house in a garden) this Screening Assessment Form can be used as a basic contamination assessment, which fulfils the requirements of the ‘Existing Use’ section of the planning application form. This form may be used in other circumstances at the discretion of the Local Planning Authority, but please check with them first.

This Screening Assessment Form is not suitable for larger housing developments, allotments, schools, nurseries, children’s play areas, playing fields, or if there has been a past industrial use on or adjacent to the land. In these instances you will need to submit a Phase 1 Report (Preliminary Risk Assessment) and if appropriate, subsequent Phase 2 (Site Investigation and Risk Assessment), Phase 3 (Remediation Strategy) and Phase 4 (Verification) Reports.

**NOTE: Failure to provide the required information at this stage may result in a delay in the application process and the imposition of planning conditions relating to land contamination.**

If at any point when completing the form you suspect there is a likelihood that contamination may exist on the site (or on an adjacent site) which could affect the proposed use, it is strongly advised that you contact the Council’s Contaminated Land Officer before proceeding, as your findings may necessitate the submission of a more detailed Phase 1 Report.

**Please complete this form in BLOCK LETTERS and submit with photographs to the Local Planning Authority with your completed Planning Application Form.**

### **APPLICANT / AGENT DETAILS**

|           | Applicant | Agent |
|-----------|-----------|-------|
| Full Name |           |       |
| Address   |           |       |
| Telephone |           |       |
| Email     |           |       |

### **DEVELOPMENT DETAILS**

|                     |         |  |          |
|---------------------|---------|--|----------|
| Site Name           |         |  |          |
| Site Address        |         |  |          |
| Site Grid Reference | Easting |  | Northing |

## SITE DESCRIPTION

**Please provide a detailed description and photographs of the land being developed.**

Include details of the layout and ground covering, any evidence of former buildings or site activities, any evidence of made/filled ground, and any signs of subsidence or contamination (e.g. ground staining/discolouration, odours, vegetation distress/dieback).

## SITE HISTORY, LAND AND BUILDING USE

Please undertake a complete historical map review dating back to the mid/late 1800's, to provide a description of the previous uses(s) of the site and immediate surrounding area. *Historical maps are available to view online and possibly at local libraries.*

|  | Domestic | Agricultural | Commercial | Industrial | Other<br>(give details) |
|--|----------|--------------|------------|------------|-------------------------|
| <b>Proposed land use</b><br>(tick all that apply)              |          |              |            |            |                         |
| <b>Current land use</b><br>(tick all that apply)               |          |              |            |            |                         |
| <b>Past land use – last 150 years</b><br>(tick all that apply) |          |              |            |            |                         |

**NOTE: If the site has a past or current industrial use, this Screening Assessment Form should not be used and you will need to submit a Phase 1 Report (Preliminary Risk Assessment) instead.**

| <b>If the past land use has changed, please give date of change(s)<br/>(please use category types from the previous table).</b> | From | To | Land Use |
|---|------|----|----------|
|   |      |    |          |
|   |      |    |          |
|   |      |    |          |

|  |                              |                             |
|--|------------------------------|-----------------------------|
| <b>What have the existing buildings onsite been used for? (please state if applicable)</b>   |                              |                             |
| <b>Are any of these buildings constructed from suspected asbestos containing material?<br/>(including cement sheets, gutters, drainpipes, lagging and insulation)</b>  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| <b>If any buildings are constructed from suspected asbestos containing material, please state whether an asbestos survey has been carried out and whether the material will be removed as part of the development.</b> |                              |                             |

|  |                              |                             |
|--|------------------------------|-----------------------------|
| <b>Have any fuels/chemicals been stored onsite?</b>  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| <b>Have there been any fuel/chemical spills or leaks?</b>  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| <b>If 'Yes' to either of the above, please state fuel/chemical, storage method and location, and details of any spillages.</b> |                              |                             |

|   |                              |                             |                              |                             |
|---|------------------------------|-----------------------------|------------------------------|-----------------------------|
| <b>Have there been any pollution incidents, either reported or unreported?<br/>For information please refer to Environmental Pollution Incidents on data.gov.uk</b> | Reported                     |                             | Unreported                   |                             |
|   | Yes <input type="checkbox"/> | No <input type="checkbox"/> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

|   |  |  |  |
|---|--|--|--|
| <b>Provide details of any surface water present onsite (including drains, ponds, streams and rivers).</b> |  |  |  |
| <b>Provide details of any groundwater or surface water abstractions (including wells and boreholes).</b>  |  |  |  |

## WASTE DISPOSAL ACTIVITIES

Landfill sites can sometimes contaminate surrounding land. For more information and to check if any current or historical landfill sites are located near your site, please refer to the Environment Agency's section on data.gov.uk or contact the Council's Contaminated Land Officer.

|   |                              |                             |
|---|------------------------------|-----------------------------|
| <b>Have any waste disposal activities (including the burning of waste) been carried out onsite?</b>           | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| <b>Have any waste disposal activities been carried out on surrounding land within 250 metres of the site?</b> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| <b>Is there any evidence of demolition activities (e.g. rubble) onsite?</b>                                   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| <b>If 'Yes' to any of the above, please provide details.</b>  |                              |                             |

## ADJACENT LAND USE

|  | Domestic                 | Agricultural             | Commercial               | Industrial               | Other<br>(give details) |
|--|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------|
| <b>Current land use</b><br>(tick all that apply)               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                         |
| <b>Past land use – last 150 years</b><br>(tick all that apply) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                         |

|   |  |
|---|--|
| <b>Provide details of any surface water present on adjacent land</b> (including drains, ponds, streams and rivers).       |  |
| <b>Provide details of any groundwater or surface water abstractions on adjacent land</b> (including wells and boreholes). |  |

## PREVIOUS LAND CONTAMINATION REPORTS

|  |                              |                             |
|--|------------------------------|-----------------------------|
| <b>Have any land contamination reports previously been completed for the site?</b> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|--|------------------------------|-----------------------------|

If 'Yes', please provide a copy of the land contamination report(s) to support your planning application.

## IMPORTED SOIL

|   |                              |                             |
|---|------------------------------|-----------------------------|
| <b>Do you intend to import any soil or soil forming materials onto the site for use in garden areas, soft landscaped areas or to raise ground levels?</b> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|---|------------------------------|-----------------------------|

If 'Yes', please refer to the YALPAG guidance on Verification Requirements for Cover Systems (available to download from most council websites in the region).

## SUSPECTED CONTAMINATION

|   |                              |                             |
|---|------------------------------|-----------------------------|
| <b>Based on the information you have provided in this form, do you think that contamination could be present at the site?</b> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| If yes, please provide details:   |                              |                             |

## **INFORMATION SOURCES**

**Please provide details of the sources of information you have used to complete this form.**

**Please sign below to confirm that all the information given on this form is correct to the best of your knowledge and belief.**

Signed ..... Date .....

**Please submit this completed form and photographs to the Local Planning Authority with your completed Planning Application Form.**

**OFFICE USE:** Please ensure that this form is forwarded to the Council's Contaminated Land Officer for consideration.

## **Supplementary Planning Document: Elsecar Conservation Area Best Practice - Design and Maintenance**

### **1    Contents**

- 2 - About this guidance
- 3 - Introduction
- 4 - Contact details and useful sources of information
- 5 - Policy
- 6 - Statutory Legislation
- 7 - Historic Development of the Elsecar Village Core
- 8 - Historic Housing Rows
- 9 - Part One – New Development,
- 10 - Maintenance Repair and Restoration
- 11 - Part Two – Historic Housing Character Areas (Best Practice)
- 12 - Glossary

### **2    About this guidance**

- 2.1 The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents (SPD's) to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a 'material' consideration when planning applications are decided.
- 2.2 As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

### **3    Introduction**

- 3.1 This document offers guidance to residents, landowners, architects, agents and builders on how development and maintenance should be approached in the conservation village of Elsecar. Much of Elsecar and its environs is a designated conservation area with particularly high heritage significance. There are also a large number of listed buildings and sites of archaeological interest (some of which have national importance) in Elsecar worthy of special care and attention. As such, a conservation led approach to development and maintenance will be beneficial in protecting and enhancing this special place for current and future generations.

- 3.2 It is important to note that although this guidance outlines general best practice approaches to development, design and property maintenance in Elsecar, not all works will require permission and this guidance may not apply in every scenario. However, certain works may require planning permission. If your building is listed any significant changes that have the potential to affect the special interest of the building (including works not requiring planning permission) may still require Listed Building Consent. If in doubt please contact the council's Conservation Officer to discuss any changes that you are considering making to your property, including extensions or new building work, repairs to roofs and chimneys, and changes to windows and doors.

#### **4 Contact details and Useful Sources of Information:**

- Conservation Officer; 01226 772576,  
[buildingconservation@barnsley.gov.uk](mailto:buildingconservation@barnsley.gov.uk)

Design& Conservation  
Westgate Plaza One  
PO Box 603  
Barnsley  
S70 9FE  
<https://www.barnsley.gov.uk/services/conservation/>

#### **5 Policy**

- 5.1 This document supplements the following Local Plan policies:

HE1 (The Historic Environment) which states:-

We will positively encourage developments which conserve and enhance the significance and setting of the boroughs' heritage assets, paying particular attention to those elements which contribute most to the borough's distinctive character and sense of place.

These elements and assets include:-

- Elsecar Conservation Village, its former ironworks and its workshops which were once part of the Fitzwilliam Estate.

- 5.2 Local Plan policy HE3 (Developments affecting Historic Buildings) which states:-

Proposals involving additions or alterations to listed buildings or buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve and where appropriate enhance that building's significance. In such circumstances proposals will be expected to:

- Respect historic precedents of scale, form, massing, architectural detail and the use of appropriate materials that contribute to the special interest of a building.

- Capitalise on opportunities to better reveal the significance of a building where elements exist that detract from its special interest.

**5.3 Local Plan policy D1 (High Quality Design and Place Making which states:-**

Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:

- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

**5.4 This document also supplements other adopted SPD's including:**

- Design of Housing Development
- House Extensions and Other Domestic Alterations
- Mortar Mixes for Historic Buildings
- Advertisements
- Shopfront Design

**6 Statutory Legislation**

**The Planning (Listed Buildings and Conservation Areas) Act 1990**

- 6.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. These (designated) buildings or areas (also known as assets) receive enhanced and legal protection under this act.
- 6.2 It is a criminal offence not to seek consent or permission, and to undertake works, without the required consent to a listed building or for the demolition of a building in a conservation area.

**A map and of the area this Supplementary Planning Document relates to can be found here: <https://www.barnsley.gov.uk/services/conservation/>**

**7 Historical development of the Elsecar Village Core**

*Pre 1790*

- 7.1 In the 1700s Elsecar village existed as a series of farms and a small hamlet clustered around an area known as Elsecar Green. The earliest known depiction of Elsecar Green is on a 1757 Collieries map by William Fairbank. This shows a small cluster of buildings around a triangular green surrounded by gardens and orchards. The area was already associated with coal mining, with bell pits in the woods to the East and deeper mines developing in the early 1700s.

### *1790s – 1840s: early development of a new industrial village*

- 7.2 From the 1790s onwards Elsecar was developed as a planned industrial settlement by the 4<sup>th</sup> Earl Fitzwilliam, of nearby Wentworth Woodhouse. In the mid-1790s the Earl sank his first deep colliery (Elsecar New Colliery) to the east of Elsecar Green. A pumping engine was installed to drain the mine and within a few years a large ironworks had also been established close by, using coal from the New Colliery and ironstone from the Earl Fitzwilliam's ironstone pits at Tankersley. A branch of the Dearne and Dove canal was also extended to Elsecar by 1796, and by the early 1800s Elsecar had become a bustling settlement, with rows of new houses built for workers at the New Colliery and the Elsecar Ironworks. The village continued to be developed to the north, with a further row of workers houses (Reform Row) completed in 1837. By the 1840s the village had grown to the extent that formal religious provision was deemed necessary. Elsecar Church was completed in 1843, funded by the 5<sup>th</sup> Earl Fitzwilliam (who had inherited the estate in the 1830s). The foundation stone was laid in May 1842 in front of a crowd of at least 2000 people. A large steam-powered Corn Mill was also built opposite the new church in 1842, to serve the wider Wentworth Estate. This later suffered a catastrophic fire and was rebuilt in the 1870s.

### *1850s onwards: consolidation and growth*

- 7.3 In 1850 the 5<sup>th</sup> Earl Fitzwilliam commissioned the building of the Elsecar New Yard - an impressive centralised workshops complex (now the Elsecar Heritage Centre) to serve his ironworks, coal mines and wider estate. This heralded a new phase of growth and development in Elsecar. Wath Road was straightened and over the next 10 years the south end of the village (previously Elsecar Green) was remodelled and developed as a commercial centre – with purpose-built shops and pubs, and a formal market square.
- 7.4 A large, impressive lodging house was built by the Earl Fitzwilliam in 1853, to provide lodging for unmarried miners. The Earl also built a new school for the village in the early 1850s, an unusual example of an early, privately-funded school. The village continued to be developed through the second half of the nineteenth century, with further housing built along Fitzwilliam Street and at the north end of the village (now Cobcar Lane).
- 7.5 The new Milton Hall was opened in the 1870s, on the site of the old market square. It was opened by Princess Mary of Teck, in a lavish ceremony. This demonstrates the status of Elsecar at that time, as a showpiece for the Fitzwilliam Estate.

### *20<sup>th</sup> century: a time of change*

- 7.6 The Earl Fitzwilliam continued his close connection with Elsecar until 1947, when the British Coal Industry was nationalised and the National Coal Board

(NCB) took ownership of the Fitzwilliam Collieries, including the Elsecar Workshops. There were a number of new developments in the village core in the first half of the 20<sup>th</sup> century, including some small-scale development along Wath Road (including the building of the new Ship Inn in the 1920s) and Fitzwilliam Street.

- 7.7 Elsecar Main Colliery closed in 1983, and the Elsecar Workshops closed in 1987. By this time, many of the historic rows were in poor condition and partly derelict. A number of historic properties were also demolished after damage from subsidence in the 1980s, including parts of the Fitzwilliam Street rows and houses around Foundry Street. In the 1990s, the workshops were restored as part of the Elsecar Project and reopened as the Elsecar Heritage Centre in 1994. The Miners Lodging House was also restored in the 1990s, and is now residential flats. Substantial conservation work has been carried out to Old Row, Station Row, Reform Row and Cobcar Terrace, and these are all now in residential use.
- 7.8 In more recent years there has been a small amount of infill development on Wath Road and Fitzwilliam Street; however the core of the village retains much of its historic character, and many significant historic buildings. It was designated as a conservation area in 1974. The area was a Heritage Action Zone in partnership with Historic England from 2017-2020. For more information about Elsecar's historical development please see Rimmer, Went and Jessop, *The Village of Elsecar, South Yorkshire: Historic Area Assessment* (2019).

## **8 Historic Housing Rows**

- 8.1 There are a number of significant rows, or terraces of historic workers' housing in Elsecar. These were built at different times during the late 18<sup>th</sup> and 19<sup>th</sup> centuries and each has their own characteristics (more detail about architectural design and features is given in the second part of the guide). Key rows/terraces include:
- Old Row – a row of 15 relatively plain, two storey, stone cottages built in the 1790s. Old Row originally had allotments to the front and outbuildings to the rear.
  - Station Row (formerly Colliery Row or New Row) – a more elaborate row of cottages based on designs by architect John Carr, built in circa 1800. Station Row is mainly two storeys, but has three storey bays at either end, and in the middle.
  - Distillery Side – two rows of 2-storey cottages, and a row of 3 taller houses, close to the Elsecar New Colliery site, built at different dates in the late 18<sup>th</sup> and early 19<sup>th</sup> century. Relatively plain design, with some stone slate roofs and original stone chimneys surviving.

- Meadow Row – a short row of 7 stone cottages on the west side of Wath Road probably built in the early 1800s. Distinctive plain monolithic stone jams to some of the door openings.
  - Reform Row – a long, gently curving row of 28 cottages, built in 1837 by the 5<sup>th</sup> Earl Fitzwilliam as a northern extension to the village. Situated close to the canal, the cottages originally had allotments to the front, and outbuildings to the back.
  - Cobcar Terrace (originally known as Lime Kiln Terrace and more recently as Rhubarb Row) and Cobcar Row – two decorative rows built by the 5<sup>th</sup> Earl Fitzwilliam in the 1860s at the north end of the village. Design features similar to the Fitzwilliam Street supervisors' houses, including central pitched gable with dental course and high level round windows.
  - Fitzwilliam Street, supervisors' houses – row of five houses, adjacent to the Miners Lodging House, built in the 1860s. Due to the quality of the architecture it is believed these houses were built to accommodate higher-paid or more senior workers. Broadly speaking, the row reflects the architectural style of the adjacent Miners Lodging House (built in 1853), with a central pitched gable with dental course and high level round window. Originally one of three similar rows. Similar design to Cobcar Terrace.
  - Fitzwilliam Street (4-14, 20-22 and 28-30) – originally two rows of relatively plain, stone-built cottages, built in the 1860s. Mock segmented arch heads to windows and doors. Surviving outbuildings include washhouses and external toilets. Some outbuildings now converted to summer houses.
- 8.2 The workers housing in Elsecar is significant because of its date, and design. The houses were considered to be of higher quality than many contemporary workers houses, and accounts of the village in the later 19<sup>th</sup> century viewed it as an exemplar of both industrial and social progress (Jessop, Rimmer and Went, 2019).
- 8.3 There are also a number of other historic blocks of housing and commercial properties that reflect different stages of the village's development, including the properties on Market Place and Hill Street. These are described in more detail in section 2.
- 8.4 As well as the built spaces, the historic open and green spaces (including gardens and the canal) and lines of sight within the Elsecar village core are a significant part of its planned design and amenity, and should be preserved wherever possible.

## **Part One: New Development, Maintenance and Restoration**

The first part of this guide will cover suitable approaches to new development and a general guide for the maintenance, repair and restoration of historic buildings within the Elsecar Conservation Area. The second part of the guide will cover specific groups of buildings in more detail.

### **9      New Development**

- 9.1 Generally speaking, new development in Elsecar is likely to involve smaller gap or infill sites in the village, which may once have been occupied by earlier buildings. As a rule, the best approach to this sort of infill development is to analyse the context of the site, paying close attention to the general or prevalent style of buildings which contribute to the wider group character of the conservation area. An understanding of historic development patterns may also help to ensure new development is sympathetic to the existing townscape and its appearance. As such, important considerations may include neighbouring precedents (past and present) of:
- Overall building sizes, forms, composition, proportions and plot layout
  - Building line - reflecting those of adjacent dwellings on the same street
  - Architectural features and styles which contribute positively including building massing, scaling, individual elements (e.g. window and door designs) and other detailing
  - Prevalent facing materials used in walls, on roofs, boundary treatments and other hard surfaces which contribute to the special character of the area
- 9.2 Every proposal will be judged on its own merits; in its particular context and no one solution can fit all scenarios. Elsecar, as many conservation areas, is defined by a wide variety of differing styles and architectural features. Even though there are a number of repeated motifs throughout the village not every building is the same and not every plot will have the same constraints.
- 9.3 As a starting point the best approach to a specific building or site, will be to look at other buildings within the immediate setting, as well as any archive photographs that may exist, to establish how the building and others around it may have developed over time. Barnsley Archives have a number of historic photographs of Elsecar in their collection. For more information, and to search the online catalogue, please visit the Experience Barnsley website -  
<http://www.experience-barnsley.com/archives-and-discovery-centre>
- 9.4 Further general guidance on the design of housing, and house extensions can be found in supplementary planning documents:
- Design of Housing Development
  - House Extensions and Other Domestic Alterations

## 10 Maintenance, Repair and Restoration

### 10.1 Chimneys

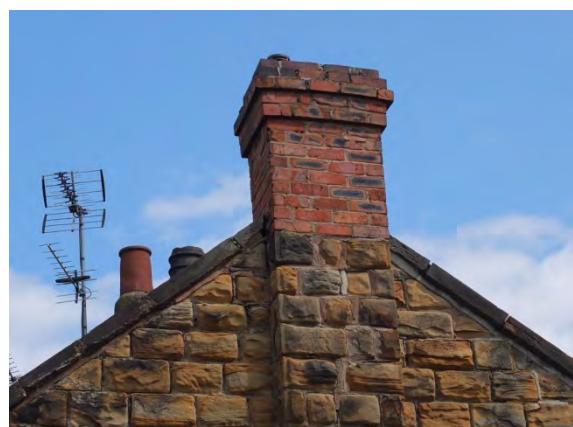
10.1.1 Chimneys are an important feature within the conservation area and should be retained. Even if no longer in use, the removal of a chimney will have a negative impact on the character of a historic property and may reduce its overall heritage value and appeal.

10.1.2 Chimney stacks in Elsecar tend to be made of either sandstone or brick. It is likely that many chimneys would have originally been made of stone. However, the action of weather and repeated heating and cooling on the local (soft) sandstone can cause premature decay. As a consequence, many chimney stacks within the village have been replaced with brick at some time in the past (photos 1 and 2). Today, these brick stacks have become part of the character of the village, and any repairs should be carried out with matching (brick) materials.

10.1.3 Chimney pots are a key part of the character of a chimney and should also be retained or repaired/replaced wherever possible. Repaired/replaced chimney pots can make a significant positive contribution both to a historic property and to the wider heritage value of the Conservation Area (see photo 3). If a pot needs to be replaced then the replacement should match the remaining pots in terms of its material (terracotta / glazed) size, shape and colour.



*Photo 1 – replaced brick flues on Reform Row with simple high level string course*



*Photo 2 – replaced brick flue with over-sailing courses*



*Photo 3 – restored chimney pots, Cobcar Terrace*

10.1.4 Care should be taken to replicate any historic design features and architectural detailing to chimneys should always be retained. In Elsecar the chimneys on domestic buildings tend to be relatively plain, but some have corbel bands, string courses, stone caps or oversailing courses where the stack increases in circumference at higher level. These details are important features and form part of a property's historic character. The removal of such architectural detailing by rebuilding a stack in straight or unadorned courses, or removing higher level masonry to reduce the height of a stack, has a negative impact on the overall character of the building and should be avoided.

10.1.5 Defective and cement pointing should be raked out carefully by hand to a depth twice the width of the joint and then repointed with an appropriate lime mortar mix. For more details about lime mortars see supplementary planning document:

- Mortar Mixes for Historic Buildings

10.1.6 Lead flashing should be replaced with lead, to match the style and arrangement of existing flashing. Flashband is not appropriate for historic properties and should not be used.

## 10.2 Roofs

10.2.1 In Elsecar most historic buildings have roofs covered with blue Welsh slate although there are a number of stone slate roofs, generally associated with the earliest, pre-1790s buildings (photo 4). It is likely that the early workers housing also had stone roofs, but these have been replaced with Welsh Slate (with the exception of some of the cottages on Distillery Side). Welsh Slate became more readily available after the construction of the canal network, and its popularity grew after the railway networks were established in the mid-19<sup>th</sup> century.



Photo 4 – stone flag gable roof (Fitzwilliam Street)



Photo 5 – hipped Welsh slate roof (Station Row)

10.2.2 If your property has a surviving stone slate roof this should be retained. Repairs should be made in a matching sandstone roofing tile and these should be laid in diminishing courses with matching ridge tiles bed on mortar. For other buildings, repairs to roofs or re-roofing jobs should be carried out with blue Welsh Slate or a similar fine, natural, blue European slate. Sometimes good quality artificial slates may be appropriate, but these should match closely the appearance of natural slate. If in doubt please speak to the Conservation Officer for advice. Slate should be laid in straight courses with matching ridge tiles bed on mortar.

10.2.3 There are examples of both gable roofs and hipped roofs on historic properties within the conservation area (photos 5 and 6). For gable roofs, the edge of the roof, where it meets the gable wall, is known as the verge. In Elsecar, verges are normally either finished with a straight mortar fillet (photo 7) or have verge coping - i.e. coping stones that run along the top of the gable forming the edge of the roof (photo 6). Again, these are important architectural features and should be retained. Verge coping should always be in natural sandstone. Projecting gable bargeboards (decorative timber panels) are not historically typical or widespread in Elsecar.



*Photo 6 – Welsh slate gable roof with verge coping*



*Photo 7 – Welsh slate gable roof with mortar fillet finish*



*Photo 8 – Kneeling stone at the edge of the gable, supporting the verge coping*

10.2.4 A number of the historic properties in Elsecar also have kneelers or skew corbels. These are decorative stonework pieces that support the gable/verge coping and terminate in a small overhang above the gutter (see photo 8). In Elsecar these are typically seen in properties dating from the mid-late 19<sup>th</sup> century. Frequently used as a stop for eaves gutters kneelers or skew corbels are an important architectural detail and should be retained and repaired if needed.

10.2.5 Dry-fix verges and ridge tiles are visually inappropriate and should not be used. Pan tiles and other roofing materials, including concrete tiles, rosemary tiles or artificial roofing materials are also generally not in keeping with the historic character of Elsecar.

10.2.6 When dealing with any historic building adequate ventilation is an important consideration. Roof spaces in particular may be vulnerable to the accumulation of condensation from habitable room below. This can cause water to accumulate on roof timbers where warm moisture-laden air condenses on cold surfaces at the roof. Condensation is also possible elsewhere where a lack of insulation allows the formation of a cold bridge. If moisture is not allowed to escape effectively, over time it can cause damage to wooden structures such as trusses, rafters, purlins and joists and result in potentially costly repairs.

10.2.7 Wherever possible the repair or replacement of a historic roof should be supplemented with improved insulation, adequate means of ventilation and a breathable membrane (as opposed to non-breathable bituminous felt). Bituminous felt was widely used in the 20<sup>th</sup> century and can be found in many properties in Elsecar. Unfortunately, although it is highly water resistant, it is not a breathable material, and may therefore allow condensation to form in the roof space.

**BATS** – before carrying out any major roof works you should always check for bats. Bats are protected by European law. Contact your local biodiversity officer for more information and guidance.

