

Applicant: Mr H Briars (Firethorn Developments Limited)

Proposal: Erection of 1no. building for industrial (class E(g)(iii)/B2) or storage and distribution (class B8) use with associated spur road, yard, parking, landscaping and drainage infrastructure (Reserved matters of the outline part of hybrid planning permission 2019/1573 for Phase 3 seeking approval of appearance, landscaping, layout and scale)

Address: Land to the north of Dearne Valley Parkway, Gateway 36 Phase 3, Hoyland, Barnsley

No representations have been received from any members of the public.

Site Location and description

The application site comprises a large employment allocation the Local Plan (Site ES15 Shortwood Extension 11.8 ha) that is already the subject of an existing hybrid planning permission (ref 2019/1573) for employment use development. The earthworks part of that consent which was approved in full form previously have now progressed to an advanced stage of implementation.

The site lies close to Junction 36 of the M1 and is on the northern side of the Dearne Valley Parkway (DVP). The proposal represents what is referred to by the original applicants Harworth Estates as Gateway 36, the first phase having been completed to the west closer to the junction of the M1 a number of years ago. The phase 2 part of Gateway 36 is located directly opposite to the south (part of the Hoyland North Masterplan area) and is part of the same existing hybrid planning permission as the application now under consideration. Whilst the land to the south is referred to as phase 2 most of the future buildings are yet to be constructed with the only detailed permission at this moment in time being the first reserved matters approval for 3 units that were granted in January this year under application 2021/1007. Those buildings are in the process of being constructed at the present time which will make them the first buildings that are delivered under the hybrid planning permission 2019/1573 and the Hoyland North Masterplan area.

The wider locality is a mix of the commercial development already described (both existing and still to come), open land and residential areas in more distant locations (with the exception of from the Shortwood Villas row of dwellings that are located in much closer proximity to the north east of the site in a small separate enclave). The next nearest residential areas are positioned further away across fields in Birdwell to the west and north, Hoyland Common to the south and Upper Hoyland/Platts Common to the east.

Works undertaken on this site so far have consisted of significant engineering works to create a development platform and the construction of a new roundabout within the Dearne Valley Parkway which will provide access to this site. Following the earthworks there are few features to describe within the main body of the application site. However, the site is still well screened from the Dearne Valley Parkway by the existing belt of trees along the site frontage which was agreed to be retained within 2019/1573. In addition, the development platform that is in the process of being created is positioned on a lower ground level than the Dearne Valley Parkway.

There are no local, or international level statutory designations within the site, but there are three non-statutory designations in the area; Shortwood and Hay Green Local Wildlife Site and the Barrow Colliery Site Local Wildlife Site to the north of Dearne Valley Parkway. The

Dearne Valley Wetlands positioned to the north of the site which has recently been designated as a Site of Special Scientific Interest (SSSI). The site also lies within the Dearne Valley Green Heart Nature Improvement Area.

The Grade II Listed Hoyland Lowe Stand is located to the south east approximately 800m away, while Grade II Listed St Peters Church is nearby in the same general direction.

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

Planning History

2019/1573 - Hybrid planning application for a development up to 102,193sqm of employment uses (use classes B1/B2 and B8) and associated works including provision of internal access roads, drainage and landscaping, a) Outline with all matters reserved apart from means of access; and b) full application for associated earthworks and creation of access points including new roundabout to access Local Plan allocation site ES15. Granted subject to S106 10th August 2020. As mentioned in the site description section of the report the earthworks part of the planning permission to create the roads and future development platforms was approved in full and have now progressed to an advanced stage of implementation.

The approved indicative masterplan shows Phase 3 to be of 10.3 ha in size and anticipates 2 units consisting of a large western unit of 250,000 sqft (23,2258 sqm) and a smaller unit to the west of 25,000sqft (2322.sqm) with 10% ancillary office space. Access would be from the newly formed roundabout being created on the DVP with a building either side of the access road. Car parking would be close to the access road with lorry parks to the rear of the buildings. Development would be separated from the access road by substantial landscape buffers. Substantial planting would be required as this will contribute to the overall 10% biodiversity net gain required under the outline planning permission 2019/1573, as it lies within the outline red line boundary even though this site does not lie within the masterplan area. Approved plans and planning conditions to the outline permission limit the floor levels of buildings and limited the height of units on the site to 12.5m to eaves (condition 19). Condition 20 allows that, where a speculative developer wishes to exceed this height, a Landscape and Visual Impact Assessment (LVIA) and photomontages shall be provided to demonstrate there would be no harm to wider landscape or sensitive receptors.