Contact Phone: 01226 772646

Email: [planningpolicy@barnsley.gov.uk](mailto:planningpolicy@barnsley.gov.uk)

### 10.3 Rainwater goods and guttering

10.3.1 Traditional gutters are usually wooden box section gutters, or cast-iron half-round/ogee profile gutters (photos 9-11). There is evidence for both of these gutter types in Elsecar. In the main, residential and listed properties tend to have wooden box-section gutters. Gutters tend not to be mounted on fascia

boards, but instead use metal spiked rise and fall brackets (photo 9), cast iron round brackets (photo 11) or stone or wooden corbels beneath the gutter (photo 10). Fascia bards are not typical in Elsecar and therefore should not be introduced unless they are pre-existing and clearly historic.

10.3.2 Downpipes should be circular, cast-iron and painted black, mounted on hardwood bobbins with a traditional discharge shoe at the bottom. With regular maintenance cast-iron gutters will last far longer than plastic and are more visually in-keeping in historic areas. As with other features, rainwater goods should be replaced like for like, or, where later plastic replacements have been used, traditional materials (e.g. cast-iron downpipes and wooden gutters) should ideally be reintroduced to match surrounding properties.



*Photo 9 – Wooden box section gutter supported by rise and fall metal spikes*



*Photo 10 – Wooden box section gutter supported by wooden corbels*



*Photo 11 – Round, cast-iron gutter, supported on cast iron brackets*

**Maintaining gutters and downpipes** - Rainwater goods should be regularly checked, cleaned out and repaired, to prevent leaks and the risk of water ingress. Check your walls for damp or discoloured patches after wet weather. This sort of problem is often caused by blocked gutters and downpipes and can be easily fixed. Regular checks and maintenance can save you a lot of hassle, and money, in the long term.

## 10.4 Elevations, building materials and architectural elements

10.4.1 In Elsecar, principal elevations of historic properties tend to be of sandstone, although some properties have front elevations of stone and side and rear elevations of brick (see photo 12). This tends to be seen in properties dating from the mid-late 19<sup>th</sup> century although there are some earlier examples. Any repairs to the external elevations of historic properties should use materials to match the existing.



*Photo 12 – Historic property with stone front elevation and brick elevations to side*

10.4.2 Whilst visually appealing, the typical sandstone used in historic buildings in Elsecar is extremely soft and so may weather rapidly. Traditional walls tend to be solid structures (no cavity) built with an outer and an inner coursed stone skin. These outer and inner leaves are filled with a grouted rubble infill which, if exposed, can cause problems.

10.4.3 Older properties may require stone replacement of the outer skin where weathering has progressed to such an extent, replacement of wall stone is the only option. In such circumstances, a natural sandstone, with a similar colour, grain size and face finish should be used. A number of different sorts of stone dressing can be seen in Elsecar, including parallel punch finishing and pitch faced (see photos 13 and 14).

10.4.4 On the whole, pitch faced is used for quoins (large stones on the corner of walls, usually on the building corner or around windows and doors) and parallel punch is used for main elevations. Both are decorative and an important design feature. A simpler, split faced finish is also found on some

properties. To decide which of these is most appropriate for your property, look at the surrounding buildings and the existing stonework on your own property. As with doors and windows, consistency is the key, particularly for rows and terraces.



*Photo 13 – Pitch faced stonework, in Elsecar this finish tends to be used for quoins (large rectangular stones at the corners of walls)*



*Photo 14 – Parallel punch stonework, a common design feature seen in Elsecar on the exterior of historic buildings*

10.4.5 There are a small number of historic brick properties in the Elsecar Conservation Area, mainly from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. As described above, some side and rear elevations in earlier properties also utilise brick, and again the use of the different materials is an important part of the original design and should be preserved. Any repairs or replacements should use bricks that match the original brickwork in size, texture and colour. Reclaimed bricks may be appropriate, but special handmade bricks can also be sourced to match.

10.4.6 Although many historic buildings in Elsecar are fairly plain and somewhat vernacular in style, some include architectural forms and detailing of a higher order (e.g. as seen on the Miners Lodging House and Cobcar Terrace). These buildings employ classical design elements that would have been fashionable at the time, and that reflected the Earl Fitzwilliam's aspirations and tastes, as illustrated elsewhere on the estate.

10.4.7 Stone detailing of openings is common and windows and doorways may include stone canopies, carved heads, cills and jambs to reinforce (visually and literally) these features. At higher levels, architectural details and features such as string courses, gutter corbelling, kneelers / skew corbels, gutter architraves and round windows (oculi) are also common (see photos 18 - 21). These sorts of architectural features are an important part of the historic design of a property, as well as adding to its general appeal, and should always be retained or repaired in situ.



*Photo 15 – simple monolithic jams and heads to doorways (Meadow Row)*



*Photo 16 – carved stone head, jams and sill band to window opening (Market pub)*



*Photo 17 – simple stone canopy with stone corbels (Fitzwilliam Street)*



*Photo 18 – oculus window with decorative gable string course (Miners' Lodging House)*

10.4.8 One of the repeated features, particularly in the mid and later 19<sup>th</sup> century properties is mock segmental arches over windows. These are single pieces of stone, carved to look like a more expensive segmental arch (see photos 23 and 24).

## 10.5 Pointing

10.5.1 Although fairly common in Elsecar, Ordinary Portland Cement (OPC) based pointing and render is not appropriate on main, side or rear elevations. Due to the relative difference in hardness between cement pointing and sandstone (particularly in solid wall structures) combined with a general lack of breathability, this sort of pointing can cause damage to stone by forcing water through the stonework (rather than it escaping through the mortar). This is particularly true when cement pointing is applied and finished in a strap or ribbon fashion where the pointing stands proud of the joint and has exposed horizontal ledges where water can collect (photo 21).

10.5.2 As a consequence of cement pointing, moisture cannot escape between the joints (as it should) and penetrates deeper into the stone, which results in accelerated weathering (photos 19 and 20). As such, breathable pointing that utilises naturally hydrated lime (NHL) should always be used when dealing with historic building.



*Photos 19 and 20 – damage to stonework caused by use of cement mortar and weathering*



*Photo 21 – inappropriate strap pointing repair*

**Pointing** – should be in lime mortar, never cement. Existing render should be raked out by hand using hand tools, to a depth twice as wide as the joint. Mechanical tools should not be used to rake out the joints, as these are likely to damage the surrounding stone work. For more details of recommended pointing mixes for historic buildings see the separate SPD: Mortar Mixes for Historic Buildings

<https://www.barnsley.gov.uk/media/10937/mortar-mixes-for-historic-buildings-spd.pdf>

## 10.6 Windows and doors

10.6.1 Although there are a variety of styles of windows and doors in evidence in Elsecar, consistency is the main factor to consider, particularly where this involves a row, terrace or group of historic buildings with a singular or shared style. In Elsecar, doors were traditionally constructed in timber and were either plain vertically boarded, ledged and braced, or panelled – usually six panelled (see photos 22 and 23). Panelled doors often include decorative fanlights and glazing above the door which should always be retained (including the original glass if it survives) and decorated white to match the frame. Windows have traditionally been made of timber or metal and there is evidence of a number of different window styles throughout the village, including sliding sash, Yorkshire (side sliding) sash and side hung casements (see photos 24 to 27).

10.6.2 More detail about the windows and doors for individual rows and character area is included in section 2.



*Photos 22 and 23 – 6-panel doors with decorative metal fanlight (Milton Hall) and plain, vertically boarded door with timber fanlight below mock segmental arch (Cobcar Terrace)*

10.6.3 A number of important elements need to be taken into account when deciding on an appropriate window design for a historic property, or properties within a conservation area. This includes:

- The material the window frames are constructed from
- The style of window (the number and the arrangement of lights etc.)
- How the window opens (i.e. casement or sash)
- The amount of frame on show (on elevation)

- The type and width of the glazing bars
- How far the window is set back within the opening (reveal)

10.6.4 Generally, modern windows that are set very close to the face of the external wall will not be appropriate as no shadow line or set back is apparent thus eliminating the contrast between the wall and the opening. In particular, plastic windows tend to be of a design that doesn't work well in an historic context. This is partly due to the nature of the material (which is not authentic) but also the inherent design which has to accommodate heavy double glazed units and be highly sealed in at least two locations within the frame. Genuine 'through' glazing bars are equally difficult to accommodate in sealed upvc units and as a consequence spacer bars inside the double glazed unit, or stick on bars, are frequently employed to emulate a traditional arrangement. As such, the fine sightlines achieved by slim timber or metal windows are difficult to achieve in a standard upvc window.

10.6.5 There are a number of existing styles of window that contribute positively to the conservation area, including wooden sliding sash windows of different designs, and wooden and metal casement windows.



*Photos 24 and 25 – timber sliding sash windows of different types, with narrow glazing bars*

10.6.6 In terms of roof lights, particularly when loft conversions may be proposed, genuine conservation specification rooflights are always preferable. These roof lights tend to be very low in profile, vertically emphasised (portrait in proportion) are black and sit low in the roof plane, and include a single vertical divider. This style of rooflight emulates historic styles of rooflight and is far less visible when installed within natural blue grey slates or stone flag roofs



*Photos 26 and 27 – Yorkshire sash replacement windows (Reform Row) and metal casement (Station Row)*

## **10.7 Satellite dishes, burglar alarms, security lights**

10.7.1 Although many of these items are required for perfectly justifiable reasons, they are not traditional and cannot be considered to contribute positively to the historic environment and streetscape of Elsecar. As such, whilst likely to acceptable, thought must be given to their appearance (including size, design and colour) and where they are located on a building or elevation, as this can reduce their impact significantly. For example, with the advent of LED, security lights are now available that provide a focused beam of light from compact units that are less visually intrusive.

10.7.2 Care in the siting of satellite dishes can also help to reduce their visual impact. Care should be taken to avoid public facing elevations (if possible), chimney locations or places where the dish is silhouetted against the sky at high level (e.g. above the roof pitch). On principal elevations the restraint of general domestic paraphernalia including external wiring runs or complex soil / down pipe installations can also help to reduce negative visual intrusion. In general, the less cluttered an elevation, the more positive contribution it will make to the conservation area.

## **10.8 Advertising and shopfronts**

10.8.1 Please refer to general principles and good practice to be found in the following Supplementary Planning Documents:

- Advertisements
- Shopfront Design

## **10.9 Gardens, boundary treatments, gates, railings and outbuildings**

### *Boundary walls, railings and gates*

10.9.1 Many of the historic properties in Elsecar have small yards, or gardens, in front of them with low stone walls separating them from the road. These are an important part of the historic design of the village and add to the overall amenity of the village. They should be retained and repaired where necessary.

10.9.2 The majority of the walls have decorative, carved coping stones of different designs (photos 28 - 30). Again, these are an important part of the intended village design and should be retained and repaired if necessary.

10.9.3 Where coping stones are missing, or are damaged beyond repair, they should be replaced in a material (natural sandstone) and design to match. There is little or no evidence that the majority of the coping stones in Elsecar were ever topped by railings, so they should not be retro-fitted. Fences at the fronts of properties are not appropriate within the conservation area, as they visually break up the streetscape.



*Photos 28 and 29 - Decorative wall coping, Fitzwilliam Street and Reform Row*



*Photo 30 – Gate posts with simple carved tops and gate set behind*

10.9.4 Gateways tend to have simple stone gate posts, with simple or decorative carved tops. Again, these are important design features that add to the amenity of the village and should be retained and repaired where necessary.

10.9.5 Some properties currently have low, metal gates, although these probably replaced earlier wooden gates. If a gate is required, wooden gateposts should be set behind the existing stone posts (see photo 30). Gates should not be fastened straight into the stonework, as this is likely to damage the stone. Gates should be in proportion and should not be significantly taller than the walls to either side.

#### *Outbuildings*

10.9.6 Many of the historic rows in Elsecar, including Fitzwilliam Street, Old Row and Reform Row, have surviving historic outbuildings behind the main properties. Roofs are generally of Welsh slate and walls are of red brick. These were an important part of the original planned design of the village, and were intended to provide modern facilities for residents and promote a healthy living environment. They include washrooms, piggeries, coal houses and kennels.

10.9.7 Outbuildings should be retained and repaired where necessary. The same principles apply to outbuildings as to main properties. Pointing should always be in lime mortar and materials should be carefully chosen to match existing. Architectural features should be retained and repaired where necessary. Outbuildings may be suitable for sensitive conversion to summer houses and home offices, however care should be taken not to change the massing or roof height of the buildings, particularly where the building is part of a group and/or there are other neighbouring buildings of the same design. Planning Permission may be needed for conversions and other external works. Please contact the Conservation Officer for more details.



*Photos 31 and 32 - Brick outbuildings, Fitzwilliam Street*

#### *Drain covers*

10.9.8 Historic drain covers usually carry the name and location of the foundry that made them, and sometimes a date. The Davy Foundry in Elsecar made drain covers and rain water goods from the 1870s until the 1980s. Many of their covers still survive in the village, including in back yards and gardens. Other covers and grates were also made locally, including at the Milton Foundry. These are an important part of the village's industrial and social heritage and should be retained and reused.



*Photos 33 and 34 - Locally made drain covers from the Davy Foundry, Elsecar*

**Garden wall repairs.** Well maintained front walls and gardens make your property more appealing. Walls should be repointed using a suitable lime mortar. Cement should never be used, as this may damage the stone and cause more damage in the long term. Where individual stone blocks needs to be replaced, care should be taken to match the size and colour of the existing wall. Stone walls should never be patched or covered with render. This is likely to trap moisture in the core of the wall and cause more damage in the long-term.

## 10.10 Street names/signs

10.10.1 There are a number of historic street signs in Elsecar that are made of inlaid ceramic tiles (photo 35). These are an important feature within the conservation area and should be retained and repaired.



*Photo 35 - Inlaid ceramic tile street sign, Market Place, Elsecar*

Where these are in buildings within a traditional shop front, signage should fit inside the fascia board. See the separate Shopfront SPD for more information.

10.10.2 Elsewhere, signs promoting business use should be proportionate and restrained in size design and decoration. Illuminated and neon signs are not appropriate within the conservation area. If you want to install new signage within the conservation area this may require advert consent which is a form of planning permission. Please contact the Conservation Officer for advice.

## Part Two: Historic Housing Character Areas



*Top to bottom (left to right): Old Row (A), Station Row (B), Distillery Side (F) – (two rows and later 1830s houses), Meadow Row (C), Reform Row (D) and 9-10 Market Place (I)*

**Brackets denote buildings described within rows in table below**



*Top to bottom (left to right): Market Place (Corner of Fitzwilliam Street and 1-5 Market Place (I), Miners Lodging House, Supervisors Houses, Fitzwilliam Street houses and 4-14 (K), Cobcar Terrace (E) and Cobcar Row)*

***Brackets denote buildings described within rows in table below***

## 11 Elsecar SPD best practice guidance for home owners

| Is Your House Here?                  |               | Roofs, Chimneys, Rooflights & Dormer Windows   | Gutters & Downpipes<br>External Waste Pipes & Flues  | Front Windows & Doors  | Masonry   |
|--------------------------------------|---------------|--|--|--|---|
| A – Old Row<br>Listed (grade II)     | Best Practice | <ul style="list-style-type: none"> <li>▪ Roof – Natural blue grey slate, dark grey clay ridge.</li> <li>▪ Chimneys – Red brick with flaunching capping and red clay pots.</li> <li>▪ Rooflights and dormers – None permitted to front or rear roof slope.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on metal brackets and round cast iron downpipes. Colour black.</li> <li>▪ All waste pipes and flues to be routed internally, terminating through rear roof slope. Colour black.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Windows – Timber frame with opening casements (4x4). Colour ivory white. Secondary glazing permitted.</li> <li>▪ Doors – Timber framed ledged and braced. Colour light grey, ivory white or estate green with black ironmongery.</li> </ul>         | <ul style="list-style-type: none"> <li>▪ Square coursed split or face dressed sandstone.</li> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.</li> </ul>                            |
| B – Station Row<br>Listed (grade II) | Best Practice | <ul style="list-style-type: none"> <li>▪ Roof – Natural blue grey slate, dark grey clay ridge.</li> <li>▪ Chimneys – Red brick with flaunching capping and red clay pots.</li> <li>▪ Rooflights and dormers – Not permitted to front or rear roof slope.</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on timber corbel brackets and round cast iron downpipes. Colour black.</li> <li>▪ No waste pipes or flues to front elevations. Rear external waste pipes in colour black.</li> </ul>       | <ul style="list-style-type: none"> <li>▪ Windows – Steel frame with opening casements (3x4). Colour ivory white. Permit secondary glazing.</li> <li>▪ Doors – Permit 2-panel with glazed upper (as No.68). Colour light grey, ivory white or estate green with black ironmongery.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.</li> </ul>   |
| C – Meadow Row                       | Best Practice | <ul style="list-style-type: none"> <li>▪ Roof – Natural blue grey slate, dark grey clay ridge.</li> <li>▪ Chimneys – Red brick with flaunching capping and red clay pots.</li> <li>▪ Rooflights and dormers not permitted to front or rear roof slope.</li> </ul>    | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on metal brackets and round cast iron downpipes. Colour black.</li> <li>▪ All waste pipes and flues routed internally, terminating through rear roof slope. Colour black.</li> </ul>       | <ul style="list-style-type: none"> <li>▪ Windows – Timber Yorkshire sash (2x3 lights) double glazed. Colour ivory white.</li> <li>▪ Doors – Timber framed ledged and braced. Colour light grey, ivory white or estate green with black ironmongery.</li> </ul>                               | <ul style="list-style-type: none"> <li>▪ Square coursed sandstone. Lightly dressed or plain split faced wall stone.</li> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.</li> </ul> |
| D – Reform Row<br>Listed (grade II)  | Best Practice | <ul style="list-style-type: none"> <li>▪ Roof – Natural blue slate, dark grey clay ridge.</li> <li>▪ Chimneys – Red brick with concrete capping and red clay pots.</li> <li>▪ Rooflights and dormers – None</li> </ul>   | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on metal brackets and round cast iron downpipes. Colour black.</li> <li>▪ All waste pipes and flues routed internally, terminating through</li> </ul>                                      | <ul style="list-style-type: none"> <li>▪ Windows – Timber Yorkshire sash (2x3 lights) double glazed. Colour ivory white.</li> <li>▪ Doors – Timber framed ledged and braced. Colour light grey,</li> </ul>   | <ul style="list-style-type: none"> <li>▪ random coursed sandstone. Lightly dressed or plain split faced wall stone.</li> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with</li> </ul>   |

|  |                      |  |   |   |   |
|--|----------------------|--|---|---|---|
|  |                      | permitted to front or rear roof slope.   | rear roof slope. Colour black.  | ivory white or estate green with black ironmongery.   | 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.   |
| <b>E – Cobcar Terrace<br/>Listed (grade II)</b>  | <b>Best Practice</b> | <ul style="list-style-type: none"> <li>▪ Roof – Natural blue grey slate, dark grey clay ridge.</li> <li>▪ Chimneys – Stone stacks, flaunches with buff clay pots.</li> <li>▪ Rooflights and dormers – Rooflights to rear slope only. No dormers permitted.</li> </ul>                  | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on stone corbels and round cast iron downpipes. Colour black.</li> <li>▪ All waste pipes and flues routed internally, terminating through rear roof slope. Colour black.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Windows – Timber vertical sliding sash (4x4) single glazed. Colour ivory white. Secondary glazing permitted (incl outline spec).</li> <li>▪ Doors – Timber framed ledged and braced with fanlight over. Colour light grey or pale olive green with black ironmongery.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Square coursed sandstone. Lightly dressed or plain split faced wall stone.</li> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.</li> </ul> |
| <b>F – Distillery Side<br/>(including former National School and two terraces)<br/>Listed (grade II)</b> | <b>Best Practice</b> | <ul style="list-style-type: none"> <li>▪ Roof – Natural stone slate, and blue grey slate</li> <li>▪ Chimneys – Stone stacks, flaunches, terracotta and buff clay pots.</li> <li>▪ Rooflights and dormers – None permitted.</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on metal brackets and round cast iron downpipes. Colour black.</li> </ul>   | <ul style="list-style-type: none"> <li>▪ Windows – Timber vertical sliding sash (4x4) single glazed. Colour ivory white. Secondary glazing permitted (incl outline spec).</li> <li>▪ Doors – Timber framed ledged and braced. Colour light grey, ivory white or estate green with black ironmongery.</li> </ul>           | <ul style="list-style-type: none"> <li>▪ Square coursed sandstone. Lightly dressed or plain split faced wall stone.</li> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.</li> </ul> |
| <b>G – Market Pub and purpose-built shops<br/>(4 and 6 Wentworth Road)</b>                               | <b>Best Practice</b> | <ul style="list-style-type: none"> <li>▪ Roof – blue grey slate and matching ridge</li> <li>▪ Chimneys – Stone stacks, flaunches, buff clay pots.</li> <li>▪ Original detail restored to altered stack, including pots.</li> <li>▪ Rooflights and dormers – None permitted.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on stone corbels and round cast iron downpipes. Colour black.</li> <li>▪ All waste pipes and flues routed internally, terminating through rear roof slope. Colour black.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Windows – Timber vertical sliding sash (4x4) single glazed. Colour ivory white. Secondary glazing permitted (incl outline spec).</li> <li>▪ Main door to pub – six panel timber door with fanlight over.</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Square coursed sandstone. Parallel punched dressing to face of wall stone.</li> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.</li> </ul> |

|  |                      |   |  |  |  |
|--|----------------------|---|--|--|--|
| <b>H – Houses/shops<br/>(81-89 Fitzwilliam Street)</b>   | <b>Best Practice</b> | <ul style="list-style-type: none"> <li>▪ Roof – blue grey slate and matching ridge</li> <li>▪ Chimneys – Stone stacks, flaunches, terracotta clay pots.</li> <li>▪ Rooflights and dormers – None permitted.</li> </ul>                        | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on stone corbels and round cast iron downpipes. Colour black.</li> <li>▪ All waste pipes and flues routed internally, terminating through rear roof slope. Colour black.</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Windows – Timber vertical sliding sash (4x4) single glazed. Colour ivory white. Secondary glazing permitted (incl outline spec).</li> <li>▪ Doors – Timber framed ledged and braced. Colour light grey, ivory white or estate green with black ironmongery.</li> </ul>                  | <ul style="list-style-type: none"> <li>▪ Square coursed sandstone. Parallel punched dressing to face of wall stone.</li> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.</li> </ul>            |
| <b>I – Market Place</b><br><br><b>Includes 9-10<br/>Market Place, 18<sup>th</sup><br/>century cottages<br/>(Listed Grade II)</b> | <b>Best Practice</b> | <ul style="list-style-type: none"> <li>▪ Roof – blue grey slate and sandstone roofing flag matching ridge</li> <li>▪ Chimneys – Stone stacks, flaunches, terracotta clay pots.</li> <li>▪ Rooflights and dormers – None permitted.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on metal spiked rise and fall brackets mounted on a gutter architrave, with round cast-iron downpipes. Colour black.</li> <li>▪ 9-10 Market Place, timber box gutters and cast iron downpipes with decorative, conical cast-iron hoppers.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Windows – Timber vertical sliding sash (4x4) single glazed (not incl. 8-10). Colour ivory white. Secondary glazing permitted (incl outline spec).</li> <li>▪ Doors – Timber framed ledged and braced. Colour light grey, ivory white or estate green with black ironmongery.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Square and random coursed sandstone. Lightly dressed or plain split faced wall stone.</li> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.</li> </ul> |
| <b>J – 56-64 Fitzwilliam Street (supervisors houses)</b><br><br><b>Listed Grade II</b>   | <b>Best Practice</b> | <ul style="list-style-type: none"> <li>▪ Roof – blue grey slate and Gable coping</li> <li>▪ Chimneys – Stone stacks, flaunches, terracotta clay pots.</li> <li>▪ Rooflights and dormers – None permitted.</li> </ul>                          | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on stone corbels and round cast iron downpipes. Colour black.</li> <li>▪ All waste pipes and flues routed internally, terminating through rear roof slope. Colour black.</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Wooden windows, sliding sash with arched top and central timber mullion. 4 lights over 6. Painted white.</li> </ul>   | <ul style="list-style-type: none"> <li>▪ Square and coursed sandstone. Face dressing to stone is parallel punched.</li> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.</li> </ul>             |

|  |                             |  |  |  |   |
|--|-----------------------------|--|--|--|---|
| <p><b>K – Fitzwilliam Street terraces (4-14, 20-22 and 26-28 Fitzwilliam Street)</b></p> | <p><b>Best Practice</b></p> | <ul style="list-style-type: none"> <li>▪ Roof – blue grey slate and Gable coping</li> <li>▪ Chimneys – Stone stacks, flaunches, terracotta clay pots.</li> <li>▪ Rooflights and dormers – None permitted.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Solid timber box gutters on rise and fall metal spikes and round cast iron downpipes. Colour black.</li> <li>▪ All waste pipes and flues routed internally, terminating through rear roof slope. Colour black.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Windows – Timber vertical sliding sash (4x4) single glaze. Colour ivory white. Secondary glazing permitted (incl outline spec).</li> <li>▪ Doors – Timber framed ledged and braced. Colour light grey, ivory white or estate green with black ironmongery.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Square coursed sandstone. Lightly dressed or plain split faced wall stone.</li> <li>▪ Pointing in lime mortar mix: 1 part lime (NHL 3.5) mixed with 3 parts well graded aggregate or river sand (with a good mix of fine to course grit). Pointing finished to a gently concave joint by brushing or stippling during curing.</li> </ul> |
|--|-----------------------------|--|--|--|---|

## 12 GLOSSARY

Architrave - a type of moulding that typically sits around a rectangular opening in a building (such as a door or a window). In classical architecture, the architrave is the lowest horizontal part of the entablature

Bargeboards - boards fixed at the gable ends of roofs to conceal and protect the ends of the roof timbers

Bituminous Felt – Impermeable felt placed underneath roof tiles to prevent water ingress made from polyester or glass fibre set in bitumen such as tar

Breathable Membrane – Permeable textile sheeting placed beneath roof tiles to prevent water ingress but allow the escape of moist air from within the roof space

Brick/stone course – horizontal row, or layer, of bricks or stone

Building line – line beyond which the front of a building or set of buildings do not extend

Canopy – an overhead roof structure with open sides

Casement window - a window that is side or top hung to open outwards (or inwards) on hinges

Cill (or sill) - horizontal feature at the bottom of a window or door that projects out from the main wall and sheds water away from the face of a building

Classical Architecture (orders) - system of proportions used in Ancient Greek and Roman architecture that was revived in the Renaissance and was popular in England during the 18th and 19th centuries. English 'Classical' or 'Neoclassical' buildings have a regular, formal appearance with symmetrical facades and might also incorporate Classical details such as an entablature at the wall top or pilasters dividing bays.

Corbel - a projection jutting out from a wall to support a structure above it (e.g. gutter). Usually of brick/stone or wood

Cornice - a horizontal moulded projection that crowns a building or wall, often overhanging and designed to ornament and protect the wall face below the eaves

Coping - top course of a wall designed to prevent water penetrating into the core of the wall. Tabled coping usually refers to a flat copingstone and is usually seen on a gable end of a building as opposed to on a freestanding wall

Conservation Rooflight – Low in profile, slim framed, vertically emphasised, single vertical divider, dark grey or black

Dentil course - rectangular projecting blocks (dentils) tightly spaced like teeth at the top of a wall, usually below a cornice or supporting a gutter and sometimes seen on chimneys

Diminishing courses – a term used in roofing to mean slates of the same width, but set in courses of progressively shorter length/depth

Dry Fix Verge / Ridge – Verge or ridge tile system mechanically fixed without mortar (dry)

Eaves - the part of a roof that meets or overhangs the walls of a building

Fanlight - decorative window directly above a doorway, usually contained within the door frame

Fascia – vertical band (or board) under the roof edge which covers the top of the wall. They are usually made of wood, or plastic. Also used to refer to the signage board over the top of a traditional shop front

Gable – the top part of the triangular end wall of a building supporting the roof

Gable Coping – see coping (above)

Gutter Architrave – Architrave band below the gutter line, similar to gutter corbel but continuous beneath the eaves

Head – the top of window or door

Hipped Roof - where the roof has sloping ends and sides that meet at an inclined projecting angle

Jamb – side post lining a doorway or window opening. Not to be confused with the door frame, the jambs sit outside the frame and form part of the building's structure

Joist - Horizontal structural member used in framing to span an open space

Kneelers - moulded/carved stone with a sloping top supporting or forming gable coping – also called skew or skew corbel

Lime NHL – Naturally Hydrated Lime, curing agent in historic mortar mixes with relative lower compressive strength (then cement) and high degree of breathability

Light – pane of glass within a window. See also mullion. A window with two mullions would have three separate (or framed) panes of glass, and so would be called a three light window

Massing – general shape, form and size of a building that contribute to an overall sense of visual ‘mass’

Mullion – vertical division between elements of windows or doors (e.g. between two window lights)

Oculus – circular panel or opening in a wall often with a window behind

OPC – Ordinary Portland Cement, very high strength low breathability pointing mortar typically used in modern buildings

Oversailing course - a course of brickwork that projects (or steps out) beyond the general face of the wall immediately below. Usually found at the top of walls and chimneys

Parallel punched, split faced, pitch faced dressing – styles of face dressing of stone blocks typically used in walls

Pointing – the ‘finish’ used for the mortar in the joints between stones and/or bricks in a wall. There are different styles of pointing. Not all of these are appropriate for historic buildings (see also strap or ribbon pointing)

Purlin – part of a roof structure, runs parallel to the ridge line and supports the rafters

Rafter – Diagonal timber extending from the wall plate to the ridge

Reveal / rebate - the internal part of a door or window opening, between the front of the external wall and the window or doorframe

Ridge Tile – Tile running along the ridge in a single course capping the apex of the roof

Roof truss – triangular structural element within the roof which supports the roof purlins formed by two principal rafters and a horizontal tie beam.

Sandstone Roofing Slate / tile – Large tile formed from fissile (easy to split) fine grained sandstone

Sash – a sliding movable panel within a window, often made up of multiple fixed panes of glass. Traditionally window sashes are hung so that they slide up and down (sliding sash) or move side to side (Yorkshire sash)

Scaling – proportional sizing relative to other elements

Skew Corbel – carved stone that terminates run of gable coping on the gable end of a roof that projects over the wall below

Strap / Ribbon pointing – a style of pointing whereby the mortar is finished into a wide projecting band / strap / ribbon that overlap the face of the brick or stone behind. This style of pointing is not appropriate for historic buildings in Elsecar as it can cause irreversible damage to the soft stone by trapping moisture behind it

String course - a decorative horizontal course of bricks or stone that step out from a building, forming a raised band

Verge – The end of a pitched roof where it meets the gable wall

Vernacular – A style of architecture of no one fixed period or style that often evolves locally in response to local traditions

Welsh Slate – Natural very fine grained, thin blue / grey roofing slate originally from Welsh slate quarries

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## Supplementary Planning Document: Parking

### 1. About this guidance

- 1.1 The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a 'material' consideration when planning applications are decided.
- 1.2 As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

### 2. Introduction

- 2.1 This SPD offers guidance to developers, architects, agents and landowners considering submitting a planning application. It supplements Local Plan Policy T3 New Development and Sustainable Travel by setting out the parking standards that the Council will apply to all new development. This document does not address the provision of new and existing commercially operated car parks as these are subject to separate considerations.

#### Local Plan policy T3 New Development and Sustainable Travel

New development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists;
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document;
- Provide a transport statement or assessment in line with the thresholds and guidance set out in the National Planning Policy Framework including where appropriate having regard for cross boundary local authority liaison; and
- Provide a travel plan statement or a travel plan in accordance with guidance set out in the National Planning Policy Framework including where appropriate having regard for cross boundary local authority liaison. Travel plans will be secured through a planning obligation or a planning condition.

Where levels of accessibility through public transport, cycling, and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with policy I1.

## Supplementary Planning Document: Parking

If it is not possible or appropriate for the minimum amount of parking for cycles, motorbikes, scooters and mopeds to be met on site, the developer must provide or contribute towards, off-site parking, or improve or provide other forms of travel.

- 2.2 The National Planning Policy Framework says “*maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport*”. Standards should be designed to be used as part of a package of measures to promote sustainable transport choices and efficient use of land, enable schemes to fit into central urban sites, promote linked trips and access to development for those without the use of a car and to tackle congestion. Whilst the parking standards set out below do not prescribe maximum figures, they give an indicative figure of what will be considered acceptable.
- 2.3 The Council also uses the South Yorkshire Residential Design to help appraise the quality of new housing proposals, including parking provision. The guide provides both urban and highway design guidance (including technical standards) for applicants, agents, developers and designers. The guide seeks to promote well designed, sustainable housing development based on the Building for Life criteria referenced in Local Plan Policy D1 Design. The Supplementary Planning Document Design of Housing Development contains information on the design of residential car parking and garages.

### **3. Car parking guidelines**

- 3.1 It has been generally accepted that the availability of car parking has a major influence on a person’s choice of transport. The restriction and control of parking facilities within all new developments/redevelopment, especially in areas which are readily accessible by other modes of transport, has an effect on the choice of transport promoting more sustainable choices, and also potentially releases land for other uses. Cycle, motor cycle and car parking, including parking for the disabled, must be considered from the outset as part of a comprehensive strategy.
- 3.2 The guidelines set out in this note are based upon the accessibility of the area by other means of transport. Developers will be expected to reduce the levels of car parking provided where there are more sustainable transport options.
- 3.3 It should be noted that the standards described apply to all of Barnsley, except Barnsley Town Centre. Whilst we will use them as a basis for considering applications in Barnsley Town Centre, detailed requirements will be the subject of a future parking strategy being developed in line with Local Plan Policy BTC11. In the meantime advice on parking in Barnsley Town Centre can be sought from Highways Development Control using the contact details below.
- 3.4 Table 1 below sets out parking standards for broad categories of development and includes the threshold to which they will be applied. Please note that parking provision to cater for the needs of people with disabilities in non residential development is in addition to the standards set out below. Requirements for the provision of parking for disabled people is set out in Section 10.

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**Table 1 Car Parking Standards**

| <b>Table 1 Numbers of spaces recommended*</b>                  |  |  |  |
|--|--|--|--|
| <b>Use</b>   | <b>Urban Barnsley</b>  | <b>Borough wide<br/>(excluding Urban<br/>Barnsley)</b>   | <b>Threshold above<br/>which standard<br/>applies*</b> |
| <b>A1 Shops</b>  |  |  |  |
| Food Retail  | 1 space per 14-25 m <sup>2</sup>   | 1 space per 14-20 m <sup>2</sup>   | 1000 m <sup>2</sup>                                    |
| Non-food Retail  | 1 space per 25-60 m <sup>2</sup>   | 1 space per 20-30 m <sup>2</sup>   | 1000 m <sup>2</sup>                                    |
|  | 1 space per 20 m <sup>2</sup>  | 1 space per 20 m <sup>2</sup>  | All development below 1000 m <sup>2</sup>              |
| <b>A2 Financial and Professional Services</b>                  |  |  |  |
| Offices  | 1 space per 35-60 m <sup>2</sup>   | 1 space per 35 m <sup>2</sup>  | 2500 m <sup>2</sup>                                    |
| <b>A3 Restaurants and cafes and A4 Drinking Establishments</b> |  |  |  |
| Licensed Restaurants/Public Houses                             | <p>1 space per 4 m<sup>2</sup> gross floor area for customers. Where there are fixed seating areas for diners 1 space per 3 diners can be considered.</p> <p>and</p> <p>1 space per residential staff</p> <p>and</p> <p>1 space per 3 non-residential staff on duty at the busiest time.</p> | <p>1 space per 4 m<sup>2</sup> gross floor area for customers. Where there are fixed seating areas for diners 1 space per 3 diners can be considered.</p> <p>and</p> <p>1 space per residential staff</p> <p>and</p> <p>1 space per 3 non-residential staff on duty at the busiest time.</p> | All development  |

## Supplementary Planning Document: Parking

**Table 1 Numbers of spaces recommended\***

| <b>Use</b>                        | <b>Urban Barnsley</b>   | <b>Borough wide<br/>(excluding Urban<br/>Barnsley)</b>  | <b>Threshold above<br/>which standard<br/>applies*</b>             |
|-----------------------------------|---|---|--|
| <b>B1 Business</b>                |   |   |  |
| Business (including offices)      | 1 space per 30-60 m <sup>2</sup>  | 1 space per 30 m <sup>2</sup>   | 2500 m <sup>2</sup>  |
| Business (including offices)      | 1 space per 30 m <sup>2</sup> gross floor area  | 1 space per 30 m <sup>2</sup> gross floor area  | All development below 2500 m <sup>2</sup>                          |
| <b>B2 General Industrial</b>      |   |   |  |
| General Industry                  | 1 space per 50-75 m <sup>2</sup>  | 1 space per 30-50 m <sup>2</sup>  | 2500 m <sup>2</sup>  |
|                                   | 1 space per 60 m <sup>2</sup>   | 1 space per 60 m <sup>2</sup>   | All development between 500 m <sup>2</sup> and 2500 m <sup>2</sup> |
|                                   | 1 space per 50 m <sup>2</sup> up to 500 m <sup>2</sup>  | 1 space per 50 m <sup>2</sup> up to 500 m <sup>2</sup>  | All development less than 500 m <sup>2</sup>                       |
| <b>B8 Storage or Distribution</b> |   |   |  |
| Storage and Distribution          | 1 space per 3 staff or 1 space per 60 m <sup>2</sup> gross floor area   | 1 space per 3 staff or 1 space per 60 m <sup>2</sup> gross floor area   | All development up to 300 m <sup>2</sup>                           |
|                                   | 1 space per 3 staff or 1 space per 60 m <sup>2</sup> gross floor area up to 300 m <sup>2</sup> and 1 space per 100 m <sup>2</sup> gross floor area thereafter | 1 space per 3 staff or 1 space per 60 m <sup>2</sup> gross floor area up to 300 m <sup>2</sup> and 1 space per 100 m <sup>2</sup> gross floor area thereafter | All development between 300 m <sup>2</sup> and 1000 m <sup>2</sup> |
|                                   | 1 space per 3 staff or 1 space per 60 m <sup>2</sup> gross floor area up to 300 m <sup>2</sup> then 1 space per 100m <sup>2</sup>                             | 1 space per 3 staff or 1 space per 60 m <sup>2</sup> gross floor area up to 300 m <sup>2</sup> then 1 space per 100m <sup>2</sup>                             | All development over 1000 m <sup>2</sup>                           |

## Supplementary Planning Document: Parking

**Table 1 Numbers of spaces recommended\***

| <b>Use</b>  | <b>Urban Barnsley</b>   | <b>Borough wide<br/>(excluding Urban<br/>Barnsley)</b>  | <b>Threshold above<br/>which standard<br/>applies*</b> |
|---|---|---|--|
|   | gross floor area up to 1000 m <sup>2</sup><br>and<br>1 space per 150 m <sup>2</sup> gross floor area thereafter | gross floor area up to 1000 m <sup>2</sup><br>and<br>1 space per 150 m <sup>2</sup> gross floor area thereafter |  |
| <b>C2 Residential Institutions</b>  |   |   |  |
| Residential Institutions (including hospitals)  | 1 space per 4-8 staff<br>and<br>1 space per 4 daily visitors  | 1 space per 2 staff<br>and<br>1 space per 3 daily visitors  | 2500 m <sup>2</sup>                                    |
| <b>C3 Dwellinghouses</b>  |   |   |  |
| Housing and Flats   | 1 space for dwellings with 1 or 2 bedrooms<br><br>2 spaces for dwellings with 3 or more bedrooms                | 1 space for dwellings with 1 or 2 bedrooms<br><br>2 spaces for dwellings with 3 or more bedrooms                | All development  |
| Elderly Housing   | 1 space per unit<br>and<br>Communal parking facilities  | 1 space per unit<br>and<br>Communal parking facilities  | All development  |
| For C3 dwellinghouses 1 visitor space per 4 dwellings subject to layout. Flexibility for visitor parking will be considered on a site by site basis |   |   |  |
| <b>C4 Houses in Multiple Occupation</b>   |   |   |  |
| Bedsits   | 1 space per 2 bedsits   | 1 space per 2 bedsits   | All development  |
| Houses in Multiple Occupation   | 1 space per 3 rooms   | 1 space per 3 rooms   | All development  |

## Supplementary Planning Document: Parking

**Table 1 Numbers of spaces recommended\***

| <b>Use</b>   | <b>Urban Barnsley</b>   | <b>Borough wide<br/>(excluding Urban<br/>Barnsley)</b>  | <b>Threshold above<br/>which standard<br/>applies*</b> |
|--|---|---|--|
| <b>D1 – Non-residential Institutions</b>                       |   |   |  |
| Non-residential Institutions                                   | 1 space per 2 staff and<br>1 space per 15 students  | 1 space per 2 staff and<br>1 space per 15 students  | 2500 m <sup>2</sup>                                    |
| Day Nurseries  | 1 space per full time staff   | 1 space per full time staff   | All development less than 2500 m <sup>2</sup>          |
| Medical Facilities/Doctors/<br>Dentists/Healthcare/<br>Clinics | 1 space per medical practitioner on duty at the busiest time.<br><br>This includes nurses, counsellors, chiropodists, etc.<br><br>and<br><br>1 space per 2 non-medical staff<br><br>and<br><br>3 spaces per consulting room (this includes all rooms occupied by a medical practitioner as defined above) | 1 space per medical practitioner on duty at the busiest time.<br><br>This includes nurses, counsellors, chiropodists, etc.<br><br>and<br><br>1 space per 2 non-medical staff<br><br>and<br><br>3 spaces per consulting room (this includes all rooms occupied by a medical practitioner as defined above) | All development less than 2500 m <sup>2</sup>          |
| Places of Worship  | 1 space per 10 m <sup>2</sup> gross floor area<br>or<br>1 space per 5-10 fixed seats  | 1 space per 10 m <sup>2</sup> gross floor area<br>or<br>1 space per 5-10 fixed seats  | All development less than 2500 m <sup>2</sup>          |
| Schools  | 1 space per 3 teaching staff<br><br>and<br><br>1 space per 3 non-teaching staff   | 1 space per 3 teaching staff<br><br>and<br><br>1 space per 3 non-teaching staff   | All development less than 2500 m <sup>2</sup>          |

## Supplementary Planning Document: Parking

**Table 1 Numbers of spaces recommended\***

| <b>Use</b>   | <b>Urban Barnsley</b>   | <b>Borough wide<br/>(excluding Urban<br/>Barnsley)</b>  | <b>Threshold above<br/>which standard<br/>applies*</b> |
|--|---|---|--|
| <b>D2 Assembly and Leisure</b>   |   |   |  |
| Assembly and leisure<br>(excluding cinemas,<br>conference centres<br>and stadia) | 1 space per 22-100 m <sup>2</sup>   | 1 space per 22-25 m <sup>2</sup>  | 2500 m   |
| Clubs/Concert Halls  | 1 space per 5 seats   | 1 space per 5 seats   | All development less<br>than 2500 m <sup>2</sup>       |
| Sports Facilities  | Generally 1 space per<br>200 m <sup>2</sup><br><br>Some facilities such as<br>private gyms etc. may<br>be assessed on<br>membership/number<br>of participants | Generally 1 space per<br>200 m <sup>2</sup><br><br>Some facilities such as<br>private gyms etc. may<br>be assessed on<br>membership/number<br>of participants | All development less<br>than 2500 m <sup>2</sup>       |
| Cinemas and<br>Conference Centres  | 1 space per 5-10 seats  | 1 space per 5 seats   | 1000 m <sup>2</sup>                                    |
| Stadia   | 1 space per 15 seats  | 1 space per 15 seats  | 1500 seats   |
| <b>Sui Generis</b>   |   |   |  |
| Car Sales  | 1 space per 50<br>m <sup>2</sup> dependent on<br>location   | 1 space per 50<br>m <sup>2</sup> dependent on<br>location   | All development  |
| Taxi Offices   | 1 space per 5 vehicles  | 1 space per 5 vehicles  | All development  |
| Taxi Offices (Radio<br>Control Base Only)  | No provision  | No provision  | All development  |

\*An application for a use not included in this table or below the stated threshold will be considered on its own merits.

## Supplementary Planning Document: Parking

- 3.5 Proposals for non residential development falling within Barnsley Town Centre or a District or Local Centre, as defined in Local Plan policy TC1, will be treated on their own merits. The availability of public parking in the centres will be taken into account. The District Centres are Cudworth, Hoyland, Wombwell, Goldthorpe, Penistone and Royston.
- 3.6 The Council encourages the provision of electric vehicle charging infrastructure. The Council will look to secure charging points within commercial development schemes. The Sustainable Travel SPD sets out that the following charging points will be required as a minimum:

|                       |  |
|-----------------------|--|
| Residential           | 1 charging point per unit (dwelling with dedicated parking), or 1 charging point per 10 spaces (unallocated parking) |
| Commercial/<br>Retail | 10% of parking   |
| Industrial            | 10% of parking   |

- 3.7 As schemes are implemented to improve the accessibility of areas, the guidance on parking provision will be subject to review, and each submission will be assessed on its own merits and the circumstances at that time. In all cases traffic generated through car parking provision must not have an adverse impact on the highway network.

### **4. Design of residential car parking and garages**

- 4.1 Developments will be expected to meet the standards for parking design set out in the South Yorkshire Residential Design Guide considering cycle, motorcycle and car parking as an integral part of the design of residential development. Particular attention should be given to sections S2.5 On-street parking and B1.6 Off-street parking. Developments will also be expected to meet the technical requirements set out in annex 4B Street and parking geometry. This document is available on the Council's website. The SPD Design of New Housing deals with the design of residential car parking and garages in section 11.

### **5. Size of non residential parking bays**

- 5.1 Generally, parking bays should be 5m long and 2.5m wide, with a 6m aisle width and a 3m reversing area at the end of the aisle. Each bay must be clearly marked and defined using appropriate permanent marking material.

### **6. Commercial vehicles**

- 6.1 Requirements for vehicles delivering to or removing goods from premises may be unique to a particular site. Commercial traffic varies with the type of activity within a given use class. An analysis of requirements in terms of the numbers and types of commercial vehicles visiting their premises is sufficient to meet usual needs, such as for loading, unloading and turning. It would require to be clearly signed and marked to avoid being utilised as an overflow parking area for cars.

## Supplementary Planning Document: Parking

6.2 Standard dimensions are:

- Van 7.5 x 3.5m
- HGV's: rigid 12 x 3.5m; artic 17x3.5m

## 7. Coaches

7.1 The appropriate level of provision for developments with coaches should demonstrate suitable off-street facilities for parking, setting down and boarding of passengers as well as turning.

- Coach Bay: 15 x 5m
- Minibus: 7.5 x 3.5m

## 8. Cycle parking standards

8.1 Cycle parking facilities are very important to complement car parking policies. NPPF recognises the role of cycling in promoting sustainable travel. It is essential that cycle parking facilities are located where they are safe, convenient to use and secure. In some developments it will also be necessary to consider providing good quality changing/showering facilities and storage lockers for equipment and clothing. Cycle parking facilities should be considered in two categories, short and long stay spaces.

8.2 Long stay spaces are for commuting cyclists as well as shoppers, workers, visitors and tourists. It is essential that they are covered, capable of being made secure and subject to regular surveillance by staff or passers by. They should be conveniently located and well lit. Ideally such facilities should be provided inside the building.

8.3 Short stay spaces are mainly for visitors to the development. They must be located close to entrances, where they are convenient to use, in a well lit area that is subject to regular surveillance by passers-by and occupants of the building. The stands must give support to both the wheels and the frame and enable all parts of the cycle to be secured. The 'Sheffield Stand' design is preferred.

8.4 Developers should also note that if it is not possible or appropriate for the minimum amount of parking for cycles, motorbikes, scooters and mopeds to be met on site, the developer must provide or contribute towards off-site parking or improve or provide other forms of travel.

8.5 Table 2 shows the minimum number of cycle parking spaces to be provide in developments across the Borough. Cycle provision for other uses will be expected if achievable and necessary to make the development sustainable. The level of provision will be commensurate with other uses stipulated in this document.

## Supplementary Planning Document: Parking

**Table 2 Minimum Cycle Parking Standards**

|  |  |
|--|--|
| Car Sales  | 1 long stay space; and<br>1 short stay space   |
| Clubs/Concert Halls/Dance Halls/WMC                        | 1 long stay space;<br>1 short stay space;<br>1 long stay space per 4 members of staff; and<br>1 short stay space per 40m <sup>2</sup> gross floor area                 |
| Community Centres  | 1 long stay space per 4 members of staff; and<br>1 short stay space per 40m <sup>2</sup> gross floor area for visitors   |
| Day Nurseries  | 1 long stay space;<br>1 short stay space;<br>1 long stay space per 20 staff on duty at busiest time; and<br>1 short stay space per 40 children present at busiest time |
| General Industry   | 1 space per 50 beds for visitors; and<br>1 space per 40 non-residential staff  |
| Bedsits/Flats  | 1 space per dwelling in garage of suitable size or secure covered area within plot   |
| Houses/Bungalows   | 1 secure space per dwelling in garage of suitable size or separate secure covered area within plot   |
| Elderly/Sheltered housing                                  | 1 space per 8 dwellings  |
| Houses in Multiple Occupation                              | 1 space per bedroom in secured covered communal use area within plot   |
| Homes for people with disabilities/elderly/children        | 1 long stay space per 3 staff children; and<br>1 short stay space per 20 residents for visitors  |
| Medical Facilities/Doctors/Dentists/Health Centres/Clinics | 1 short stay per 3 consulting rooms; and<br>1 long stay per 40 staff   |
| Offices  | 1 long stay space per 400m <sup>2</sup> Offices gross floor area; and<br>1 short stay space per 1000m <sup>2</sup> gross floor area                                    |

## Supplementary Planning Document: Parking

**Table 2 Minimum Cycle Parking Standards**

|                                  |  |
|----------------------------------|--|
| Non-food retail                  | 1 long stay space per 400m <sup>2</sup> for staff; and<br>1 short stay space per 1000m <sup>2</sup> for visitors |
| Places of Worship                | 1 short stay space then determined on individual circumstances   |
| Public House/Licensed Restaurant | 1 long stay space per 20 staff; and<br>1 short stay space per 40m <sup>2</sup> for visitors                      |
| Schools                          | 1 long stay space per 10-30 pupils; and<br>1 long stay space per 40 staff  |
| Sports Facilities                | 1 short stay space per 20 participants; and<br>1 long stay space per 20 staff                                    |
| Storage and Distribution         | 1 short stay space per 1000 m <sup>2</sup> gross floor area for visitors; and<br>1 long stay space per 40 staff  |

## 9. Powered two wheel vehicles

- 9.1 Motorcycles, scooters and mopeds are becoming increasingly popular, and bearing in mind the environmental benefits of such forms of transport, their use should be positively encouraged. It will, therefore be necessary to provide facilities for all developments, with the exception of residential. Such facilities should consist of secure anchor points, be located close to the entrance to be convenient to use, and be in an area which benefits from regular surveillance. Provision will be in addition to the provision set out above, and should be provided on a scale of 1 space per 20 car parking spaces with an absolute minimum provision of 1 space. In some developments it will also be necessary to consider providing good quality storage lockers for equipment and clothing.

## 10. Parking for people with disabilities

- 10.1 Parking facilities will be required in all new developments to cater for the needs of all disabled people. In residential developments parking provision to cater for the needs of people with disabilities will be expected to meet current regulations and standards including Building Regulations, Equalities Act, relevant British Standards and the South Yorkshire Residential Design Guide.
- 10.2 In non residential developments British Standard, BS8300, "Code of Practice for the design of buildings and their approaches to meet the needs of disabled people", recommends that commercial premises with designated off-street parking have one space for every employee who is a disabled motorist, plus 5% of the total actual provision for visitors and customers plus a further 4% should be capable of enlargement or laid out as enlarged standard

## Supplementary Planning Document: Parking

spaces. Spaces designated for disabled parking should be close to the building entrances. BS8300 sets out that spaces should be 2400mm x 4800mm with a 1200mm wide marked access zone between spaces and a 1200mm wide safety zone for boot / rear access.

### **11. Travel Plans**

11.1 The use of travel plans to promote sustainable travel are supported by this SPD. Travel Plans are required for developments generating significant travel demand. The Sustainable Travel SPD provides further information about producing a Travel Plan.

### **12. Further information**

For further guidance please contact Development Management 01226 772595 in the first instance.

For Highways Development Control please contact 01226 772612.

Access the South Yorkshire Residential Design Guide on our website at <https://www.barnsley.gov.uk/media/4089/south-yorkshire-residential-design-guide2011.pdf>

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# Supplementary Planning Document: Planning Obligations

## 1. About This Guidance

- 1.1** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a ‘material’ consideration when planning applications are decided.
- 1.2** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

## 2. Introduction

- 2.1** Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the [Community Infrastructure Levy Regulations 2010](#) and as policy tests in the National Planning Policy Framework.
  - a. necessary to make the development acceptable in planning terms;
  - b. directly related to the development; and
  - c. fairly and reasonably related in scale and kind to the development.
- 2.2** A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
  - a. necessary to make the development acceptable in planning terms;
  - b. directly related to the development; and
  - c. fairly and reasonably related in scale and kind to the development.

## Supplementary Planning Document: Planning Obligations

### 3. Policy

**3.1** This document supplements Local Plan policy I1 Infrastructure and Planning Obligations.

#### **Policy I1 Infrastructure and Planning Obligations**

**Development must be supported by appropriate physical, social, economic, and communications infrastructure, including provision for broadband.**

**Development must contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily.**

**Where the necessary provision is not made directly by the developer, contributions will be secured through planning obligations.**

**Where appropriate, pooled contributions will be used to facilitate delivery of the necessary infrastructure.**

### 4. When contributions will be sought

**4.1** There are a number of Supplementary Planning Documents that set out where we will seek planning contributions. These are:

- Financial Contributions for School Places
- Sustainable Travel
- Affordable Housing
- Open Space Provision on New Housing Developments

**4.2** Where contributions are required for school places or sustainable travel, these will take precedence.

**4.3** Other contributions may be required to enable development to take place. The supporting text to policy I1 in the Local Plan at paragraph 25.3 sets out some examples of these:

**4.4** *25.3 There are many examples of infrastructure. These include a need for new or improved provision of roads and other services, public transport, Green Infrastructure, recreation and open space facilities and infrastructure that will make Barnsley a better place such as public realm improvements, educational accommodation, affordable housing and also adequate community facilities. Investment may also be required to ensure the local economic infrastructure can accommodate the new development including shopping facilities and the availability of suitably skilled labour to support economic regeneration. New forms of infrastructure are also relevant including communications technology, it is particularly important to ensure provision for Superfast Broadband.*

## Supplementary Planning Document: Planning Obligations

**4.5** Contributions will also be required to fund highway works, for example through section 278 and section 38 agreements. Section 278 is the part of the Highways Act 1980 that enables a highway authority to enter into an agreement with a third party to deliver improvements on the existing public highway. A S278 is usually necessary where planning permission has been granted for a development that requires improvements, or changes, to the existing roads and pavements that form part of the publicly-maintained highway. Section 38 of the Highways Act 1990 provides that when permission has been granted for a new development, developers may ask the highway authority to 'adopt' new roads that have been constructed as part of the development, along with associated infrastructure such as drains, lighting and supporting structures.

**4.6** Paragraph 25.4 of the supporting text to policy I1 states that:

*It may be necessary to consider the cumulative effect of a number of developments such that developers may be required to contribute jointly towards necessary infrastructure. All new development should therefore make appropriate provision to contribute towards offsetting the additional pressures it has created whether this is through on or off site provision of facilities or financial contributions. Developers will need to demonstrate that adequate capacity either exists, or that provision will be made to meet the necessary infrastructure requirements within an appropriate timescale.*

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# Supplementary Planning Document: Section 38 Agreement

## 1. About this Guidance

- 1.1** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a ‘material’ consideration when planning applications are decided.
- 1.2** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

## 2. Introduction

- 2.1** This Planning Advice Note provides guidance on the Council's approach to Section 38 Agreements. The purpose of this document is to guide developers through the process of establishing a Section 38 Agreement (S 38 Agreement) with the Council and ensure that highway works are delivered to the satisfaction of all parties. The guide outlines what Developers and the Council can expect from each other.

### Adopted Roads

- 2.2** **Where a road has been ‘adopted’, the Council will be** responsible for maintaining and repairing it. Until a road has been adopted, responsibility for repair and maintenance remains the responsibility of the owner. Section 38 of the Highways Act 1980 enables the Council to adopt , roads, footways, footpaths, cycle lanes, cycle tracks and other areas constructed by a third party by way of a formal agreement.

### Existing private streets

- 2.3** Private streets are ‘un-adopted’ roads that are not maintained at public expense, which means that the Council is not responsible for cleaning or repairing them.
- 2.4** Usually, the landowner or the owners of the properties fronting the street are responsible for its repair and maintenance.
- 2.5** The term ‘Private Street’ simply deals with maintenance liability. A Private Street may still be subject to public highway rights.

## Supplementary Planning Document: Section 38 Agreement

**New private streets**

- 2.6** The Council will only adopt new private streets where they have been constructed in accordance with the Specification and in all respects to the satisfaction of the Council.
- 2.7** The Council will not adopt existing private streets if they're in poor condition, for example if they don't have pavements, drainage or street lighting.

**Getting an existing road (private street) adopted**

- 2.8** Where a road has been constructed without a S38 Agreement the owner can request the Council to adopt it by serving a notice on the Council under Section 37 of the Highways Act 1980.
- 2.9** Having an existing road adopted can be a long and costly process, potentially running into thousands of pounds.
- 2.10** The Owner of the road will need to satisfy the Council that the road has been constructed to a satisfactory standard and will have to meet all of the Council's costs in carrying out any inspections testing of materials surveys etc.

**3. Liability for Street Works Charges**

- 3.1** Section 219 of the Highways Act 1980 makes it an offence to commence any works for the purpose of erecting a building which will have a frontage onto a private street unless the owner of the land on which the building is to be erected has paid to, or otherwise secured to the satisfaction of the Council, the relevant sum of street works charges for that building. (known as an Advance Payments Code Deposit – APC) The Council is the Street Works Authority for the purposes of the Highways Act 1980 will issue a notice under Section 220 of the Highways Act 1980 which sets out the sums required to be paid or secured for each building which fronts onto the proposed new private street. The owner (developer) must not commence building works until they have paid the required sum to the Council for each individual building as and when works commence.

- 3.2** Security can be provided by:

- ✓ Making payment of the individual APC's to the Council;
- ✓ Providing a bond in favour of the Council from a reputable financial institution to the full value of the Street Works Charges.

- 3.3** The APC's or bond will be held until the new private street has been constructed to an adoptable standard.
- 3.4** Alternatively, the owner (developer) can enter into a S38 Agreement with the Council with a bond to guarantee the carrying out of the works required to bring the new road to an adoptable standard. This provides the owner/developer with the certainty of a formal mechanism for having the new road adopted as a highway maintainable at the public expense. While a S38 is the preferred method it should be noted that the Council is under

## Supplementary Planning Document: Section 38 Agreement

no obligation to enter into a S38 Agreement if the owner/developer is unable to satisfy the Council's requirements, in which case the owner/developer will have to provide the alternative means of security described above.

### **4. Process**

#### **Section 38 Agreement**

- 4.1** Applications to enter into a S38 Agreement should be made to the Council as soon as practicable during the planning process; ideally at the pre application stage. Section 38(6) of the Highways Act 1980 says: "*An agreement under this section may contain such provisions as to the dedication as a highway of any road or way to which the agreement relates, the bearing of the expenses of the construction, maintenance or improvement of any highway, road, bridge or viaduct to which the agreement relates and other related matters as the authority making the agreement think fit*".
- 4.2** **The Council** may require the owner/developer to make payment(s) of commuted sums by which to contribute towards the future maintenance costs of certain features. This allows greater flexibility to adopt non-standard materials and other items where development increases future maintenance liability.
- 4.3** The Agreement will set out the:
  - ✓ Details of the proposed highway layouts, designating which are to remain private and which are to be offered up for adoption;
  - ✓ Developer's liability;
  - ✓ Barnsley MBC fees and charges;
  - ✓ Arrangements for dealing with statutory undertakers, connections of existing services, and grants of rights for drainage;
  - ✓ Arrangements for dealing with traffic regulation orders, consultation, street lighting, traffic signals and road safety audits;
  - ✓ Arrangements for dealing with all necessary notices to allow works to be undertaken on or adjacent to the Adopted Highway;
  - ✓ Approach to dealing with the Construction (Design and Management) Regulations 2015;
  - ✓ The need and value of the financial Bond of Surety required at inception of the S38 Agreement;
  - ✓ Arrangements for design checks and technical approvals (where necessary);
  - ✓ Scope of Part 1 and Part 2 works, inspection procedures, and certification;
  - ✓ Developer obligation during the maintenance period;
  - ✓ Approach to reporting and timing of adoption.
- 4.4** The highway layout agreed when planning permission is granted will only be regarded as a general arrangement and may be subject to change as a consequence of the subsequent technical and statutory consultations and the detailed design.

**Supplementary Planning Document: Section 38 Agreement****Section 278 Works**

- 4.5** It may be necessary in some instances to alter the existing Adopted Highway. Where this is required, the works will be subject to either a separate agreement under the provisions of Section 278 of the Highways Act 1980 (S278 Agreement), or a combined S38 and S278 Agreement. Further information about S 278 Agreements can be found in our Section 278 Agreement Supplementary Planning Document.
- 4.6** Works associated with the development will not be allowed to commence on any publicly maintained highway until either the S278 Agreement or S38/S278 Combined Agreement is signed by both parties and a Bond is in place unless those works have been authorized by the Council under section 171 and/or 184 of the Highways Act 1980 (see below).

**Developer Responsibility**

- 4.7** Proof of land ownership is required to ensure that all parties with freehold or leasehold interests in the land enter into the Section S38 Agreement and consent to its terms.
- 4.8** The Developer must commission an external Road Safety Auditor, whose competence must be demonstrated to the Council and the same auditor should be retained for all subsequent audit stages.

**Notices, Permits, Licences & Other Agreements**

- 4.9** When any work is undertaken on the existing adopted highway (Adopted Highway) it will be necessary to provide several notices to allow these works to take place, namely:

**(a) Permit Scheme Notice (Traffic Management Act 2004 – Part 3) [TMA]**

The Developer will need to apply for a permit from the Council to undertake any works on the Adopted Highway **in advance** of the works starting.

This is required to ensure that the Council can identify causes, or potential causes, of road congestion or other disruption to the movement of traffic on their road network, including the management of its own works for road purposes.

The advance notice period varies due to the size, scope and duration of the activities being undertaken. The main activity designations are:

- ✓ Major Activities
  - Activity duration (11 days or more);
  - initial notice period (3 months for Provisional Advance Authorisation); and
  - permit application (10 days before starting on site)
  
- ✓ Standard Activities
  - Activity duration (4 to 10 days); and
  - Notice period (10 days before starting on site).

## Supplementary Planning Document: Section 38 Agreement

- ✓ Minor Activities
  - Activity duration (3 days or less); and
  - Notice period (3 days before starting on site).
  
- ✓ Immediate Activities
  - Activity definition – emergency; and
  - Notice period (within 2 hours with explanation why).

### **(b) Section 171 Licence (Highways Act 1980) [S171]**

Before any works are carried out on or adjacent to the Adopted Highway the Developer is required to obtain a licence from the Council .(referred to as a Section 171 Licence) This licence permits the Developer and his contractors to undertake works on or adjacent to the highway with the approval of the Council acting as the Highway Authority.

### **(c) Temporary Traffic Regulation Order**

If it is necessary to close the Adopted Highway or introduce a speed limit or other restriction temporarily to enable the works to be carried out safely the Developer must make a separate application to the Council for a Temporary Traffic Regulation Order (TTRO). Note the traffic team need a minimum of 6 weeks' notice. For further information regarding the form and fee, visit the following address:  
<https://www.barnsley.gov.uk/services/roads-travel-and-parking/roadworks-and-road-maintenance/apply-to-close-a-road/>

### **(d) Section 184 Licence (Highways Act 1980) [S184]**

If a Developer requires the construction of a new site access, or requires alterations to an existing site access in advance of the main works under a S278 or S38 Agreement, the Developer must obtain prior approval of the Council under section 184 of the Highways Act 1980The scope of these works may, in some instances, be extended to cover other minor works like re-positioning a road gully or a street lighting column.

The Council will check the Developer's design and inspect the S184 works. The Developer will pay the Council costs for the administration of the agreement, legal services, technical approval, site inspections and issue of certificate.

A S184 Agreement is appropriate where a developer intends to construct an access on to the Adopted Highway of a higher specification than a simple dropped footway or verge crossing, such as "bell mouth" junctions or heavy duty industrial types of access - and that such works are the only works required within the highway to enable a development.

## Supplementary Planning Document: Section 38 Agreement

### **(e) Section 50 Licence (New Roads & Street Works Act 1991) [NRASWA]**

If a development requires works within the Adopted Highway to excavate, or break through it to work on or install new apparatus, the Developer must apply to the Council for a Section 50 Licence (NRSWA).

When applying for a Section 50 Licence (S50) the Developer must be aware of the following:

- ✓ Those granted a S50 Licence become "works undertakers" (for the purposes of NRSWA), and because of that take on responsibility for carrying out the duties and responsibilities imposed by the Act and its associated Codes of Practice.
- ✓ If the Developer is unfamiliar with the NRASWA requirements they must appoint a contractor with the proper knowledge and accreditation, who can ensure that the works are conducted properly. An appointed contractor lacking the proper knowledge or accreditation will not be allowed to work within the Adopted Highway.
- ✓ Within NRASWA, as the licence holder the Developer may incur financial penalties if they do not meet the necessary statutory duties and licence conditions. This liability cannot be delegated to any other person or organisation.
- ✓ The requirement to get a S50 Licence applies to any person or organisation (other than anyone acting under a statutory right) who wishes to place, retain and subsequently inspect, maintain, adjust, repair, alter, or renew apparatus or change its position, or remove it from the highway. This includes drains, cables, ducts, sewer pipes, water and gas pipes under, over, across, along, or upon the Adopted Highway.
- ✓ The Developer must apply for a S50 Licence prior to the proposed works start. The guidance given here does not describe all the requirements of the licence.

### **(f) Section 58 Notice (New Roads & Street Works Act 1991) [S58, NRASWA]**

**This notice is required to ensure that:**

- ✓ Recently resurfaced or reconstructed streets will not be affected by subsequent activities and works undertaken by others; and,
- ✓ Activities in the same street or immediate area which may conflict are not carried out at or within a short period time of each other.

The Council will on behalf of the Developer in advance of any proposed works on the Adopted Highway, give the relevant notice to all Statutory Undertakers in advance of any proposed works on particular streets. Notification should be submitted as soon as the scopes of the required S278 works are known. The longer the notice period the more likely any programmed Statutory Undertakers works can be accommodated to suit the Developer's programme of delivery.

## Supplementary Planning Document: Section 38 Agreement

The period of time from the completion of the works when other works cannot be undertaken depends upon the classification of the street and its traffic sensitivity designation.

### **(g) Section 104 Agreement (Water Industry Act 1991)**

The Developer must demonstrate a right to discharge surface water from **the highway**, either by way of a Sustainable Drainage System (SUDS) or an existing or proposed public sewer.

Where it is proposed to drain the **new private street** into an existing sewer, the developer must make arrangements for the Water Authority to take over the maintenance responsibility for the connecting sewers by way of a **vesting declaration under section 102 of the Water Industry Act 1991** or by entering into an agreement under Section 104 of the Water Industry Act 1991 (S104 Agreement), the S104 Agreement will need to be completed with the drainage statutory undertaker (Yorkshire Water) before the Council will issue the Part 1 Certificate of the Section 38 agreement.

## **5. Finance**

### **Bond**

- 5.1** The Developer is required to provide a Bond in favour of the Council which is sufficient to cover the cost of carrying out the new road works, the Council's fees and costs and any Commuted Sums required to be paid. This bond ensures the Council (the public purse) does not incur any costs in the event the developer defaults on his obligations.
- 5.2** In the event of default the Council can call – in the Bond and use the monies to complete the works itself, recover all of its fees and charges, and any Commuted Sums to cover future maintenance costs.
- 5.3** The bond usually forms part of the standard form of S38 Agreement. In cases where it is done as a separate document, this must be completed at the same time as the Section 38 Agreement.
- 5.4** The value of the Bond will be reduced incrementally in accordance with Table 3.1, except where a Commuted Sum is payable in which case the sum of the Bond shall not be reduced at any time to a value less than the Commuted Sum plus 10% of the original Bond value.

**Table 3.1**

| <b>Stage</b>       | <b>Bond Value Reduced to “x” of Original Value</b> |
|--------------------|--|
| Part 1 Certificate | 50%  |
| Part 2 Certificate | 10%  |
| Final Certificate  | 0%   |

### **Fees and Charges**

- 5.5** The Developer must pay the costs which the Council incurs in the preparation, completion and administration of the S38 Agreement, which will include the following:

## Supplementary Planning Document: Section 38 Agreement

- ✓ Application fee;
- ✓ Preparing, executing and managing the Agreement;
- ✓ Design checks;
- ✓ Technical approval;
- ✓ Inspecting the works on site.

**Application fee**

An application fee of £2,500 is payable when submitting the application form. This fee will be not be returned if the scheme is aborted.

**Technical Administration**

**5.6** The charge for administration, design checks and site inspection is currently 8.5% of the estimated cost of constructing the new road works. This is calculated by the Council and must be paid prior to the Council commencing any S38 related activities. The 8.5% fee does not include costs associated with checking/approving/input to:

- ✓ Highway Structures;
- ✓ Street Lighting;
- ✓ Traffic Signals (Civil & Electrical) works and equipment;
- ✓ SUDS, and non-standard surface water drainage proprietary systems;
- ✓ Geo-technical approval or inspection;
- ✓ Conducting surveys for inventory information;
- ✓ Undertaking road safety audits.

**5.7** Additional fees for the services above shall be based on “actual costs” incurred on a time related basis.

**5.8** If more than 2 years elapses after issue of the Part 1 Certificate, without the Part 2 Certificate being issued, BMBC will charge a further fixed fee (4.5% of Bond) for additional administration and inspection work.

**Legal Costs**

**5.9** The developer is required to pay the Council’s legal costs in the preparation and completion of the S38 Agreement, which is charged at £1,000.00. The sum is payable on completion of the S38 Agreement.

**Commuted Sums**

**5.10** Commuted Sums are necessary when any development increases the Council’s future maintenance liability. Typical circumstances where this may occur are:

- ✓ Maintenance costs for any construction that is not required for the safe and satisfactory functioning of the Adopted Highway (including alterations to the existing highway which are only required to serve the development) with no general benefits;

## Supplementary Planning Document: Section 38 Agreement

- ✓ Maintenance costs for additional features, such as highway structures, additional street lighting, traffic signal installations, non-essential street furniture/ fencing/walls, public transport infrastructure and landscaping;
- ✓ Additional maintenance costs for permitted alternative materials and features, for example, higher quality paving materials, bespoke street furniture, exceeding BMBC's standard specification.

- 5.11** Developers should discuss their requirements with the Council ideally during pre-planning application discussions, in advance of a formal Planning Application being submitted.
- 5.12** A commuted Sum list can be found in the South Yorkshire Residential Design Guide.
- 5.13** Where items, materials or features are not standard they will need to be calculated on a site-by-site basis by the Council, which will be notified to the Developer.
- 5.14** Commuted Sum values stated in the S38 Agreement are provisional, as development will be assessed on a case by case basis. A recalculation mechanism, based on actual quantities, and the price fluctuation factor specified in the S38 Agreement, will be used to determine the actual Commuted Sum values.

## 6. Insurance Liabilities

### Design

- 6.1** The Developer must indemnify The Council against any claims by third parties arising from any work included in the S38 Agreement that that Council subsequently adopt.

### Construction

- 6.2** The Developer must indemnify the Council against any claims by third parties arising from any work included in the S38 Agreement that the Council subsequently adopt.

### Traffic Measures

- 6.3** Where a development requires changes to an existing Traffic Regulation Order (TRO), creation of a new TRO, or provision of a temporary TRO to facilitate the works, the Developer must pay all of the costs incurred by the Council in the preparation of the scheme, consultations and publication of the proposals. As this is subject to public consultation the outcome cannot be guaranteed.
- 6.4** Where objections are received to the proposed TRO which officers are unable to resolve the objections must be reported to the Council's Cabinet for a decision whether to proceed, change or abandon the proposals all together. This may delay the development.

## Supplementary Planning Document: Section 38 Agreement

## 7. Design

### General

- 7.1** The design of the S38 highway works must be in accordance with the South Yorkshire Residential Design Guide document
- 7.2** The Developer must provide the Council with details of their chosen designer prior to the design commencing to avoid abortive works. The information provided will need to be sufficiently detailed to allow the competency of the designer to be assessed.
- 7.3** The proposed development must relate to the existing Adopted Highway boundary, The Council's design standards and take into account the highway requirements. The Developer is responsible for ensuring that the development's horizontal and vertical alignments tie back in to the existing Adoptable Highway boundaries which they impact upon.

### Highway Design

- 7.4** A Road Safety Audit (RSA) Stage 1 must be procured by the Developer prior to the start of the detailed design.
- 7.5** The Developer must commission an external Road Safety Auditor, whose competence must be demonstrated to the Council, and the same auditor should be retained for all subsequent audit stages.
- 7.6** The Council must consider the recommendations in the RSA Stage 1 report and determine the need for further consultation and information required from the Designer.
- 7.7** On the completion of the detailed design the Developer must commission a Road Safety Audit Stage 2 in accordance with the S38 Agreement. The Audit may recommend changes to the detailed design which the Designer will need to consider.
- 7.8** Once the RSA Stage 2 outcomes have been incorporated and the design completed, the Developer's Designer shall provide enough information to allow BMBC to carry out a Design Check.
- 7.9** BMBC will submit a Design Check report highlighting any issues that need to be discussed further. Once all the issues raised by the Design Check have been addressed, BMBC will write to the Developer's Designer to confirm that the design is acceptable.

### Highway Structures Design

- 7.10** If the development includes a structure where any of the following apply:
  - ✓ Structure will be offered up for adoption;

## Supplementary Planning Document: Section 38 Agreement

- ✓ Where the structure supports or is supported by the Adopted Highway;

Then structural details must be submitted to the Council for Technical Approval.

### **Street Lighting Design**

- 7.11** The street lighting works required to illuminate the new road shall be undertaken by the Council's Street lighting design and installation department. The Developer is responsible for commissioning these works and paying the associated costs.

### **Traffic Signals Design**

- 7.12** Where traffic signals are required, the design will be undertaken by the Council's Traffic Signals Team to meet timescales stated in the S38 Agreement. The Developer is responsible for commissioning these works and paying the associated costs.

## **8. Documents Required From Developer**

### **General**

- 8.1** For the Section 38 Agreement, electronic PDF copies of the adoption layout plan shall be submitted to the Council.
- 8.2** For Technical Approval, the following information is required:
- Site Layout Plan
  - Proposed Highway Adoption Plan
  - Surface Finishes Plan
  - Road Construction Details with typical cross-sections
  - Surface Water Drainage Layout

### **Layout Plan**

- 8.3** The layout plan should be drawn to 1:500 scale and incorporate a location plan, drawn to either 1:1250 or 1:2500 scale, as appropriate. The location plan should show the outline of the new roads by a broken line and the boundary of the land in the ownership of the applicant defined by red edging.
- 8.4** The following details should be shown on the layout plan:

- ✓ The layout of any proposed dwellings with plot numbers and driveways;
- ✓ Details of sewers and surface water drains (private and highway);
- ✓ Landscaping details;
- ✓ A typical cross section showing the construction to be used;
- ✓ Signing and road marking details;
- ✓ Retaining wall details and other highway structures;
- ✓ Carriageway and other associated dimensions;
- ✓ Junction visibility and forward visibility splays;
- ✓ Horizontal and vertical alignment;

## Supplementary Planning Document: Section 38 Agreement

- ✓ Street lighting; and
- ✓ The number and positions of any grit bins.

### **Road Safety Audit Report**

**8.5** A Road Safety Audit Stage 2 Report and Designer's response may also be required (see Section 11 for further information).

### **Geotechnical Report**

**8.6** A Geotechnical Report (including CBR test results at formation) and details of any statutory undertakers' service protection or diversion works.

### **Contractor Approval**

**8.7** All highway works must be carried out by a Contractor, including any sub-contractor, who has relevant experience and capabilities.

**8.8** Where the Council has no previous experience of a Contractor's work, the Developer will be required to provide the Council with satisfactory references, and examples of similar work successfully completed to the satisfaction of another Highway Authority.

**8.9** We recommend that the Developer only considers employing experienced and competent Contractors to avoid abortive works and subsequent delays.

## **9. Construction**

### **Notification of Start of Works**

**9.1** **The Developer must give the Council a minimum of 2 weeks advance notice, in writing, of the intended start date on site.**

**9.2** Construction of any work on site must not start until the Developer has met all of the following conditions:

- ✓ Section 38 agreement signed;
- ✓ All necessary fees and charges paid to the Council;
- ✓ Written confirmation that an adequate Bond of Surety is in place;
- ✓ Written confirmation that the Developer will pay all Commuted Sums;
- ✓ Written confirmation that the Developer has notified the HSE that they are the Client for the development;
- ✓ Statutory procedures completed;
- ✓ Non-statutory consultation processes completed;
- ✓ Design checks satisfactorily completed;
- ✓ Technical approvals given for structures within/abutting the highway;
- ✓ Road safety audits satisfactorily completed up to, and including, RSA Stage 2;
- ✓ The Council's S38 Engineer has been provided with approved construction drawings for site inspections; and

## Supplementary Planning Document: Section 38 Agreement

- ✓ The Council has been provided with adequate information to enable the contractor to be approved.

**9.3** The Council will not inspect any of the works until the above conditions have been met. Any works constructed before this time will be subject to retrospective inspections at the developer's expense, which may include excavations to expose construction depths and materials used.

### Site Inspection

- 9.4** The Developer is responsible for the day-to-day supervision of the construction of these works.
- 9.5** The Council will inspect the works to check that they are being constructed in accordance with the approved drawings and to the appropriate specification. Sufficient advance notice must be given to the Council's Inspector for any item of adoptable highway work being constructed on site and requiring approval. The Inspector must be given access to the highway works at all times.
- 9.6** If unforeseen issues arise, the Council's Inspector will discuss possible solutions, but it is the responsibility of the Developer to instruct the S38 highway works contractor, and make sure that the works are satisfactorily completed in accordance with the Council's requirements.
- 9.7** It is the responsibility of the Developer's contractor to provide, at their own expense, detailed laboratory reports or material analysis as requested by BMBC's Inspector. The Developer's contractor must be able to prove the technical suitability of any proposed construction material.

### Completing the Highway Works

- 9.8** It is the Developers responsibility to complete all of the work included in the S38 Agreement to the satisfaction of the Council.
- 9.9** In order to safeguard the interests of householders and highway users, the Council expects the Developer to ensure that the highway works are completed, either:
- ✓ Within 6 months after all buildings fronting or served by the highway works are completed; or
  - ✓ Within 24 months after completion of the S38 agreement whichever is sooner.
- 9.10** The Developer must then ensure that adoption takes place within a reasonable period of time to minimise any potential risks or inconvenience to residents.
- 9.11** Where the Developer does not complete the highway works within the specified timescales, he must seek approval to an extension of time from both the Council and any Surety. Where an extension of time is agreed, the Council will charge extra fees towards additional administrative and inspection / supervision costs at a rate of 4.5% of the Bond.
- 9.12** If the Developer does not complete the highway works in accordance with the

## Supplementary Planning Document: Section 38 Agreement

agreement or any authorised extension of time the Council reserves the right to use the Bond to complete the works.

### Certification of the Highway Works

- 9.13** The Developer must apply to the Council separately in writing for the issue of the Part 1, Part 2 and Final Certificates.
- 9.14** The Developer must carry out all notified remedial works without delay and at their own cost.
- 9.15** **The Council** will inspect the works again and, subject to all remedial works being completed to its satisfaction, will issue the Developer with a Part 2 Certificate within 28 working days of the completion of the remedial works.
- 9.16** In addition, where the Works are also subject to a Section 104 Agreement of the Water Industry Act 1991, and the sewer is situated within the highway or is an integral part of the highway drainage system, the Part 1 Certificate will only be issued after a "Provisional Certificate" has been issued by the drainage Statutory Undertaker.
- 9.17** Once the Part 2 Certificate is issued the maintenance period of 12 months will commence and the road is deemed to have been dedicated to the public for highway purposes.

### Obligations During the Maintenance Period

- 9.18** When the Developer's contractor has constructed the highway works, the following applies:
  - ✓ The Developer remains the Street Manager for the purposes of Section 49(4) of the New Roads and Street Works Act 1991.
  - ✓ The Developer is responsible for the maintenance of all work included in the Agreement, including highway verges, and must carry out road sweeping and gully emptying to the Council's published current standards and maintenance regimes until the Final Certificate is issued.
  - ✓ The Developer is responsible for the removal of abandoned vehicles, rubbish or other unauthorized materials or obstructions as may be necessary, in order to facilitate the use of highway areas by residents and the public.
  - ✓ The Developer is responsible for the routine maintenance of the street lights and illuminated traffic signs, and will pay for all associated energy charges, during the Maintenance Period.
  - ✓ The Developer must ensure that the highway areas are maintained to a high standard during the Maintenance Period and are completely safe to use by all pedestrians.
- 9.19** Site inspections will be carried out during wet weather conditions to check that there are no problems with surface water drainage.

## Supplementary Planning Document: Section 38 Agreement

### **Final Certificate**

- 9.20** The Developer must arrange a joint inspection with the Council, in order to agree a definitive list of maintenance repairs deemed necessary, prior to the end of the 12 Month Maintenance.
- 9.21** Within 20 working days of the joint inspection, the Council will send the Developer a list, in writing of all necessary repairs to be completed before the issue of the Final Certificate.
- 9.22** The Final Certificate will only be issued when:
- ✓ All S38 works, including remedial works, are satisfactorily completed;
  - ✓ All payments under the Agreement, including any additional inspections and administration fees, and commuted sums have been paid to the Council;
  - ✓ The Developer has supplied the Council with two (2) sets of "As Built" drawings, including highway surface water drainage and any drainage situated outside the highway limits;
  - ✓ The Developer has provided the Council with a certificate that the sewers the subject of any S104 Agreement in relation to the development have been vested in the Water Authority.
- 9.23** Following satisfactory completion of all the above requirements, BMBC will issue the Final Certificate and the works included in the Agreement will become maintainable at the public expense.

### **Street Lighting - Inspection**

- 9.24** Routine maintenance of the street lights and illuminated traffic signs during construction works is the responsibility of the developer. Also including the maintenance period and until the development is adopted, will be the responsibility of the Developer including the payment of energy charges.
- 9.25** However where the Council has installed the street lighting and illuminated traffic signs, the responsibility for maintenance will transfer to the Council once the development is placed on to the maintenance stage.

## **10. Road Safety Audit**

### **Application**

- 10.1** A Road Safety Audit (RSA) process may be required, subject to the scope and scale of the proposed highway infrastructure being offered up for formal adoption. A RSA will be required when any of the proposed highway infrastructure incorporates the provision of any of the following:
- ✓ Principal Roads;

## Supplementary Planning Document: Section 38 Agreement

- ✓ Classified Roads;
- ✓ Local Distributor Roads;
- ✓ Collector Streets (Residential Streets incorporating Bus Routes);
- ✓ Any Residential Street, Shared Surface Street or Home Zone that requires the creation of a new access or formal junction off any of the above street types; and
- ✓ The development is creating more than eight (8) new residential units/properties.

**10.2** The need for a RSA will be determined at the pre-application stage as part of the discussions with the Planning and Transportation Developments officers.

### Definition

- 10.3** A Road Safety Audit (RSA) is the staged evaluation of changes to the highway during design, construction and operation. It looks to identify potential safety hazards that may affect any road user.
- ✓ Stages 1 and 2 evaluate the design;
  - ✓ Stage 3 is carried out as soon as possible after measures become operational; and
  - ✓ Stage 4 is carried out approximately 12 months after the measures became operational.
- 10.4** A RSA considers the road safety implications of all measures and their impact on the highway network – the effects on all road users are considered. Particular attention is paid to the effects on vulnerable groups, for example the very young, the elderly, people with a disability and more generally pedestrians, cyclists and riders of powered two-wheeled vehicles.
- 10.5** A RSA may be applicable to a particular junction or section of the network. However, it is important that the road safety implications of the measures being proposed are considered, along with any impact on adjacent or other parts of the network.
- 10.6** A RSA does not consider non-road safety related issues and is not a technical check. However, in order to clearly explain a safety problem or make a recommendation to resolve a problem, the audit may make reference to a design standard.
- 10.7** A RSA is not to be used:
- ✓ As a means of selecting between various design options under consideration;
  - ✓ To query why other measures are not being proposed; nor
  - ✓ To comment on the effectiveness of the proposals where there are no adverse safety implications.

### Audit Stages

**10.8** A RSA shall be undertaken after the completion of four specific stages of project development, which are:

## Supplementary Planning Document: Section 38 Agreement

### Stage 1

- 10.9** A Stage 1 RSA must be commissioned by the Developer as soon as possible after completion of the preliminary design. The design should be sufficiently progressed so that all significant features are clearly shown. This is likely to have been undertaken prior to defining the scope of the S278 works. The Developer will provide BMBC with the Stage 1 report prior to the start of detailed design.

### Stage 2

- 10.10** The Developer must commission a Stage 2 RSA upon substantial completion of the detailed design and before the preparation of works orders or tender documents. The design should be sufficiently progressed so that it could be constructed with the information produced to that point. Once the Developer has provided TC with the Stage 2 report, the detailed design can be completed in line with recommendations.

### Stage 3

- 10.11** A Stage 3 RSA must be commissioned by the Developer just before or just after the issue of the Practical Completion Certificate depending upon what is most appropriate. The timing will be dictated by the earliest opportunity to observe actual road user behaviour.
- 10.12** On occasions it may be necessary to carry out an RSA before the road is (re)opened to traffic, so that any identified issues can be addressed prior to (re)opening. The need for this will be discussed with the Developer and should be included in the Section 278 Agreement where possible.

### Stage 4

- 10.13** The Developer must commission a Stage 4 RSA just before or just after the issue of the Final Completion Certificate depending upon what is most appropriate. The RSA should take account of actual road user behaviour and the following data will be analysed:

- ✓ Locations at which personal injury collisions occurred;
- ✓ Personal injury collisions that appear to have similar causes or show common factors;
- ✓ How the scheme may have affected collision patterns and rates.



# BARNESLEY

Metropolitan Borough Council

Please complete using black ink in BLOCK capitals or type.

It is important that all sections of this form are completed as incorrect or missing information will delay the processing of your application. Please refer to the guidance notes for advice.

Before you can apply to enter into a Section 38 Agreement you must obtain full planning permission for the development from the Local Planning Authority this **must include** approval of all reserved matters relating to the highway works.

#### FOR OFFICE USE ONLY

|            |           |              |       |
|------------|-----------|--------------|-------|
| Officer:   |           | Recv'd Date: |       |
| Validated: |           |              |       |
| TCO/SAP    | Bond Calc | TCO Fee      | Legal |

## 1 Your Details

Applicant Name:

Registered Address:

Postcode:

Agent Name:

Agent Address:

Postcode:

Email:

Email:

Daytime Tel No:

Daytime Tel No:

## 2 Solicitor and Surety Details

Solicitor Name:

Surety Name:

Solicitor Address:

Registered Address:

Postcode:

Postcode:

Contact Name:

Contact Name:

Daytime Tel No:

Reference:

Email:

(or)

Reference:

Tick (✓) here if **No Surety is required** as a Cash Deposit will be placed with the Council.

## 3 Planning Application Details

Please note that until a valid planning permission has been obtained the Council will not be able to process an application for a Section 38 Agreement. If you are currently awaiting a decision on your planning application please contact the S38 officer via the email address at the end of this form.

Planning Application Reference:

Decision Date:

4

## Description of the Highway Works

Please provide an accurate, detailed description of the proposed highway works required as a result of the planning permission. (continue on a separate sheet of paper if necessary)

5

## Off-site Highway Works Ancillary Items

Modifications of the existing highway to form a junction or other amendments to the existing highway will require a S278 agreement, this can be a separate agreement or combined with the S38 Agreement, please indicate in the following section if your proposed development involves the following matters:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Waiting / Loading Restrictions | <input type="checkbox"/> Resident's Permit Parking Zones | <input type="checkbox"/> Vehicular Access Restrictions |
| <input type="checkbox"/> Speed Limit modifications      | <input type="checkbox"/> Creation of New Highway         | <input type="checkbox"/> Widening of Existing Highway  |
| <input type="checkbox"/> Bus Shelters/Canopies          |  |  |

6

## Statutory Undertakers' Diversions

Please indicate below if the Highway Works will require diversion of any statutory undertakers' plant or equipment. Please also indicate if these costs are Preliminary Estimated values and whether or not the costs have been paid to the respective body.

|                              | Affected?                | Diversion Cost | Tick (✓) to indicate |       |                                |
|------------------------------|--------------------------|----------------|----------------------|-------|--------------------------------|
| Virgin Media / Cable Company | <input type="checkbox"/> | £              | Estimated            | Final | Paid <input type="checkbox"/>  |
| British Telecom              | <input type="checkbox"/> | £              | Estimated            | Final | Paid: <input type="checkbox"/> |
| Yorkshire Electricity        | <input type="checkbox"/> | £              | Estimated            | Final | Paid: <input type="checkbox"/> |
| Yorkshire Water (Mains)      | <input type="checkbox"/> | £              | Estimated            | Final | Paid: <input type="checkbox"/> |
| Yorkshire Water (Foul)       | <input type="checkbox"/> | £              | Estimated            | Final | Paid: <input type="checkbox"/> |
| Northern Gas Networks        | <input type="checkbox"/> | £              | Estimated            | Final | Paid: <input type="checkbox"/> |
| Other (specify _____)        | <input type="checkbox"/> | £              | Estimated            | Final | Paid: <input type="checkbox"/> |

7

## Creation, or modification of Highway Assets

Please indicate if your off-site highway works will require **modification**, or **creation** of a new highways assets by ticking (✓) below.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Modification of Street Lighting   | <input type="checkbox"/> Modification of Traffic Signals                                 | <input type="checkbox"/> Modification of Highway Structures |
| <input type="checkbox"/> New Street lighting equipment   | <input type="checkbox"/> New Traffic Signals   | <input type="checkbox"/> New Highway Structures             |
| <input type="checkbox"/> Modification of Road Signing (other than TRO signing) (e.g. ADS, VMS Signs) | <input type="checkbox"/> New Road Signing (other than TRO signing) (e.g. ADS, VMS Signs) |   |

Please provide details of the proposals indicated above



Sustainable Urban Drainage  
Solution

Please give details of your SUDS solution:

8

## Plans and supporting information

Please specify plans/details that have been submitted in support of this application. Failure to include information in the following section may result in your application not being validated for processing and a request for additional information being issued by the Council. **If you are submitting electronic PDF copies of the plans/details please indicate this by ticking (✓) the electronic submission box below.**

- I am making an **electronic submission** and PDF versions of the supporting information have been supplied.
- \*  Full set of drawings including long sections, cross sections, drainage and construction details.
- \*  A RED line site boundary (not less than 1:500) showing the area of the development.
- \*  Indicative layout of the off-site Highway Works to be delivered (not less than 1:500)
- \*  Plan of the new highway to be adopted (Scale 1:200 or 1:500 only)
- \*  Proof of land title. (and address of landowner if different to applicant) Land Registry Numbers:
- \*  £2,500 Application Fee

### PLEASE NOTE:

\* indicates mandatory attachments to ensure validation of application. Failure to submit these items will invalidate your application and this will be returned to you unprocessed.

9

## Programme Information

Please provide details of any programming constraints or deadlines which you are aware of at this time.

## Declaration Undertaking

In recognition that an Agreement under Section 38 and Section 278 of the Highways Act 1980 ("the 1980 Act") will be required by the Council to facilitate works in the existing highway for the special benefit of the Applicant or his/her adjacent development ("the Section 38 Agreement") the Applicant is required to pay the Council's legal costs in connection with the Agreement.

In consideration of the agreement by the Council to negotiate the Agreement I/we undertake to pay the Council's reasonable costs in preparation and negotiation of the Agreement whether or not the Agreement is completed by me/us. If I/we withdraw from the planning permission for the above development I/we shall pay the reasonable costs of the Council incurred to the date of that withdrawal as notified by the Council. If the Section 38 Agreement has not been completed by a date 3 months after the date of this Undertaking I/we will be deemed to have withdrawn from negotiations and upon a request in writing I/we shall pay to the Council their reasonable legal costs incurred up to and including that date.

I/we understand that any agreement as the payment of legal costs contained in the completed Section 38 Agreement will take precedence over this Undertaking.

|                     |                   |
|---------------------|-------------------|
| Signed (Applicant): | Signed (witness): |
| Name:               | Name:             |
| Address:            | Address:          |
| Date:               | Date:             |

**Please return two copies of the completed form, plans and supporting information to (or submit electronically via email):**

Highway Development Control, Regeneration and Property, Place Directorate, 1 Westgate, Barnsley, S70 2DR  
Tel: (01226) 772078  
highwaysS38@barnsley.gov.uk

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## Supplementary Planning Document: Section 278 Agreement

### 1. About This Guidance

- 1.1** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a ‘material’ consideration when planning applications are decided.
- 1.2** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.
- 1.3** This Supplementary Planning Document provides guidance on the Section 278 agreement process. This is linked to Local Plan policy T4 in respect of making sure development is carried out safely.

#### **Policy T4 New development and Transport Safety**

- 1.4** New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.
- 1.5** If a development is not suitably served by the existing highway, or would create or add to problems of safety or the efficiency of the highway or any adjoining rail infrastructure for users, we will expect developers to take mitigating action or to make a financial contribution to make sure the necessary improvements go ahead. Any contributions will be secured through a planning obligation or planning condition.

## Supplementary Planning Document: Section 278 Agreement

### 2. Introduction

- 2.1** Section 278 of the Highways Act 1980 enables a highway authority to enter into an agreement (S278 Agreement) with a third party to deliver improvements to the existing public highway. A S278 Agreement is usually necessary where planning permission has been granted for a development that requires improvements, or changes, to the existing publicly maintained highway.
- 2.2** Section 278 of the Highways Act 1980 (as amended by New Roads and Street Works Act 1991) can be found at <https://www.legislation.gov.uk/ukpga/1980/66/section/278> to contain the following:-

#### **278 — Agreements as to execution of works.**

- 1) A highway authority may, if they are satisfied it will be of benefit to the public, enter into an agreement with any person:
  - a) For the execution by the authority of any works which the authority are or may be authorised to execute, or
  - b) For the execution by the authority of such works incorporating particular modifications, additions or features, or at a particular time or in a particular manner, on terms that that person pays the whole or such part of the cost of the works as may be specified in or determined in accordance with the agreement.
- 2) Without prejudice to the generality of the reference in subsection (1) to the cost of the works, that reference shall be taken to include:
  - a) The whole of the costs incurred by the highway authority in or in connection with:
    - i) The making of the agreement,
    - ii) The making or confirmation of any scheme or order required for the purposes of the works,
    - iii) The granting of any authorisation, permission or consent required for the purposes of the works, and
    - iv) The acquisition by the authority of any land required for the purposes of the works; and
  - b) All relevant administrative expenses of the highway authority, including an appropriate sum in respect of general staff costs and overheads.

## Supplementary Planning Document: Section 278 Agreement

- 3) The agreement may also provide for the making to the highway authority of payments in respect of the maintenance of the works to which the agreement relates and may contain such incidental and consequential provisions as appear to the highway authority to be necessary or expedient for the purposes of the agreement.
- 4) The fact that works are to be executed in pursuance of an agreement under this section does not affect the power of the authority to acquire land, by agreement or compulsorily, for the purposes of the works.
- 5) If any amount due to a highway authority in pursuance of an agreement under this section is not paid in accordance with the agreement, the authority may:
  - a) Direct that any means of access or other facility afforded by the works to which the agreement relates shall not be used until that amount has been paid,
  - b) Recover that amount from any person having an estate or interest in any land for the benefit of which any such means of access or other facility is afforded, and
  - c) Declare that amount to be a charge on any such land (identifying it) and on all estates and interests therein.
- 6) If it appears to the highway authority that a direction under subsection (5)(a) is not being complied with, the authority may execute such works as are necessary to stop up the means of access or deny the facility, as the case may be, and may for that purpose enter any land.
- 7) Where a highway authority recovers an amount from a person by virtue of subsection (5)(b), he may in turn recover from any other person having an estate or interest in land for the benefit of which the means of access or other facility was afforded such contribution as may be found by the court to be just and equitable. This does not affect the right of any of those persons to recover from the person liable under the agreement the amount which they are made to pay.
- 8) (8) The Local Land Charges Act 1975 applies in relation to a charge under subsection (5)(c) in favour of the Secretary of State as in relation to a charge in favour of a local authority.

The purpose of this document is to guide developers through the S278 Agreement process and ensure that highway works are delivered to the satisfaction of all parties. The guide outlines what Developers and the Council can expect from each other.

## Supplementary Planning Document: Section 278 Agreement

**2.3** A S278 agreement typically deals with things such as:

- new junctions, with or without traffic lights;
- roundabouts;
- right turn lanes
- improved facilities for pedestrians and cyclists;
- improvements to existing junctions;
- traffic calming measures;
- widened carriageway and/or footway
- changes to existing or introduction of new traffic restrictions

**2.4** The public highway is an asset which is maintained at the public expense. The Council, as the Highway Authority, has a statutory duty to ensure the highway is in a safe condition for the public to use. Therefore any works which interfere with the highway must be properly regulated. The developer will be responsible for funding the full costs of the works, including the design, commissioning any required safety audits, the costs of any land acquisitions, site inspections by the Highways Officer, the Council's legal fees, a contribution towards the increased maintenance liability of the Council as a consequence of the works, all statutory undertakers notifications, and the costs of any works to stats apparatus. The developer will also need to provide a bond to guarantee the carrying out of the developers obligations, have suitable public liability insurance and indemnify the Council against any costs claims or actions against it as a consequence of the works.

**2.5** There are 2 ways in which the s278 works can be carried out:

1. The Council elects and authorizes the developer to carry the works out itself via an approved contractor, or
2. The Developer requests the Council to carry out the works for the Developer

### **3. Section 278 Agreement Procedure**

- 3.1** The Developer is to notify the Council of a requirement for work in the existing highway as part of the planning conditions for a development.
- 3.2** The Council will check the planning conditions and provisionally advise the Developer if works are required under a S278 Agreement.
- 3.3** The council undertake the construction of the S278 works unless they offer the developer the option to use a contractor of their choice. This will be discussed at application stage.
- 3.4** The Developer will be issued with an application form requesting information necessary for the drafting of a S278 Agreement. (Copy of the application form is attached at Appendix 1).
- 3.5** The Developer is to fill in the forms as far as possible and return them to the Council.
- 3.6** An application fee of £2,500 is payable when submitting the application form. This fee will be not be returned if the scheme is aborted.

## Supplementary Planning Document: Section 278 Agreement

- 3.7** The Council will send a draft of the S278 Agreement to the developer's solicitor for approval.
- 3.8** The Developer shall notify the Council of the identity of the Designer they propose to appoint for the works. The Council shall approve the Designer prior to the commencement of any design work. In order to obtain approval, the Designer shall provide three satisfactory references for works of a similar nature to that proposed.
- 3.9** The Council can (in some circumstances) design the works for the Developer. The Council can provide details of fee charges on request.
- 3.10** The Developer is to submit drawings and specifications for the Section 278 works. These drawings and specifications should provide all the technical information necessary to construct the works. The Council shall check the details provided and inform the Designer and Developer as to whether or not they are satisfactory. In the event of the design being unsatisfactory, the Council shall notify the Developer of any additional information required along with advice with regards to details that require revision, amplification or deletion. The process of design submission and checking shall continue until the Council is satisfied that the design satisfies the requirements of the relevant planning conditions and provides sufficient technical information to allow the works to be constructed.
- 3.11** The Developer shall also submit a plan showing the extent of land in his ownership. This plan should ideally be a copy of a Land Registry drawing. The Developer shall also submit a plan showing the development site with the planning consent boundary edged in red and the extent of any land to be dedicated as highway edged in blue.
- 3.12** Upon approval of the drawings and specifications, the Developer shall submit a cost estimate for the section 278 works for the Council's approval. The Council shall assess and approve the estimate once it is satisfied that the estimate accurately reflects the cost of the works.
- 3.13** The approved estimate shall form the basis of the calculation of the Council's design checking and supervision fee for the works. The design checking and supervision fee will be 8.5% of the bond required for the scheme. In the event of the supervision fee being exceeded, the Council will notify the Developer and will request payment of any additional costs that it incurs.
- 3.14** The Council will advise the Developer as to the requirements for safety audits for each scheme. The Developer is responsible for ordering and paying for the audits. The Developer shall supply copies of the Audit reports to the Council and ensure that any recommendations re incorporated into the design except when instructed not to do so by the Council.
- 3.15** In the event of Traffic Regulation Orders (TROs) being required for the scheme, the Council shall carry out the necessary procedures and the Developer shall pay for the services provided. The cost of a Traffic Regulation order varies but it is generally in the order of £4000. The Council's Traffic Engineer will set the exact figure for the TRO. The TRO costs must be paid on completion of the S278 Agreement. Please note the contact the traffic team as early as possible to establish timescales due to workload and consultation for all TRO's.

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- 3.16** The Developer shall pay the Council's legal fees for drawing up the S278 Agreements currently £1,000.00 unless the matter is particularly complex, in which case the Council will notify the Developer of the fee to be charged.
- 3.17** If the scheme involves the installation of traffic signals, signalised pedestrian crossings, zebra crossings, retaining walls, flow control devices, flow attenuation tanks or soakaways, the Developer will be required to pay a commuted sum for future maintenance of the installations for an agreed number of years. Other facilities and installations may attract commuted sum if they were only required as a result of the Developers' works. Requirements for commuted sums shall be set out in the S278 Agreement.
- 3.18** The Developer (or Designer) shall liaise with the Council's Street Lighting section with regard to any lighting issues associated with the Section 278 works.
- 3.19** The Developer is responsible for liaising with Statutory Undertakers and shall make all arrangements and pay for all service diversions or protective measures that are required for the Section 278 works. All statutory undertakers' protection and diversion costs are to be identified prior to the completion of the S278 Agreement.
- 3.20** The Developer will be required to provide a bond in the sum of 100% of the estimated cost of the section 278 works plus the cost of any necessary diversion and/or protection works required by statutory undertakers. The bond and any commuted sums is to be provided prior to the commencement of the works. A bond is not required if the works are constructed by the Council's Engineering Services. The bond may be a cash bond or it may be provided by a reputable bank or other financial institution which has been approved by the Council.
- 3.21** The Developer shall supply details of the Contractor they propose to use to construct the works. The Contractor will be required to be accredited under the Contractors Health and Safety Assessment Scheme (CHAS). Details of CHAS can be obtained at <https://www.chas.co.uk/>. The Contractor will also be required to produce three acceptable technical references (preferably from other local authorities) for work carried out in live highways. The Contractor shall be approved by the Council if these conditions are met.
- 3.22** No section 278 work is to commence in the public highway until the S278 Agreement is completed. The Developer must pay the supervision fee to the Council before the commencement of any work.
- 3.23** The S278 Agreement may also include provisions relating to the approval of contractors, programmes and traffic management arrangements. Any such requirements shall also be met prior to the commencement of any work.
- 3.24** The Developer or his contractor should keep any local residents or businesses, affected by the Section 278 works, informed of his proposals by carrying out a letter drop before works commence
- 3.25** The Developer should be aware that entering into a S278 Agreement does not relieve him of any obligations under the Traffic Management Act.

## Supplementary Planning Document: Section 278 Agreement

- 3.26** The Council shall supervise the quality of the on-site work. It should be emphasised that the Council is only concerned that the works are built in accordance with the details in the S278 Agreement or such variations as may be agreed. The Council shall communicate only with the Developer (or appointed agent) and will not instruct the Contractor.
- 3.27** Upon the satisfactory completion of the work, the Council shall issue a completion certificate to the Developer. The effect of the completion certificate will be to reduce the bond sum to 10% of its original value. The Developer should notify the bond provider. If a cash bond has been provided 90 % of the original value will be refunded to the Developer.
- 3.28** A maintenance period of one year will commence from the date of the completion certificate. Shortly before the expiration of the maintenance period, the Developer should request an inspection of the works. The Council's Highways Officer will arrange an inspection and give the Developer a list of any defects to be rectified. Upon the satisfactory completion of any remedial works, the Council shall issue a final certificate. The remaining 10% of the bond shall be released at this stage. The Developer shall not discharge the Contractor from his obligations until the Council issues the final certificate.
- 3.29** The Developer must pay the costs which the Council incurs in the preparation, completion and administration of the S278 Agreement, which will include the following:
- Preparing, executing and managing the Agreement;
  - Design Checks;
  - Technical Approval including Structures; and
  - Inspecting the works on site.
- 3.30** Separate charges by third parties undertaking design, will be submitted to the Developer by the Council, including:
- Traffic Regulation Orders;
  - Street Lighting;
  - Soft Landscaping;
  - Traffic Signals.
- 3.31** The Highways England's Guide, which establishes the general approach to the S278 process and the most common mechanism for procuring works associated with the Strategic Road Network. In particular, Paragraphs 131 – 142 cover third party funding agreements including S278 Agreements. Where possible, in situations where the S278 involves both Highways England and the Local Highway authority, a single agreement will be proposed with both bodies working collaboratively on the agreed mitigation. As such, it is recommended that developers contact the relevant Highways England regional planning team for further information regarding third party funding for highways mitigation.

### Section 38 Works

- 3.32** It may be necessary in some instances to create new highway for adoption. Where this is required, the works will be subject to either (a) a separate agreement under the provisions of Section 38 of the Highways Act 1980, or (b) a combined Section 278 and Section 38 Agreement depending on the scale and nature of the works involved. Further information

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about Section 38 Agreements can be found in the Planning Advice Note “Section 38 Agreements – Developer Guidance” document.

### **Developer Responsibility**

- 3.33** Before the S278 Agreement can be signed, the Developer must provide written proof to the Council that the Health and Safety Executive (HSE) has been informed that they are the Client for the highway works in accordance with the Construction (Design and Management) Regulations 2015 (CDM 2015) for all notifiable works. The Developer must inform the Council when they have appointed a Principal Designer for the project. The Developer must commission an external Road Safety Auditor, whose competence shall be demonstrated to the Council, and the same auditor should be retained for all subsequent audit stages.

### **Notices, Permits, Licences & Other Agreements**

- 3.34** Where it is proposed to carry out any work on the public highway the Developer may need a number of other consents, namely:

#### **(a) Permit Scheme Notice (Traffic Management Act 2004 – Part 3) [TMA]**

- 3.35** The Developer will need to apply to the Council for a permit to undertake any works on the Adopted Highway in advance of the works starting. This is required to ensure that the Council can identify causes, or potential causes, of road congestion or other disruption to the movement of traffic on their road network, including the management of its own works for road purposes.

- 3.36** The advance notice period varies due to the size, scope and duration of the activities being undertaken. The main activity designations are:

- Major Activities
  - Activity duration (11 days or more);
  - initial notice period (3 months for Provisional Advance Authorisation); and
  - permit application (10 days before starting on site)
- Standard Activities
  - Activity duration (4 to 10 days); and
  - Notice period (10 days before starting on site).
- Minor Activities
  - Activity duration (3 days or less); and
  - Notice period (3 days before starting on site).
- Immediate Activities
  - Activity definition – emergency; and
  - Notice period (within 2 hours with explanation why).

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**(b) Section 171 Licence (Highways Act 1980) [S171]**

- 3.37** Before any works are carried out on or adjacent to the Adopted Highway the Developer is required to obtain a licence from the Council (section 171 Licence) This licence permits the Developer and his contractors to undertake works on or adjacent to the highway with the approval of the Council acting as the Highway Authority. [add a link to the form of licence application form and fees – contact number]

**Temporary Traffic Restrictions**

- 3.38** If it is necessary to close the Adopted Highway or introduce a speed limit or other restriction temporarily to enable the works to be carried out safely the Developer must make a separate application to the Council for a Temporary Traffic Regulation Order (TTRO). Note the traffic team need a minimum of 6 weeks' notice. For further information regarding the form and fee, visit the following address: <https://www.barnsley.gov.uk/services/roads-travel-and-parking/roadworks-and-road-maintenance/apply-to-close-a-road/>.

**(c) Section 184 Licence (Highways Act 1980) [S184]**

- 3.39** If a Developer requires the construction of a new site access, or requires alterations to an existing site access in advance of the main works under a S278 or S38 Agreement, the Developer must obtain prior approval of the Council under section 184 of the Highways Act 1980. The scope of these works may, in some instances, be extended to cover other minor works like re-positioning a road gully or a street lighting column.
- 3.40** The Council will check the Developer's design and inspect the S184 works. The Developer will pay the Council costs for the administration of the agreement, legal services, technical approval, site inspections and issue of certificate.
- 3.41** A S184 Agreement is appropriate where a developer intends to construct an access on to the Adopted Highway of a higher specification than a simple dropped footway or verge crossing, such as "bell mouth" junctions or heavy duty industrial types of access - and that such works are the only works required within the highway to enable a development.

**(d) Section 50 Licence (New Roads & Street Works Act 1991) [NRASWA]**

- 3.42** If a development requires works within the Adopted Highway to excavate, or break through it to work on or install new apparatus, the Developer must apply to the Council for a Section 50 Licence (NRASWA).
- 3.43** When applying for a Section 50 Licence (S50) the Developer must be aware of the following:
- Those granted a S50 Licence become "works undertakers" (for the purposes of NRASWA), and because of that take on responsibility for carrying out the duties and responsibilities imposed by the Act and its associated Codes of Practice.
  - If the Developer is unfamiliar with the NRASWA requirements they must appoint a contractor with the proper knowledge and accreditation, who can ensure that the

## Supplementary Planning Document: Section 278 Agreement

works are conducted properly. An appointed contractor lacking the proper knowledge or accreditation will not be allowed to work within the Adopted Highway.

- Within NRASWA, as the licence holder the Developer may incur financial penalties if they do not meet the necessary statutory duties and licence conditions. This liability cannot be delegated to any other person or organisation.
- The requirement to get a S50 Licence applies to any person or organisation (other than anyone acting under a statutory right) who wishes to place, retain and subsequently inspect, maintain, adjust, repair, alter, or renew apparatus or change its position, or remove it from the highway. This includes drains, cables, ducts, sewer pipes, water and gas pipes under, over, across, along, or upon the Adopted Highway.
- The Developer must apply for a S50 Licence prior to the proposed works start. The guidance given here does not describe all the requirements of the licence.

### **(e) Section 58 Notice (New Roads & Street Works Act 1991) [S58, NRASWA]**

**This notice is required to ensure that:**

- Recently resurfaced or reconstructed streets will not be affected by subsequent activities and works undertaken by others; and,
- Activities in the same street or immediate area which may conflict are not carried out at or within a short period time of each other.

**3.44** The Council will on behalf of the Developer in advance of any proposed works on the Adopted Highway give the relevant notice to all Statutory Undertakers in advance of any proposed works on particular streets. Notification should be submitted as soon as the scope of the required S278 works is known. The longer the notice period the more likely any programmed statutory undertakers works can be accommodated to suit the Developer's programme of delivery.

**3.45** The period of time from the completion of the works when other works cannot be undertaken depends upon the classification of the street and its traffic sensitivity designation.

### **Finance**

#### **Bond**

**3.46** The Developer is required to provide a bond in favour of the Council which is sufficient to cover the cost of the S278 highway works, and any Commuted sums. This Bond ensures that the Council (the public purse) does not incur any costs in the event the Developer defaults on their obligations.

## Supplementary Planning Document: Section 278 Agreement

- 3.47** In the event of default the Council can call-in bond and use the monies to complete the works itself recover it fees and charges and any commuted sums to cover future maintenance costs.
- 3.48** The bond usually forms part of the standard form of S38 Agreement. In cases where it is done as a separate document, this must be completed at the same time as the Section 38 Agreement.
- 3.49** The S278 Agreement and bond must be completed and the relevant fees paid to the Council prior to any works commencing on site.

### **Commutted Sums**

- 3.50** Commuted Sums are necessary when any development increases the Council's future maintenance liability. Typical circumstances where this may occur are:
- Maintenance costs for any construction that is not required for the safe and satisfactory functioning of the Adopted Highway (including alterations to the existing highway which are only required to serve the development) with no general benefits;
  - Maintenance costs for additional features, such as highway structures, additional street lighting, traffic signal installations, non-essential street furniture/ fencing/walls, public transport infrastructure and landscaping;
  - Additional maintenance costs for permitted alternative materials and features, for example, higher quality paving materials, bespoke street furniture, exceeding the Council's standard specification, and
  - Provision of SUDS (such as flow-attenuation devices, swales and storage areas). Developers should discuss their requirements with the Council, ideally during pre-planning application discussions, in advance of a formal Planning Application being submitted. The Commuted Sums schedules have been calculated on the date shown and need to be index linked to the date of the S278 Agreement.

### **Highway Design – By External Consultants**

- 3.51** Developers have access to the Council's "South Yorkshire Residential Design Guidance" document and our 'Specification of Construction Materials and Standard Construction Details' document. The Developer shall ensure that S278 highway works are designed in accordance with this document to ensure proposals are acceptable to the Council.
- 3.52** The Developer must provide their external designer's details to the Council to determine the external consultant's relevant experience and capability. The information provided must be detailed enough to allow designer competency to be assessed. The Council will write to the Developer confirming the external consultant's acceptability. The Council will meet with the Developer's designer to determine whether consultation will be necessary and the information required from the Designer to allow this to happen. The Designer must provide sufficient information to the Council to allow the consultation to commence. The design

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must be carried out in accordance with the S278 Agreement timescales. Where the Council consults on design issues, the Developer will be provided with:

- Consultation Programme;
- Consultation Outcomes; and
- Consultation impacts on scope of S278 works.

**3.53** On the completion of the detailed design the Developer must commission a Road Safety Audit Stage 2 in accordance with S278 Agreement. If the design needs modification to accommodate the recommendations set out in the Audit, then the Designer will provide the Developer with the impact upon the programme and cost implications of the required modifications. On completion of the detailed design the Designer shall provide the information to the Council who will undertake a formal Design Check. Details of design modifications required by the Council will be provided to the Designer. Once all modifications have been addressed, the Council will write to the Designer accepting the Detailed Design.

### Highway Structures Design

**3.54** If the development includes a structure where any of the following apply:

- Where the structure will be offered up for adoption;
- Where the structure supports or is supported by the Adopted Highway.

Then structural details must be submitted to the Council for Technical Approval.

### Street Lighting Design

**3.55** The street lighting works required to illuminate the Adopted Highway must be designed, installed and commissioned by the Council.

**3.56** This delivery mechanism will be included within the S278 Agreement. The Council will undertake the street lighting design and liaise with the developer during this process.

### Traffic Signals Design

**3.57** Where traffic signals are required, the design will be undertaken by the Council's Traffic Signals Group.

### Construction

#### General

**3.58** **The Council will not permit** any works to commence on the Adopted Highway until the following processes and procedures have been completed:

- All Statutory Procedures;
- All non-statutory consultation processes completed;
- Technical Approval given for structure(s) within/abutting highway works;
- All Design Checks satisfactorily completed (for designs by others);

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- Road Safety Audits (reports submitted up to and including Stage 2);
- All necessary fees/payments made to the Council;
- Section 278 Agreement signed;
- Bond has been provided;
- Written confirmation that Developer has contacted the Health and Safety Executive where applicable;
- All pre-construction details required.

- 3.59** The Council will give the Developer approval to commence the highway works, and agree a construction programme with the Developer that balances the needs of stakeholders, local businesses and residents. The Council will issue a Completion Certificate to the Developer's Contractor on agreement that highway construction works are substantially complete. The Completion Certificate will not be issued if the actual tie-in levels between the development and the publicly maintained highway result in the Council's highway design standards being compromised. The Developer is responsible for any remedial works. The 12 Month Maintenance Period starts from date of issue of the Completion Certificate. The Council will issue a Final Certificate to the Contractor at the end of the maintenance period subject to the Contractor correcting any outstanding defects. The issue of the Completion Certificate and the Final Certificate has implications for the Developer with regard to maintenance and fulfilling their planning obligations. The implications vary depending upon the procurement route adopted.
- 3.581** Any resurfacing of the existing highway must be the minimum width to the centre line. No patches or shorts strips will be accepted. The extent of the sur be agreed at application stage.

### Construction – Street Lighting

- 3.60** All Traffic Signal works will be designed, installed, configured and commissioned by The Council's Traffic Signals Group (TSG) and paid for by the Developer. The supply and installation of the traffic signals works will be undertaken to fit in with the development's construction programme.
- 3.61** BMBC must be allowed access to the site when necessary at all reasonable times to install cables, ducts, poles or other apparatus associated with the installation.

### Construction – Road Safety Audit

- 3.62** On completion of the highway works the Developer must commission a Road Safety Audit Stage 3, and the report's recommendations must be considered by the Developer, Designer and the Council. Any modification to the highway works must be undertaken as part of the remedial ("snagging") works within the 12 Month Maintenance Period.
- 3.63** On completion of the 12 Month Maintenance Period the Developer must commission a Road Safety Audit Stage 4, and the report's recommendations must be considered. HLS Procurement Route by the Developer, Designer and TC (see Section 10). Modification to the highway works must be undertaken prior to the issue of the Final Certificate.

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### Highway Planning Obligations

- 3.64** A Developer may have highway-related Planning Conditions on their Decision Notice that need to be discharged by the Local Planning Authority. A Planning Condition for example may say:

“Notwithstanding the submitted plans, the development shall not commence until details of traffic calming measures along West Avenue have been submitted to and approved by the Local Planning Authority. Thereafter the development shall not be occupied until these works have been implemented in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with Policy T3 of the Local Plan”

### Health and Safety

- 3.65** Before the S278 Agreement can be signed, the Developer must provide written proof to the Council that the Developer has informed the Health and Safety Executive (HSE) that they are the Client for the highway works if the works are notifiable in accordance with the Construction (Design & Management) Regulations 2015 (CDM 2015).
- 3.66** The Developer must ensure compliance with the CDM Regulations and indemnify the Council against claims, liabilities and actions.
- 3.67** The Developer must provide the Council with an electronic copy of the Health and Safety File on completion of the highway works. This must comply with CDM 2015 requirements.
- 3.68** The Bond will not be released until the Health and Safety File has been provided to the Council.

### Road Safety Audit

#### Definition

- 3.69** A Road Safety Audit (RSA) is the staged evaluation of changes to the highway during design, construction and operation. It looks to identify potential safety hazards that may affect any road user.
- Stages 1 and 2 evaluate the design;
  - Stage 3 is carried out as soon as possible after measures become operational; and
  - Stage 4 is carried out approximately 12 months after the measures became operational.
- 3.70** A RSA considers the road safety implications of all measures and their impact on the highway network – the effects on all road users are considered. Particular attention is paid to the effects on vulnerable groups, for example the very young, the elderly, people with a disability and more generally pedestrians, cyclists and riders of powered two-wheeled vehicles.

## Supplementary Planning Document: Section 278 Agreement

- 3.71** A RSA may be applicable to a particular junction or section of the network. However, it is important that the road safety implications of the measures being proposed are considered, along with any impact on adjacent or other parts of the network.
- 3.72** A RSA does not consider non-road safety related issues and is not a technical check. However, in order to clearly explain a safety problem or make a recommendation to resolve a problem, the audit may make reference to a design standard.
- 3.73** A RSA is not to be used:
- As a means of selecting between various design options under consideration;
  - To query why other measures are not being proposed; nor
  - To comment on the effectiveness of the proposals where there are no adverse safety implications.

### Audit Stages

- 3.74** A RSA shall be undertaken after the completion of four specific stages of project development, which are:

#### Stage 1

- 3.75** A Stage 1 RSA must be commissioned by the Developer as soon as possible after completion of the preliminary design. The design should be sufficiently progressed so that all significant features are clearly shown. This is likely to have been undertaken prior to defining the scope of the S278 works. The Developer will provide the Council with the Stage 1 report prior to the start of detailed design.

#### Stage 2

- 3.76** The Developer must commission a Stage 2 RSA upon substantial completion of the detailed design and before the preparation of works orders or tender documents. The design should be sufficiently progressed so that it could be constructed with the information produced to that point. Once the Developer has provided the Council with the Stage 2 report, the detailed design can be completed in line with recommendations.

#### Stage 3

- 3.77** A Stage 3 RSA must be commissioned by the Developer just before or just after the issue of the Practical Completion Certificate depending upon what is most appropriate. The timing will be dictated by the earliest opportunity to observe actual road user behaviour.
- 3.78** On occasions it may be necessary to carry out an RSA before the road is (re)opened to traffic, so that any identified issues can be addressed prior to (re)opening. The need for this will be discussed with the Developer and should be included in the Section 278 Agreement where possible.

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**Stage 4**

**3.79** The Developer must commission a Stage 4 RSA just before or just after the issue of the Final Completion Certificate depending upon what is most appropriate. The RSA should take account of actual road user behaviour and the following data will be analysed:

- Locations at which personal injury collisions occurred;
- Personal injury collisions that appear to have similar causes or show common factors;
- How the scheme may have affected collision patterns and rates.
  - A. Model S278 Agreement
  - B. TC Fees and Charges
  - C. Commuted Sums
  - D. Conditions of Completion
  - E. Client Roles & Responsibilities Under CDM 2015

## Supplementary Planning Document: Section 278 Agreement

**Appendix 1. S278 Application Form**

# BARNESLEY

Metropolitan Borough Council

Please complete using black ink in BLOCK capitals or type.

It is important that all sections of this form are completed as incorrect or missing information will delay the processing of your application. Please refer to the guidance notes for advice.

Before you can apply to enter into a Section 278 Agreement you must obtain full planning permission for the development from the Local Planning Authority this **must include** approval of all reserved matters relating to the highway works.

**FOR OFFICE USE ONLY**

|            |           |             |       |
|------------|-----------|-------------|-------|
| Officer:   |           | Rec'd Date: |       |
| Validated: |           |             |       |
| TCO/SAP    | Bond Calc | TCO Fee     | Legal |

**1 Your Details**

|                     |                 |
|---------------------|-----------------|
| Applicant Name:     | Agent Name:     |
| Registered Address: | Agent Address:  |
| Postcode:           | Postcode:       |
| Email:              | Email:          |
| Daytime Tel No:     | Daytime Tel No: |

**2 Solicitor and Surety Details**

|                    |   |
|--------------------|---|
| Solicitor Name:    | Surety Name:  |
| Solicitor Address: | Registered Address:   |
| Postcode:          | Postcode:   |
| Contact Name:      | Contact Name:   |
| Daytime Tel No:    | Reference:  |
| Email:             | (or)  |
| Reference:         | <input type="checkbox"/> Tick (✓) here if <b>No Surety is required</b> as a Cash Deposit will be placed with the Council. |

**3 Planning Application Details**

Please note that until a valid planning permission has been obtained the Council will not be able to process an application for a Section 278 Agreement. If you are currently awaiting a decision on your planning application please contact the Transportation Development Manager on the telephone number at the end of this form.

|                                 |                |
|---------------------------------|----------------|
| Planning Application Reference: | Decision Date: |
|---------------------------------|----------------|

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### **4 Description of the Highway Works**

Please provide an accurate, detailed description of the proposed highway works required as a result of the planning permission. (continue on a separate sheet of paper if necessary)

### **5 Off-site Highway Works Ancillary Items**

In addition to the schedule of principal quantities to be provided for the off-site highway works (see guidance notes) please indicate in the following section if your proposals involve any of the following matters:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Waiting / Loading Restrictions | <input type="checkbox"/> Resident's Permit Parking Zones | <input type="checkbox"/> Vehicular Access Restrictions |
| <input type="checkbox"/> Speed Limit modifications      | <input type="checkbox"/> Creation of New Highway         | <input type="checkbox"/> Widening of Existing Highway  |
| <input type="checkbox"/> Bus Shelters/Canopies          |  |  |

### **6 Statutory Undertakers' Diversions**

Please indicate below if the Highway Works will require diversion of any statutory undertakers' plant or equipment. Please also indicate if these costs are Preliminary Estimated values and whether or not the costs have been paid to the respective body.

|                              | Affected?                | Diversion Cost | Tick (✓) to indicate     |                          |                          |
|------------------------------|--------------------------|----------------|--------------------------|--------------------------|--------------------------|
|                              |                          | £              | Estimated                | Final                    | Paid                     |
| Virgin Media / Cable Company | <input type="checkbox"/> | £              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| British Telecom              | <input type="checkbox"/> | £              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Yorkshire Electricity        | <input type="checkbox"/> | £              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Yorkshire Water (Mains)      | <input type="checkbox"/> | £              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Yorkshire Water (Foul)       | <input type="checkbox"/> | £              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Northern Gas Networks        | <input type="checkbox"/> | £              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (specify _____)        | <input type="checkbox"/> | £              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

### **7 Creation, or modification of Highway Assets**

Please indicate if your off-site highway works will require **modification, or creation** of a new highways assets by ticking (✓) below.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Modification of Street Lighting   | <input type="checkbox"/> Modification of Traffic Signals                                 | <input type="checkbox"/> Modification of Highway Structures |
| <input type="checkbox"/> New Street lighting equipment   | <input type="checkbox"/> New Traffic Signals   | <input type="checkbox"/> New Highway Structures             |
| <input type="checkbox"/> Modification of Road Signing (other than TRO signing) (e.g. ADS, VMS Signs) | <input type="checkbox"/> New Road Signing (other than TRO signing) (e.g. ADS, VMS Signs) |   |

Please provide details of the proposals indicated above

## Supplementary Planning Document: Section 278 Agreement

Sustainable Urban Drainage  
Solution

Please give details of your SUDS solution:



8

**Plans and supporting information**

Please specify plans/details that have been submitted in support of this application. Failure to include information in the following section may result in your application not being validated for processing and a request for additional information being issued by the Council. If you are submitting electronic PDF copies of the plans/details please indicate this by ticking (✓) the electronic submission box below.

- I am making an **electronic submission** and PDF versions of the supporting information have been supplied.
- \*  A BLUE line boundary plan showing areas of private land to be dedicated to the Highway Authority as highway maintainable at public expense (not less than 1:500)
- \*  A RED line site boundary (not less than 1:500) showing the area of the development.
- \*  Indicative layout of the off-site Highway Works to be delivered as part of the Section 278 Agreement (not less than 1:500)
- Existing ground model survey and predicted traffic flows (only required if BMBC undertaking design)
- \*  Proof of land title. (and address of landowner if different to applicant)
- \*  A schedule of principal quantities/estimate for the works in accordance with the Method of Measurement for Highway Works
- \*  Application Fee £2,500

**PLEASE NOTE:**

\* indicates mandatory attachments to ensure validation of application. Failure to submit these items will invalidate your application and this will be returned to you unprocessed.

9

**Programme Information**

Please provide details of any programming constraints or deadlines which you are aware of at this time.

## Supplementary Planning Document: Section 278 Agreement

### 11 Declaration Undertaking

In recognition that an Agreement under Section 278 of the Highways Act 1980 ("the 1980 Act") will be required by the Council to facilitate works in the existing highway for the special benefit of the Applicant or his/her adjacent development ("the Section 278 Agreement") the Applicant is required to pay the Council's legal costs in connection with the Agreement.

In consideration of the agreement by the Council to negotiate the Section 278 Agreement I/we undertake to pay the Council's reasonable costs in preparation and negotiation of the Section 278 Agreement whether or not the Section 278 Agreement is completed by me/us. If I/we withdraw from the planning permission for the above development I/we shall pay the reasonable costs of the Council incurred to the date of that withdrawal as notified by the Council. If the Section 278 Agreement has not been completed by a date 3 months after the date of this Undertaking I/we will be deemed to have withdrawn from negotiations and upon a request in writing I/we shall pay to the Council their reasonable legal costs incurred up to and including that date.

I/we understand that any agreement as the payment of legal costs contained in the completed Section 278 Agreement will take precedence over this Undertaking.

|                     |
|---------------------|
| Signed (Applicant): |
|---------------------|

|       |
|-------|
| Name: |
|-------|

|          |
|----------|
| Address: |
|----------|

|       |
|-------|
| Date: |
|-------|

|                   |
|-------------------|
| Signed (witness): |
|-------------------|

|       |
|-------|
| Name: |
|-------|

|          |
|----------|
| Address: |
|----------|

|       |
|-------|
| Date: |
|-------|

Please return two copies of the completed form, plans and supporting information to (or submit electronically via email):  
Highway Development Control, Regeneration and Property, Place Directorate, 1 Westgate, Barnsley, S70 2DR  
Tel: (01226) 772078  
highwaysS278@barnsley.gov.uk

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## Supplementary Planning Document: Sustainable Travel

### 1. About this guidance

- 1.1** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a ‘material’ consideration when planning applications are decided.
- 1.2** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

### 2. Introduction

- 2.1** The spatial strategy in the Local Plan seeks to locate development in the most sustainable locations. The settlement pattern within the Borough, the location of rail and road networks, public transport and environmental constraints all limit the number of reasonable alternative strategies, therefore the spatial strategy in the Local Plan is considered to be the most appropriate. Better connectivity, affordable and inclusive travel including walking and cycling, a cleaner environment and a healthier population are the key outcomes sought through the Barnsley Transport Strategy, Sheffield City Region Transport Strategy and various existing and emerging SCR plans. The Local Plan’s spatial strategy focuses development in locations with good access to public transport or where networks can be easily extended. The Accessibility Improvement Zone in the east of the Borough is a focus for transport investment to improve connectivity and support economic growth. However it is recognised that development in the areas where development is to be focused will put pressure on existing transport infrastructure and create the need for new infrastructure that secures behavioural change so that public transport and active travel can increase.
- 2.2** Where levels of accessibility through public transport, cycling and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with policy I1. Section 4 of this document sets out the starting point for establishing when contributions are required.

## Supplementary Planning Document: Sustainable Travel

### 3. Policy

- 3.1** This Supplementary Planning Document (SPD) primarily supplements Local Plan Policies T1 Accessibility Priorities, T3 New Development and Sustainable Travel and I1 Infrastructure and Planning Obligations:

#### Policy T1 Accessibility Priorities

**Working with city region partners and other stakeholders transport investment will be set out in Transport Strategy programmes focused on development-transport corridors as shown in the Accessibility Priorities diagram below to:**

- A. Improve sustainable transport and circulation in the Accessibility Improvement Zone (AIZ) area particularly between Principal Towns.**
- B. Implement transport network improvements as supported by evidence from modelling, feasibility studies, consultation, surveys, community engagement etc.**
- C. Facilitate sustainable transport links to and from existing and proposed employment, interchange, community and leisure and tourism facilities in the borough, including provision for car parking and enhancing the non car role of the transport corridor shown on the Accessibility Priorities diagram as 'potential enhanced road based public transport corridor'.**
- D. Promote high quality public transport linking the AIZ to significant places of business, employment and national / international interchange in the Leeds - Sheffield City Region corridor including neighbouring Wakefield, Kirklees, Doncaster, Sheffield and Rotherham.**
- E. Improve direct public transport and freight links to London, Manchester, other Core Cities, national / international interchanges and the Humber ports.**

#### Policy T3 New Development and Sustainable Travel

**New development will be expected to:**

- ✓ Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists;
- ✓ Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document;
- ✓ Provide a transport statement or assessment in line with guidance set out in the National Planning Policy Framework including where appropriate having regard for cross boundary local authority liaison; and
- ✓ Provide a travel plan statement or a travel plan in accordance with guidance set out in the National Planning Policy Framework including where appropriate having regard for cross boundary local authority liaison. Travel plans will be secured through a planning obligation or a planning condition.

## Supplementary Planning Document: Sustainable Travel

**Where levels of accessibility through public transport, cycling and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with policy I1.**

**If it is not possible or appropriate for the minimum amount of parking for cycles, motorbikes, scooters and mopeds to be met on site, the developer must provide, or contribute towards, off-site parking, or improve or provide other forms of travel.**

### **Policy I1 Infrastructure and Planning Obligations**

**Development must be supported by appropriate physical, social, economic and communications infrastructure, including provision for broadband.**

**Development must contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily.**

**Where the necessary provision is not made directly by the developer, contributions will be secured through planning obligations.**

**Where appropriate, pooled contributions will be used to facilitate delivery of the necessary infrastructure.**

- 3.2** The objective of this SPD is to ensure that the accessibility of new development via public transport, walking and cycling is acceptable in order to promote sustainable transport and active travel and where possible enhance the safety, efficiency and sustainability of the transport network to meet Barnsley MBC's economic, health and air quality aspirations. This document also supports the Council's 'Zero to 40' Climate Change strategy. Reference should be given to the parking guidance in *BMBC Parking SPD*, the BMBC Planning Obligations SPD, the *Sheffield City Region (SCR)* and *Barnsley Transport Strategies*, as well as the *Barnsley Active Travel, Public Health Strategies and Air Quality Action Plan*.
- 3.3** All sustainable travel schemes sought through this SPD will be expected to cater for the needs of disabled people and meet current regulations and standards including Building Regulations, Equalities Act, relevant British Standards and the South Yorkshire Residential Design Guide as appropriate.
- 3.4** This SPD sets out guidance for applicants in assessing the transport impacts of their proposed developments and any required mitigation, which would be considered through the preparation of Transport Assessments, Transport Statements and Travel Plans. Each may influence the other and will need to be regularly reviewed. They are based on evidence of the anticipated transport impacts of development and set measures to encourage sustainable travel. They should not, however, be used to penalise drivers or cut provision for cars in a way that is unsustainable and could have negative impacts on the surrounding streets or road network.

## Supplementary Planning Document: Sustainable Travel

**4. Financial Contributions towards Public Transport and Active Travel****Why are developer contributions to public transport necessary?**

- 4.1** It would clearly be inappropriate for the Local Planning Authority to grant planning permission for a development which without appropriate mitigation would either cause an unacceptable impact on the public transport system or exacerbate a situation which is already unsatisfactory. The developer would be required to provide the necessary mitigation. Without making the necessary provision to mitigate the transport impact of the scheme.
- 4.2** Contributions towards the cost of public transport improvements or enhancements are necessary in order to:
- ✓ help address the travel impact of a proposed development (i.e. the trips to and from the site that it will generate)
  - ✓ ensure compliance with Local Plan policies T1 and T3, and the emerging Transport Strategy to promote more sustainable transport choices, to promote accessibility by public transport and to reduce the need to travel, especially by car.
  - ✓ reflect the fact that (unlike vehicular access arrangements) provision of public transport services or enhancements are normally outside the scope and control of individual applicants and developers
  - ✓ assist the Local Planning Authority and the Local Transport Authorities to finance and provide for the cumulative impact of individual new developments on the infrastructure, capacity and operation of public transport services in Barnsley.
  - ✓ raise awareness of and remove barriers to accessing public transport

**What are the benefits for applicants and developers of paying contributions to public transport improvements?**

- 4.3** The additional cost to the developer (or applicants) of paying a public transport contribution may potentially be offset against the following benefits:
- ✓ In the most sustainable/sustainable locations (ie town centre) a potential reduced requirement for car parking spaces and associated reduction in the cost of providing and maintaining car parking (normally £1,000-5,000 p.a. per space).
  - ✓ Release of car parking spaces for development.
  - ✓ Providing the opportunity for higher densities.
  - ✓ Opportunity to market/ promote a development offering sustainable transport choices. Planning consent would not be granted unless the appropriate contribution (either financial or in kind) is made towards providing adequate public transport access.

**Infrastructure Requirements**

- 4.4** In order to deliver a sustainable pattern of development, the Local Plan site selection process considered which sites were the most accessible or could be made accessible by public transport. This goes some way to reducing transport infrastructure requirements .but the infrastructure delivery plan presented at the Local Plan examination identified a number of transport issues for Barnsley. These relate to the lack of external connectivity, affordability and accessibility together with the low quality passenger experience, journey

## Supplementary Planning Document: Sustainable Travel

time, performance of aged rail rolling stock and line-speed restrictions. Accordingly, it was identified that the public transport provision (both bus and rail) needs further significant improvements if it is to be an attractive alternative to the private car. Within the Infrastructure Delivery Plan it is identified that the Accessibility Improvement Zone predominantly to the east of the M1 is intended to enable significant improvement to be made to Barnsley's sustainable integrated transport system focusing on the need to improve passenger and freight connectivity whilst encouraging development in the most sustainable locations. This will include investment in walking, cycling and public transport services. This investment could cover physical infrastructure or initiatives to encourage people to make smarter choices about how they travel. Interventions will build on existing programmes and might include quality bus corridors, improved capacity on existing rail lines, interchanges, smart ticketing, personalised journey planning and a number of other similar initiatives.

- 4.5** Specifically in relation to Rail, the Council has just adopted an update of its Rail Vision which, amongst other things, sets out the asks of delivery partners and also includes endorsements from partners. Amongst these, Network Rail have stated that they "welcome the approach set out in the Barnsley Rail Vision to work with Network Rail to identify opportunities to develop enhancements on the back of renewals planned for Control Period 6 utilising third party funding sources which may be available". South Yorkshire Passenger Transport Executive is progressing community station improvements outlined within the Integrated Rail Plan for South Yorkshire.
- 4.6** In terms of bus, the infrastructure delivery plan identified poor levels of accessibility in parts of the Dearne Valley and to the west of the borough. To address this in January 2017 a Barnsley Bus Partnership (BBP), also known as a Voluntary Bus Agreement (VBA), was established. It is a negotiated agreement between Barnsley Metropolitan Borough Council (BMBC), South Yorkshire Passenger Transport Executive (SYTPE) and bus operators. Its sets out minimum standards which will apply to all services covered by the scheme and any additional negotiated standards with individual operators on a voluntary basis depending on their particular service patterns and circumstances, with BMBC committed to providing improved highway measures. The objectives of the BBP are to provide a network which is high quality, reliable, affordable and punctual and which increases bus patronage.
- 4.7** The cumulative costs of these improvements would far outweigh what could reasonably be secured through developer contributions. However, given the potential opportunities for match funding, it is clear that there is a necessity to maximise developer contributions to ensure that levels of accessibility through public transport, cycling and walking are acceptable
- 4.8** Based on the above it is apparent that there is a significant transport infrastructure gap, therefore the Council considers that there is a requirement for improving accessibility through public transport, walking and cycling.
- 4.9** In order to meet policy T3 by promoting reduced car usage and dependency, developers will be expected to provide a capital contribution towards public transport and or active travel infrastructure. This includes on site provision as part of the development proposal and a contribution towards provision or enhancement of facilities off site.

## Supplementary Planning Document: Sustainable Travel

- 4.10** Local Plan policy T3 requires transport assessments to be provided in line with guidance set out in the National Planning Policy Framework. Planning Practice Guidance on transport assessments can be found here:  
<https://www.gov.uk/guidance/transport-evidence-bases-in-plan-making-and-decision-taking>
- 4.11** Planning applicants can comply with the policy framework by making financial contributions to enable the Council to improve and enhance facilities for public transport, walking, cycling and parking, thereby helping to meet the Council's specific transport objectives and policies, as well as those related to wider issues such as the economy and health.
- 4.12** Whilst the focus for active travel facilities is often on journeys to work, education and shopping, it is important to include access to green space and leisure *routes*, these should also include provision for running and be fully accessible. If there are traffic free routes, these should feel safe for *users*, and lit where appropriate.

## 5. How Contributions will be calculated

- 5.1** Contributions will be sought on developments of 10 dwellings or more. The following formula will be used to determine the level of contribution:

### Contribution Formula

**Number of residential units x person trip rate x £figure to be determined x reduction factor**

Appendix C contains the cost per trip figure (£figure) that will be used in the above calculation. The appendix also contains information that the calculations for the cost per trip have been based on. This appendix will be amended periodically when scheme information, costings and trip figures are updated.

The reduction factor relates to the following:

- If a development is located within Barnsley Town Centre or a district centre there will be a 50% reduction (as amenities within the Town Centre and district centres are within easy walking distance).
- If a development is located within the Accessibility Improvement Zone (AIZ)(where access to more sustainable forms of transport are less available) there will be a 25% reduction.
- Developments that are outside Barnsley Town Centre, district centres and the AIZ will be required to pay the full calculated amount.

- 5.2** For non residential schemes contributions will be sought if identified as being necessary to deliver the modal shift targets identified in the travel plan.
- 5.3** The nature and extent of these contributions will be identified throughout the Transport Assessment process and pre-application discussion.

**5.4**

The amount of the financial contribution is generally based upon the net increase in movement by all forms of transport which is created by the development. This demand is based on the net change in the number of daily total person trips. Daily person trips have been used as the most appropriate unit as this indicates the total likely level of demand placed upon the borough's entire transport infrastructure. Table 1 in appendix C provides guidance on average person trip rates for the most common forms of development.

## Supplementary Planning Document: Sustainable Travel

- 5.5** Should a developer consider this approach inappropriate in the case of their development, an alternative approach to determining an appropriate contribution can be put forward as part of the transportation assessment for the scheme.

### **6. What will the contributions be used for?**

- 6.1** The contributions will be used to help finance and deliver the programme of public transport improvements and enhancements identified in the Infrastructure Delivery Plan, the updated Barnsley Rail Vision, and other relevant documents.
- 6.2** These improvements and enhancements would be to provide the transport enhancements and additional capacity necessary to ensure that accessibility to sites through public transport, walking and cycling is considered acceptable in order to maximise use of the more sustainable modes of transport.
- 6.3** In the case of those new developments located in the town centre (as defined on the Local Plan policies map inset map 1) contributions will be used to help deliver the necessary public transport enhancements throughout the town, with the proviso that, in each case, it can be demonstrated that there is a direct relationship between the development and the infrastructure provided.
- 6.4** In the case of new developments located outside the defined town centre contributions will be used to help finance the necessary public transport enhancements scheduled for that settlement or corridor of the town in which the development is located.
- 6.5** The contributions will not however be used to contribute to basic on-site public transport infrastructure such as pedestrian links, bus stops, shelters, and real time displays which should be provided as standard for all developments. These will typically be covered under S278 or S38 agreements where appropriate.
- 6.6** In terms of the individual types of infrastructure, where possible specific measures will be detailed in the Section 106 agreement but, from time to time, agreements will have to be worded with an element of flexibility in recognition of the fact that there is often a significant time between agreements being completed and the milestone for scheme delivery being reached, during which it could be possible that priorities have changed. Although planning obligations must be directly related to the proposed development, a degree of flexibility will sometimes be necessary as to how transport contributions are spent. This is particularly the case where infrastructure or services are required to support multiple developments, from which contributions will be pooled. It may not be possible to predict the sequence in which those developments will come forward, and that sequence may determine which transport measures should properly be funded by each of the developments. Nonetheless, agreements will typically cover the following:

## Supplementary Planning Document: Sustainable Travel

### **Reducing Emissions**

- In addition to provision of electric vehicle charging infrastructure the ECO Stars Fleet Recognition Scheme will work with HGV, Bus ,Coach, vans and Taxi operators to improve efficiency, reduce fuel consumption and emissions and make cost savings. Typical savings of £2,600 per vehicle pa can be made in in fuel costs alone.

### **Rail Park and Ride**

- Expansion of existing or creation of new rail parking and ride sites, where feasible.

### **Rail**

- Measures outlined in the Barnsley Rail Vision, SCR Integrated Rail Plan and SYPTE Station Options Review;
- Measures which encourage occupiers to travel by train, such as better waiting or information systems and improved pedestrian and cycle access to stations and cycle parking facilities.

### **Bus**

- To enhance or bring a service within walking distance of the development, or increase the frequency of an existing service.
- To provide seats, raised kerbs to assist access by wheelchair and pushchairs, and/or crossing facilities, or other facilities as required, all of which have the capacity to make bus travel more attractive.
- To provide bus priority measures which benefit the development.

### **Walking and Cycling**

- Improving facilities for pedestrians and cyclists in the vicinity of the site, including the creation of links to reduce walking and cycling distances to public transport and other local facilities.
- Directional signage, lighting, crossing facilities and public cycle parking.
- The SCR active travel programme is currently developing infrastructure guidelines and it is important that walking and cycling provision is of sufficient width, quality and accessible to all.
- Where feasible and practical new developments will connect into and develop the active travel network.

## **7. Potential Wider Benefits**

**7.1** The Local Plan objectives seek to economic prosperity and quality of life for all people who live and work in Barnsley. The Local Plan sets out several ways this will be achieved and one is “*enabling the provision of critical infrastructure to support sustainable communities*” The Local Plan process provided the opportunity to review the borough’s green belt. Some former Green Belt sites have been allocated and will assist in creating a more sustainable pattern of development.

**7.2** The contributions will be used to enlarge and or enhance the core public transport network including improving pedestrian/cycle access to it and extend the active travel network.

## Supplementary Planning Document: Sustainable Travel

**7.3** By developer contributions and other investment funding the core public transport network will increasingly be able to be readily accessed by all existing and future development and be increasingly attractive to users.

**7.4** Similarly the active travel network will become an increasingly attractive alternative to vehicular travel.

### **8. Electric Vehicle Charging Points**

**8.1** As a minimum development will be required to provide electric vehicle charging points as follows:

|                       |  |
|-----------------------|--|
| Residential           | 1 charging point per unit (dwelling with dedicated parking), or 1 charging point per 10 spaces (unallocated parking) |
| Commercial/<br>Retail | 10% of parking   |
| Industrial            | 10% of parking   |

## Supplementary Planning Document: Sustainable Travel

- 8.2** These figures are consistent with the Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance (<https://www.barnsley.gov.uk/media/8747/air-quality-and-emissions-good-practice-planning-guidance.pdf>), which requires developers to propose mitigation of the air quality impact of development. The level of mitigation required is related to the classification of the proposed development within this guidance (minor, medium, major) according to air quality impact.
- 8.3** These figures may be revised periodically subject to evidence and any subsequent review of the Air Quality and Emissions Good Practice Guidance.

## 9. Planning Permission

- 9.1** The NPPF states that transport issues should be considered from the earliest stages of plan-making and development proposals to promote sustainable transport and mitigate environmental impacts. Significant development should be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 110a states applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.

### **When is a Transport Statement/Assessment and Travel Plan Required**

- 9.2** The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

### **Local Plan Policy Requirements and Interpretation of Significant Transport Impacts**

- 9.3** The thresholds at which Transport Assessments, Transport Statements and Travel Plans will be required are set out in Appendix A. These thresholds identify the scale of development which will have a significant impact on the local highway and public transport network. Early pre-application discussions with the BMBC's Highway Development Management section and Highway's England (where development is likely to be generated on its network) are strongly recommended to determine the level of assessment that may be required.
- 9.4** Other circumstances where a Transport Assessment, Statement and a Travel Plan may be required include:

## Supplementary Planning Document: Sustainable Travel

**Where extensions and new development fall below indicative thresholds** – Proposals for extensions will also potentially be subjected to requirements to submit a Travel Plan when the following circumstances apply:

1. The scale of the extension exceeds the threshold set out in Appendix A; or
2. In the case of a premises or uses which do not have an agreed Travel Plan, the aggregate size of the existing premises and extensions combined exceed the thresholds identified; or
3. Where a Travel Plan would help to address a particular local traffic problem associated with a planning application; or
4. Where a development forms part of a wider allocation for future development or master plan and the size of allocation exceeds the thresholds identified.

**Multi-occupation of one site** – Several small developments on one site may individually fall below the thresholds set out in Appendix A however the cumulative impacts of these developments could be enough to justify a ‘Framework Travel Plan’ for the whole site. Additional ‘subsidiary’ Travel Plans, may also be required in respect of sub-uses, depending on the scale and circumstances of a development e.g. single subsidiary Travel Plan for all the small retail uses.

### **Travel Plan and Transport Assessment Process**

- 9.5** The first step in the production of a Travel Plan is to carry out a Transport Assessment of the proposed development. This includes an estimation of its likely overall impact on travel (i.e. the anticipated number of person and vehicle trips to and from the site that will be generated by the development).
- 9.6** Following completion of the Transport Assessment, a package of measures can then be drawn up, aimed at delivering the modal split targets. These will influence the design layout and detailed site proposals for the development. This series of measures/ initiatives, designed to encourage and deliver the preferred measures will form the basis for the draft Travel Plan to be submitted alongside the planning application and Transport Assessment for the scheme. In certain circumstances more sophisticated modelling such as VISSIM will be required to assess the impact on the highway network.
- 9.7** The measures and modal split targets agreed during the planning application process will be incorporated into planning conditions and/or heads of terms for a legal agreement between the applicant and the Council. The agreement will provide for the delivery and monitoring of the travel plan, including steps that will need to be taken if targets are not achieved.

### **Design Guidance**

- 9.8** DMRB will apply to all classified roads and MfS will apply to all other lower category of residential roads.

## Supplementary Planning Document: Sustainable Travel

### **10. What the Council can do to help?**

- 10.1** The production of a Travel Plan will ideally represent a partnership approach between the applicant, the developer, the Council and any third parties, such as Highways England, car club providers, public transport operators and active travel providers.
- 10.2** In order to assist in the process as much as possible the Council can offer:
- Policy advice, guidance and technical information, including Travel Plan information packs (based on the information and references given in this document);
  - Pre-application meetings where clarification is sought on the written information available;
  - Appropriate contacts and support for discussions with key third parties (such as car club operators and public transport operators);
  - Advice on appropriate modal split targets for specific areas; and
  - Advice on green sustainable transport and accessibility for all.

### **The Role of the Applicant**

- 10.3** Applicants/developers can help the Travel Plan process to be as efficient as possible by:

Accepting the importance of Travel Plans as an integral part of the transport assessment/planning application process;

- Ensuring that the results of the Transport Assessment and draft Travel Plan are taken into account and integrated into their scheme and layout;
- Ensuring that the scope of Transport Assessments and Travel Plans are considered during pre-application discussions and, if possible provide drafts of the documents;
- Ensuring planning applications are accompanied by a Transport Assessment and draft Travel Plan;
- Identifying the contact Person(s) with relevant background to act as Travel Plan co-ordinator(s) for the preparation, implementation, marketing, monitoring and review of the Travel Plan;
- Taking advantage of joint initiatives involving public transport travel discount schemes, car sharing databases, car clubs, shared Travel Plan co-ordinators and joint monitoring; and
- Working in partnership with the Council to achieve shared benefits.

### **Contents of a Travel Plan**

- 10.4** Table 3 in Appendix B sets out the appropriate headings a Travel Plan should have alongside an indication of what each section should include and an expanded version of this table is set out in Table 4. Individual developments will however have their own characteristics which may merit a variation on Travel Plan content, therefore this checklist should be used as a starting point in the preparation of all Travel Plans.

## Supplementary Planning Document: Sustainable Travel

### **Workplace Travel Plans**

- 10.5** The recommended basic process for creating a workplace Travel Plan is set out in Appendix B Table 5. It sets out the various stages in the production of a basic Travel Plan where the occupier is known.

### **Residential Travel Plans**

- 10.6** The principles for producing Travel Plans set out above equally apply to Residential Travel Plans, however, there are a number of particular issues and requirements specific to Residential Travel Plans which are set out in Table 6.

### **Speculative Developments and Outline Applications**

- 10.7** Barnsley MBC acknowledges that when a planning application is submitted for a speculative development such as an outline proposal the identity of future occupants may not be known. In these cases it will not be possible to draw up a full Travel Plan to suit travel needs/patterns of a still unidentified occupier/end-user.
- 10.8** Where an applicant is seeking consent for a range and scale of planning uses at a location it will be possible:
- To carry out a site assessment and accessibility audit and gain an understanding of site constraints and opportunities; and
  - To undertake an assessment of the travel impact and likely number of trips that the proposed use will generate.
- 10.9** An assessment on this basis will allow the setting of targets and the drawing up of a site layout and design that anticipates the overall travel needs/constraints of the site. It will therefore be possible, as a minimum, for the applicant/developer to prepare an ‘interim’ Travel Plan for submission alongside the planning application, which will help to establish the basis and timetable for drawing up a final detailed Travel Plan when the end user(s)/occupier(s) are known.
- 10.10** In the case of outline or speculative developments (where the end user is initially not known) an ‘interim’ Travel Plan, setting out the key objectives, measures and targets for the site should be submitted with the planning application.
- 10.11** An indicative example of how this process can be agreed and included in a S106 Agreement is set out in Table 7.

## Supplementary Planning Document: Sustainable Travel

### **Interim Travel Plans**

**10.12** An interim Travel Plan has to include the following:

1. The site assessment and audit;
2. The impact assessment of the proposed uses;
3. The objectives and overall strategy;
4. The overall site specific (design and layout) measures;
5. The overall site targets; and
6. Timetable for production and implementation of the final Travel Plan(s).

**10.13** The final Travel Plan is prepared once the end users/occupiers are known should be produced in line with tables 5 and 6 and include the following:

1. Appropriate measures to encourage/deliver outcomes/targets agreed in the Interim Travel Plan;
2. Measures tailored to suit the specific occupiers needs;
3. Arrangements for carrying out reviews and monitoring; and
4. Steps to be taken to promote /disseminate agreed measures to staff/occupiers/visitors.

**10.14** As well as being responsible and agreeing the interim Travel Plan, the applicant/developer will also be responsible for passing the requirements for a final Travel Plan onto the occupier. This will be irrespective of whether that occupier rents, leases or buys all or part of the development. The occupier(s) would be responsible for negotiating and agreeing with the Local Planning Authority with details of the final Travel Plan(s) prior to the occupation of the building(s)/premises. The targets and measures agreed in the Interim Travel Plan will be regulated by appropriate clauses in the S106 Agreement (signed by the applicant, the land owner and the local planning authority). The Travel Plan obligation contained in the agreement will need to be implemented by any future occupants of the development.

### **Mixed Use Developments**

**10.15** A variation of this approach can be adopted for larger mixed-use developments which incorporate different occupiers and phases. Again an Interim Travel Plan will need to be drawn up. Specific final Travel Plans will then need to be drawn up for different uses/areas within the site and fit in with the agreed overall Interim Travel Plan.

## Supplementary Planning Document: Sustainable Travel

### 11. Travel Plan Measures

- 11.1** All Travel Plans will need to include a set of measures to boost the sustainability of developments and to increase sustainable travel. The type of measures promoted will vary depending on the particular circumstances of the development or the proposed use, the requirements and travel patterns of the site users, and the constraints and opportunities offered by the site itself.
- 11.2** Measures included in this section are not a definitive list and it is important to choose measures appropriate to the unique circumstances/requirements of the proposed schemes, as some may be more effective than others. Evidence will be required that all possible measures have been considered.
- 11.3** For the Travel Plan to be effective:
- Measures should be chosen so as to work together as a single strategy aimed at delivering the Travel Plan objectives; and
  - The site layout and facilities must be designed to encourage and facilitate the provision and use of the Travel Plan measures chosen.
- 11.4** An example of possible measures which could be considered includes:

#### **Measures to Reduce the Need to Travel**

1. Alternative working practices (e.g. flexitime, teleworking, homeworking, video conferencing, compressed working week/9 day fortnight);
2. Local recruitment of staff;
3. Local sourcing of raw materials/produce;
4. Provision of on-site facilities (e.g. shopping, eating);
5. Provision of home delivery of products;
6. Co-ordination of deliveries and route prioritisation;
7. Promotion of Car Sharing.

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### **Measures to Promote Walking**

1. Provision of direct convenient pedestrian routes to local facilities with high levels of natural surveillance (ideally more convenient to use than travel by car);
2. Site layout to be designed to maximise and encourage walking options;
3. Advice on personal safety.
4. Production of Mapping showing 1.2km and 2km walking isochrone from site.

### **Measures to Promote Cycling**

1. Site layout designed to maximise and encourage opportunities to cycle;
2. Where possible provision of convenient, segregated cycle paths to link to local cycle network (e.g. direct routes with high levels of natural surveillance, safer routes to school and work, routes to public transport hubs);
3. Provision of secure, sheltered and adequate cycle parking facilities for employees and visitors. (N.B. cycle parking should be shown on development site plans);
4. Provision of changing/shower facilities, drying rooms and cycle lockers at work places;
5. Introduction of financial incentives (e.g. mile allowance for work use and signing up the 'Cycle to Work Scheme')
6. Provide information on health benefits of cycling (e.g. maps, leaflets and online references);
7. Promotion of wider cycling infrastructure in Barnsley.
8. Production of mapping showing 5km and 8km cycling isochrone from site.

### **Measures to Promote Public Transport**

1. Provision in site layouts for public transport (shelters and raised kerbs);
2. Pedestrian links to public transport to be at least as convenient and attractive as links to car parks;
3. Provision of site specific bus and rail travel information including bus and rail (e.g. maps, leaflets, way-finding signs to key transport nodes, such as rail stations);
4. Provision of discounted ticketing;
5. Provision of Season Ticket Loans;
6. Promotion of Barnsley Bus Partnership.

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### **Measures to Promote and Market the Travel Plan**

1. Travel Plan measures included in an organisation's own marketing material to promote walking, cycling and public transport, (e.g. welcome packs at residential sites, employment packs at the workplace, newsletters at schools, sales details and staff inductions, notices boards, leaflet drops);
2. Introductions of workplace, residents or school newsletters or website (as applicable) to promote/market travel plan measures;
3. Joint incentives with other local organisations/community groups to promote wider community, economic and health benefits of Travel Plan measures.

## **12. Approval, Securing, Monitoring and Review of Travel Plans**

### **Monitoring of the Travel Plan**

- 12.1** It is essential that all Travel Plans are monitored in order to assess its effectiveness and to identify any failure to deliver agreed measures and targets. Targets will normally be trip and mode related (i.e. number/proportion of journeys by car, public transport, cycle or on foot) and the applicant/occupier will normally be responsible for recording the number of trips to and from the site. This can be done by a variety of methods:
- A 'snapshot' modal split survey of employees, occupiers, residents and/or visitors;
  - A full staff/occupier/residential survey questionnaire. Surveys should always be conducted at the same time each year for consistency;
  - Regular traffic counts of vehicles coming to and from the site, including cycles and pedestrians as well as motorised vehicles;
  - Uptake of public transport or other alternative modes;
  - Use of parking spaces and any problems of overspill parking;
  - A combination of two or more of the above methods (as appropriate).
- 12.2** The monitoring of the Travel Plan should normally take place annually and the outcomes of any surveys will be reported in writing to the Council at a mutually agreed date after the monitoring has been completed (normally within 3 months). The length of time over which monitoring will occur and the frequency, will depend on the nature and scale of the development and should be agreed as part of the Travel Plan with the developer.

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- 12.3** A Travel Plan Co-ordinator shall be appointed and they will be responsible for the effective implementation of the Travel Plan and the measures it contains. The role of the Travel Plan Co-ordinator and their responsibilities, which are specific to each individual Travel Plan will be set out within the Travel Plan and usually include:
- Implementing Travel Plan measures;
  - Liaising with users of the development and promoting sustainable travel;
  - Liaising with stakeholders, including the Local Planning and Transport Authorities;
  - Monitoring the effectiveness of the Travel Plan, and
  - Reviewing the Travel Plan and preparing Action Plans.
- 12.4** A charge will be applied where it is agreed the Council will carry out the monitoring of the development. The rate will be fixed annually by the Council.
- 12.5** In certain circumstances, it may be appropriate to use a mutually agreed independent monitoring agency. The costs of any agency shall be met by the applicant/developer. This approach will be appropriate when financial payments (as specified in the S106 agreement) are dependent on the outcomes.

### Review of the Travel Plan

- 12.6** The Travel Plan should incorporate agreed dates for the Council to carry out a review/assessment of the Travel Plan to assess to what extent it has achieved its agreed objectives and targets. Reviews will normally be carried out 3 and 5 years after the occupation date of the scheme.
- 12.7** If, as a result of the review, it is found that targets are not being met, the applicant will be required to either:
- Carry out the appropriate remedial measures as defined in the S106 Agreement; or
  - If circumstances have changed significantly, prepare a revised time scale and targets for the Travel Plan which should be agreed with the Council.

### Securing the Travel Plan

- 12.8** The mechanism for securing a Travel Plan will be agreed on a case-by case basis. For smaller scale schemes, where there is a known end user and the proposed Travel Plan measures and requirements are straight-forward, the Travel Plan and its implementation can be secured by means of a condition as part of the planning permission.
- 12.9** A S106 Agreement will usually be required for more complex schemes. These involve the delivery of outcomes and targets. If specific financial contributions, where there are significant ongoing financial commitments or commitments involving third parties, such as transport providers, this will be agreed between the applicant/developer and the Council.

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**12.10** These agreements are normally an essential means of implementing an agreed Travel Plan. In addition to specifying the agreed measures and targets, an agreement may include remedies in the event of any failure to deliver agreed measures. S106 agreements may provide for the following:

- Payments to the Council (or use of a Bond deposited with the Council) to guarantee the implementation of previously agreed measures;
- A system of financial payments to achieve targets;
- A requirement to undertake specified works that are expected to remedy problems created by the development;
- Specified payment to the Council (or use of a Bond deposited with the Council) to meet the cost of taking action to achieve the agreed outcome (e.g. the implementation of a controlled parking zone around the development, and/or additional infrastructure/finance to support public transport);
- Specified change in the way the site/development is used in order to achieve previously agreed outcomes (e.g. the prevention of occupation of part of the development until a specified element of the Travel Plan has been implemented as agreed);

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**Appendix A.****Table 1 - Thresholds for Requiring a Travel Plan**

The thresholds in the table below should be taken as a guide. The need for a Transport Statement, Transport Assessment and Travel Plan will be determined on a site by site basis.

| <b>Land Use</b>                        | <b>Use/Description of Development</b>  | <b>Indicative Threshold – by gross floor area m<sup>2</sup></b> |   |
|--|--|---|---|
|  |  | <b>Transport Statement</b>                                      | <b>Transport Assessment/Travel Plan</b> |
| Food Retail (A1)                       | Retail sale of food goods to the public – Food Superstores, Supermarkets, Convenience Food Stores.   | 250 - 800   | Over 800                                |
| Non-Food Retail (A1)                   | Retail sale of non-food goods to the public: but includes Sandwich Bars – Sandwiches or other cold food purchased and consumed off the premises, Internet Cafes.   | 800 - 1500  | Over 1500                               |
| Financial & Professional Services (A2) | Financial services – Banks, Building Societies and Bureau de Change, Professional Services (Other than Health or Medical Services) – Estate Agents & Employment Agencies, other services – Betting Shops, principally where services are provided to visiting members of the public. | 1000 - 2500   | Over 2500                               |
| Restaurants and Cafes (A3)             | Restaurants and Cafes – Use for the sale of food consumption on the premises. Excludes Internet Cafes (Now A1).  | 300 - 2500  | Over 2500                               |
| Drinking Establishments (A4)           | Use as a Public House, Wine-Bar or other Drinking establishments.  | 300 - 600   | Over 600                                |
| Hot Food Takeaway (A5)                 | Use for the sale of hot food for consumption on or off the premises.   | 250 – 500   | Over 500                                |
| Business (B1)                          | A - Offices other than use within Class A2 (Financial & Professional services), B – Research and Development – Laboratories, Studios, C – Light Industry.  | 1500 - 2500   | Over 2500                               |
| General Industrial (B2)                | General Industrial.  | 2500 - 4000   | Over 4000                               |
| Storage or Distribution (B8)           | Storage or Distribution Centres – Wholesalers Warehouses, Distribution Centres and Repositories.   | 3000 - 5000   | Over 5000                               |

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|  |   |                        |                        |
|--|---|------------------------|------------------------|
| Hotels (C1)  | Hotels, Boarding Houses & Guest Houses. Development falls within this use class if 'no significant element of care is provided'.  | 75 – 100<br>(Bedrooms) | Over 100<br>(Bedrooms) |
| Residential Institutions – Hospitals, Nursing Homes (C2)           | Used for the provision of residential accommodation and care to people in need of care.   | 30 – 50<br>(Beds)      | Over 50<br>(Beds)      |
| Residential Institutions – Residential Educational Facilities (C2) | Boarding Schools and Training Centres.  | 50 – 150<br>(Students) | Over 150<br>(Students) |
| Dwellings Houses (C3)  | Dwellings for individuals, families or not more than six people; living together as a single household. Not more than six people living together includes – students or young people sharing a dwelling and small group homes for disabled or handicapped people living together in the community.                                    | 50 – 80<br>(Units)     | Over 80<br>(Units)     |
| Non-Residential Institutions (D1)                                  | Medical & Health Services – Clinics & Health Centres, Crèche, Day Nursery, Day Centres & Consulting rooms (not attached to the consultants or Doctor's House), museums, public libraries, art galleries, exhibition halls, Non-residential education and training centres, places of worship, religious instruction and church halls. | 500 - 1000             | Over 1000              |
| Assembly & Leisure (D2)  | Cinema's, dance and concert halls, sports halls, swimming baths, skating rinks, gymnasiums, bingo halls and casinos. Other indoor and outdoor sports and leisure uses not involving motorised vehicles or firearms.   | 500 - 1500             | Over 1500              |

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|        |   |  |   |
|--------|---|--|---|
| Others | For example: Stadium, Retail Warehouses clubs, amusement arcades; launderettes, petrol filling stations, taxi businesses, car/vehicle hire businesses & the selling and displaying of motor vehicles, nightclubs, theatres, hostels, builders yards, garden centres, Post Offices, Travel and Ticket Agencies, Hairdressers, Funeral Directors, Hire Shops, Dry Cleaners. | On their merits – to be discussed with Highways DC Officers. | On their merits – to be discussed with Transportation Officers. |
|--------|---|--|---|

**Table 2 - Thresholds based on other Considerations**

|   | Other Considerations  | TS | TA | TA/TP |
|---|---|----|----|-------|
| 1 | Any development generating 30 or more two-way vehicles movements in any hour.   |    | X  |       |
| 2 | Any development generating 100 or more two-way vehicle movements per day.   |    | X  |       |
| 3 | Any development proposing 100 or more parking spaces.   |    | X  |       |
| 4 | Any development that is likely to increase accidents or conflicts among motorised users and non-motorised users, particularly vulnerable road users such as children, disabled and the elderly.             |    |    | X     |
| 5 | Any development generating significant freight or HGV movements per day, or significant abnormal loads per year.  |    | X  |       |
| 6 | Any development proposed in a location where the local transport infrastructure is inadequate, for example, substandard roads, poor pedestrian/cycle facilities and inadequate public transport provisions. |    | X  |       |
| 7 | Any development proposed in a location within or adjacent to an Air Quality Management Area (AQMA).   |    | X  |       |

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**Appendix B.****Components of a Travel Plan****Table 3**

| <b>Heading</b>                               | <b>Issue to Cover</b>  |
|--|--|
| Background/Context/Site Assessment and Audit | Details of the site, its location, the intended use, number of staff, dwellings or pupils, existing site constraints and opportunities.  |
| Transport Impact                             | The travel requirements of the organisation/development, the number of trips it will generate and the transport/travel issues which will ensue.  |
| Objective/Overall Strategy                   | What the plan is trying to achieve (e.g. encourage access to the site by sustainable means of travel/to accommodate travel demand within site constraints).  |
| Measures/Actions                             | What specific measures and actions will be introduced to help deliver the stated objectives (refer to the toolkit of travel plan measures).  |
| Targets and Time Frames                      | Appropriate targets, such as vehicle trips at peak hours (including the percentage of trips by different modes), against which the effectiveness of the measures/actions to be taken will be reviewed/monitored. |
| Responsibility/Ownership                     | Who is responsible (the owner) for delivering each stage of the Travel Plan and for implementing the proposed measures, actions and targets.   |
| Implementation                               | Agreed Travel Plan (site layout and design) measures carried out as part of construction work. Measures relating to occupiers/end users to be in place prior to occupation.                                      |
| Monitoring and Review                        | What arrangements will be put in place to review and monitor the plan and to assess whether the objectives are being met.  |

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|                        |   |
|------------------------|---|
| Communication Strategy | How information on the plan, its progress, impacts, benefits and successes will be disseminated to staff/residents/pupils and visitors (e.g. by newsletter, internet, notice boards, external publicity). |
|------------------------|---|

**Table 4 – Travel Plan Tool-Kit**

| Heading  | Issues to Cover   | Steps to be Taken  | Y/N | Date |
|--|---|--|-----|------|
| A: Background/Context/<br>Site Assessment and<br>Audit | Details of the site, its location, the intended use, number of staff, dwellings or pupils, 'existing site constraints and opportunities.                | <ol style="list-style-type: none"> <li>1. Survey site characteristics</li> <li>2. Carry out 'accessibility audit'</li> <li>3. Plot existing Highway network – mapping.</li> <li>4. Record existing Public Transport provision.</li> <li>5. Estimate proposed floor space.</li> <li>6. Estimate number of employees, residents and visitors.</li> <li>7. Identify transport opportunities (new pedestrian, cycle or public transport links).</li> </ol> |     |      |
| B: Transport Impact                                    | The travel requirements of the organisation/development, the number of trips it will generate and what transport/travel issues these will give rise to. | 8. Identify proposed land uses.  |     |      |

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|                                |  |   |  |
|--------------------------------|--|---|--|
| C: Objectives/Overall Strategy | What the plan is trying to achieve (e.g. to encourage access to the site by all means of travel/to accommodate travel demand within site constraints) and what strategy will be adopted to achieve them. | 9. Set out the objectives of the Travel Plan, for example:<br><br>- reduce car usage to & from the site;<br><br>- encourage car sharing;<br><br>- Encourage the use of sustainable modes (public transport, walking and cycling);<br><br>- Rationalise/reduce delivery movements;<br><br>- Reduce need for car parking;<br><br>- Maximise site potential;<br><br>- Achieve sustainable development. |  |
| D: Measures/Actions            | What specific measures and actions will be introduced to help deliver the stated objectives (refer to the toolkit of measures in the SPD for possible measures to be considered).                        | 10. Draw up site design brief to accommodate Barnsley Transport Strategy.<br><br>11. Consider what measures can be adopted to reduce the need to travel.<br><br>12. Consider what measures can be introduced to encourage public  |  |

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|                                 |  |  |  |
|---------------------------------|--|--|--|
|                                 |  | transport.   |  |
|                                 |  | 13. Consider what measures can be introduced to encourage other sustainable modes.   |  |
| E: Targets and Timeframes       | Appropriate targets and time frames against which the effectiveness of the measures/actions to be taken will be reviewed/monitored.  | 14. Set targets for proportion of occupiers, visitors coming by car, public transport and active travel.   |  |
|                                 |  | 15. Specify the date which the targets will be achieved.   |  |
|                                 |  | 16. Specify a timetable for the implementation of each of the measures proposed.   |  |
| F: Responsibility and Ownership | Who is responsible for delivering each stage of the Travel Plan and for implementing the proposed measures, actions and targets (e.g. by appointment of a travel plan co-ordinator), and how this will be passed on/managed. | 17. Appoint Travel Plan Co-ordinator with overall responsibility for the delivery of measures, targets and timetables.   |  |
|                                 |  | 18. Identify who or which organisation/body will have delegated responsibilities for the implementation and financing to <b>each</b> of the Travel Plan measures proposed. |  |

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|                            |  |   |  |
|----------------------------|--|---|--|
| G: Implementation          | <p>Agreed Travel Plan (site layout and design) measures carried out as part of construction work. Measures relating to occupiers/end users to be in place prior to occupation.</p> | <p>19. Indicative when site layout and design measures implemented.</p> <p>20. Indicative when measures relating to end users/occupiers implemented.</p>  |  |
| H: Monitoring and Review   | <p>What arrangements will be put in place to review and monitor the plan and to assess whether the objectives are being met?</p>   | <p>21. State what will be measured (e.g. number of trips to and from the site by car, public transport, cycle and walking, level of use of parking spaces).</p> <p>22. Detail when this monitoring will take place (normally annually).</p> <p>23. Identify who will carry out the survey/monitoring.</p> <p>24. Identify how the survey/monitoring will be funded.</p> <p>25. Agree with the Council how the outcomes will be reviewed.</p> <p>26. Identify what measures will be introduced if targets are not met.</p> |  |
| I: Communications Strategy | <p>How information on the plan, its progress, impacts, benefits and successes will be disseminated to staff/residents and pupils.</p>  | <p>27. State how each of the Travel Plan measures will be disseminated to staff, residents, and visitors (e.g. by newsletter, intranet, notice</p>  |  |

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|  |  |  |  |
|--|--|--|--|
|  |  | boards, external publicity, welcomes packs).   |  |
|  |  | 28. Identify what incentives will be offered (staff, residents and visitors) to promote, encourage and deliver each of the Travel Plan measures. |  |

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**Workplace Travel Plans****Table 5**

| <b>Stage</b>                                     | <b>Activity</b>  | <b>Responsibility</b>  |
|--|--|--|
| <b>1. (Pre-application) Site Assessment</b>      | To consider existing transport provision to the site (i.e. pedestrian, cyclist, public transport and vehicular access).  | Applicant/Developer (in consultation with BMBC Highways DC and Transportation).                  |
| <b>2. (Pre-Application) Transport Assessment</b> | To establish the transport impact (i.e. predict the likely number of total person trips to and from the site/organisation including visitor sites.   | Applicant/Developer  |
| <b>3. (Pre-Application) Draft Travel Plan</b>    | Consideration of appropriate objectives and measures capable of dealing with the identified travel impact, taking full account of existing constraints and opportunities. Applicant/Developer Draw up a package of measures to address travel impact and needs of organisation, including setting of relevant targets. | Applicant/Developer  |
| <b>4. Submission of Draft Travel Plan</b>        | The draft Travel Plan and Transport Assessment should be submitted to the Local Planning Authority alongside the planning application. The proposed development (design and layout) must incorporate the Travel Plan measures identified.  | Applicant/Developer  |
| <b>5. Approval</b>                               | Secure approval for scheme Travel Plan. Agree planning condition or heads of terms for S106 legal agreement to cover to cover Travel Plan requirements as appropriate.   | BMBC Development Management/Transport Policy teams/Highways England and the applicant/developer. |

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|   |  |   |
|---|--|---|
| <b>6. Implementation</b>                              | Notify the Council's Travel Plan Officer of commencement.<br>Appoint Travel Plan Co-ordinator. Travel Plan measures put in place, including promotion and publicity measures (job packs, company brochures and newsletters etc.) | Occupier  |
| <b>7. Monitoring, Review and Reporting (to BMBC).</b> | Outcomes of Travel Plan (modal shift) to be monitored and evaluated against objectives and targets. Review will need to amend/revise plan to address changing circumstances/failure to achieve agreed targets.                   | Applicant/Occupier (together with BMBC Travel Plan contact) and (where appropriate) agreed independent Monitoring Body. |

Residential Travel PlansTable 6

| Stage  | Activity   | Responsibility  |
|--|--|---|
| <b>1(a) (Pre-application) Transport Assessment/Statement</b> | <b>Transport Assessment prediction of total person trip generation</b><br><br><b>Sites which are likely to impact on road network will need to estimate the level of vehicle trips created on their network.</b> | <b>Applicant/Developer</b>                                  |
| <b>1(b) (Pre-application) Site Audit</b>                     | <b>Carry out Accessibility Audit and audit of site constraints and opportunities.</b>  | <b>Applicant/Developer</b>                                  |
| <b>1(c) (Pre-Application) Draft Travel Plan</b>              | <b>Draft Travel Plan measures drawn up to accommodate multi-modal measures identified in Travel Plan.</b>  | <b>Applicant/Developer/BMBC Travel Plan Contact Officer</b> |

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|  |   |   |
|--|---|---|
| <b>1(d) (Pre-Application) Site Design and Layout</b> | <b>Site layout and design drawn up to accommodate multi-modal measures identified in the Travel Plan.</b>   | <b>Applicant/Developer/Highways Development Control/Development Management/BMBC Travel Plan Contact Officer</b> |
| <b>2 Application/Negotiation</b>                     | <b>Submit Transport Assessment and draft Travel Plan alongside planning application; Negotiate an acceptable scheme and Travel Plan.</b>  | <b>Applicant/Developer</b>  |
| <b>3 Approval</b>                                    | <b>Secure approval for scheme Travel Plan. Agree planning condition or heads of terms for S106 legal agreement to cover Travel Plan requirements as appropriate.</b>  | <b>Applicant/Developer</b>  |
| <b>4 Construction</b>                                | <b>Appointment of a Travel Plan Co-ordinator and establish liaison/steering group of relevant agencies (Applicant/Developer/House Builder/Public Transport Operator/as appropriate); implementation of agreed Travel Plan measures.</b> | <b>Applicant/Developer/House Builder</b>  |
| <b>5 Initial Completion/Marketing</b>                | <b>Travel Plan Co-ordinator in place (include site presence). Travel Plan information/requirements included in marketing/welcome pack for residents; Individual Travel Plan measures completed and promoted.</b>                        | <b>Applicant/Developer/House Builder</b>  |
| <b>6 Final Completion</b>                            | <b>Set up management structure to take over responsibility for Travel Plan (e.g. ideally made up of a management company) or Community Trust Travel Plan Co-ordinator initially retained to advise/support management structure.</b>    | <b>Applicant/Developer/House Builder</b>  |

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|                                |   |   |
|--------------------------------|---|---|
| <b>7 Monitoring and Review</b> | <b>Monitor travel patterns achieved against agreed targets. Review plan in light of findings and changed circumstances. Carry out mitigating measures if agreed targets not being achieved.</b> | <b>Applicant/Developer/House Builder/BMBC Travel Plan Contact Officer</b> |
|--------------------------------|---|---|

Travel Plan Process for Speculative Developments and Outline Applications**Table 7**

| <b>Stage</b>                   | <b>Activity</b>   | <b>Responsibility</b> |
|--------------------------------|---|-----------------------|
| <b>1.'Interim' Travel Plan</b> | Applicant /developer submits an Interim Travel Plan alongside the planning application and transport assessment. This 'Interim' Travel Plan has to identify the transport measures/ modal split required at a specific site and be agreed before planning consent is granted. Further detailed Travel Plans covering specific uses/area (as appropriate) should then be submitted (at the latest) before development commences. | Applicant/Developer   |
| <b>2. Construction</b>         | Development begins (incorporating measures agreed in the Travel Plan)   | Applicant/Developer   |

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|  |   |                   |
|--|---|-------------------|
| <b>3. End user/Occupier Identified</b> | <p>Applicant/developer reaches agreement with end-user/occupier. Individual end user(s)/ occupier (s) prepare final Travel Plan for specific use/occupier or area in accordance with agreed 'Interim Travel Plan'.</p> <p>Final Travel Plan has to be agreed with the Council before development /premises can be occupied by the end user.</p> | End User/Occupier |
|--|---|-------------------|

## Supplementary Planning Document: Sustainable Travel

**Appendix C.**

Methodology and calculations used to arrive at contribution figures.

The daily person trip rates used in the formula are set out below in table 1.:

| <b>Development Type</b> | <b>Daily Person Trip Rate*</b> |
|-------------------------|--------------------------------|
| Residential – Houses**  | 10 per dwelling                |
| Residential – Flats**   | 6 per dwelling                 |

\*Based on TRICS version 7.3.1

\*\*Privately owned

The current starting point used for establishing a figure for Barnsley's cost per daily person trip figure is as follows:

- **Relevant schemes from Infrastructure Delivery Programme**

- – M1 junction 37 Claycliffe. Private sector element of cost is: £4,469,908. The private sector element only of the indicative costs for this scheme has been included. The improvements and mitigation works will be of wider benefit to the borough as a whole and therefore it is considered reasonable to include this scheme in the basis.
- Penistone Station park and ride and footbridge. The indicative cost of this scheme is £1,750,000. For the purposes of this exercise 50% of this indicative figure has been used.

- **Schemes in the Transforming Cities bid** - The indicative costs of the schemes in the bid have been totalled. 50% of that total has been used in the calculations for the cost per trip figure.

$$(\text{£}4469908 + \text{£}875,000 + \text{£}9,480,000 = 14,824,908)$$

- **Dwelling numbers** (based on indicative dwelling figures for allocations minus those that have got permission) = 14,641
- **Number of trips arising from those dwellings** (using TRICS figure person trip rate per dwelling version 7.3.1 set out in table 1 above) = 146,410

For residential schemes the proposed scheme cost is £101.26 per trip. It is proposed to round this figure to £100 per trip (Scheme costs divided by total number of trips.  $(14,824,908 / 146410) = 101.26$ )

The £100 per trip figure will then be applied to individual residential schemes of 10 dwellings or over. Where applicable this will be reduced, depending on location.

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- If a development is located within Barnsley Town Centre or a district centre there will be a 50% reduction (as amenities within the Town Centre and district centres are within easy walking distance).
- If a development is located within the Accessibility Improvement Zone (AIZ)(where access to more sustainable forms of transport are less available) there will be a 25% reduction.

Developments that are outside Barnsley Town Centre, district centres and the AIZ will be required to pay the full calculated amount

Table 2 below sets out the list of schemes and indicative costs that have been used to derive the contribution rate per trip..

| <b>Scheme</b>  | <b>Indicative cost</b> |
|--|------------------------|
| M1 junction 37 Claycliffe. (private sector element)  | 4,469,908              |
| Penistone Station park and ride and footbridge       | 1,750,000              |
| A61 Town Centre to Royston via Smithies Lane         | 4,440,000              |
| Barnsley Road/Doncaster Road, Goldthorpe –           | 1,680,000              |
| Barnsley Station Access Improvements                 | 500,000                |
| Bolton upon Dearne Station Access Improvements –     | 600,000                |
| Goldthorpe Station Access Improvements –             | 840,000                |
| Stairfoot, Ardsley, Goldthorpe Active Travel Links – | 2,688,000              |
| Thurnscoe Station Access Improvements –              | 750,000                |
| Town Centre Triangle – £2,400,000                    | 2,400,000              |
| Wombwell Station Access Improvements –               | 1,800,000              |
| A61 River Dearne Long Scheme                         | 1,320,000              |
| A61 River Dearne Short Scheme                        | 730,000                |
| Alhambra to Stairfoot                                | 420,000                |
| Elsecar Station Access Improvements                  | 672,000                |
| Wath Road Roundabout to Broomhill                    | 120,000                |

The calculations in this appendix will be updated periodically when updated evidence and information is available. The Transport Strategy and associated delivery programme together with the SYPTe station plan and other relevant SCR documents as they emerge will provide further information.