2021/1007 - Erection of 3no. buildings for industrial (class E(g)(iii)/B2) or storage and distribution (class B8) use with associated spur road, yards, parking, landscaping and drainage infrastructure (Reserved matters of outline planning permission 2019/1573 for Phase 2A.1 seeking approval of appearance, landscaping, layout and scale). Granted 19th January 2022.

Proposed Development

This application seeks approval of the reserved matters (namely the layout, scale, appearance, and landscaping) for one speculative unit only on the phase 3 area of the indicative layout plan that was approved under hybrid planning permission 2019/1573. The developable site area is 9.43 ha and development would comprise one large single building, service yard, car park and access road as well as the sustainable drainage infrastructure to serve the site and the landscape planting around the site. The application form states the building would be intended for industrial (class E(g)(iii)/B2) or storage and distribution (class B8) uses.

The single building is proposed to lie to the west of the new access road and would be 268m long and 108m wide, with the long axis parallel to the DVP. It would have a height to eaves of 16m and a shallow curved roof at 18.4m in height.

The service yard and parking for 55 HGV vehicles would be to the rear of the building. Two storey offices (1394sqm) would be located to the northeast end of the building with a smaller hub office to the facing northwest over the service yard(465sqm).

Car parking would be located to the eastern side of the access road with the attenuation pond to the northeast. A gatehouse would control vehicular movements accessing and egressing the site. 315 parking spaces are proposed of which 32 would have EV charging points and 15 accessible spaces together with cycle parking and showers and drying facilities and motorcycle parking.

Overall, the development would deliver approximately 31,612 sqm of built development, which is approximately 23% larger than the anticipated 25,500sqm size of the 2 units approved on the indicative masterplan. 31,600sqm equates to approximately 31% of the maximum 102,193 sqm of floorspace granted under 2019/1573.

Although not in the Hoyland North Masterplan area, the conditions pertaining to the outline permission required the colour palette set out in the masterplan to be utilised. The unit is proposed to be of grey and neutral/greens, fading upwards with a dark green roof. The office elevations would be in greys. Rooflights across 15% of the roof area allowing natural lighting and photovoltaic panels across a further 5%. There will be no outside storage.

A 2.5m high timber close boarded acoustic fence is proposed to the northern boundary of the service yard to screen yard activity from the footpath and the dwellings to the north.

Landscape planting is proposed broadly in accordance with the details submitted with the hybrid permission including a broad band of planting along the Dearne Valley Parkway, to the rear of the service yard and around the car park and pond. There would also be the creation, diversion and improvement of footpaths/multiuser path, amenity features and planting for biodiversity benefits. Footpath signage and furniture are also proposed to new and improved footpaths running along the DVP.

Landscaping is proposed to include woodland, scrub, mature trees, hedgerows, wildflower meadow, reed bed and the retained landscape (woodland area in the northeast and scrub in the southwest points of the site). A landscape and ecological management plan has also been submitted to cover a 30-year period demonstrating the biodiversity net gain over this period.

Ecological/biodiversity mitigation and enhancement proposals including bird and bat boxes and hibernacula as well as careful species selection and management of hedgerows, scrub, and woodland mixes.

Submitted documents indicate that an initial BREEAM pre- assessment of the proposed buildings is indicated as "very good".

A suite of amended plans was submitted on 5th April 22 comprising:

- Minor reconfiguration to vehicular access, circulation, and parking. No changes to the overall number of car or cycle parking, pedestrian, and cycle access, but provided area for up to 16 motorcycle spaces; improved pedestrian routes with removal of steps and replaced with ramps.
- Ground levels refined to improve areas adjacent paths and building entrance, minor slope changes to accommodate landscaping.

- Retaining structures introduced with minor changes to design to address changes in levels and optimise developable area.
- Minor changes to position of loading bay doors and fire exits, substation and yard.
- Provision of an additional substation within 20m of the approved substation for technical reasons, minor reconfiguration of west end of yard and bin store.
- Clarification that PV panels will cover only 5% not 10% of the roof area.
- Minor changes to the ecology and landscape proposals, with additional planting to side of spur road and minor revisions to Biodiversity Impact Assessment REV A and Habitat Mitigation and Enhancement Scheme and Landscape and Ecology Management Plan relating to weed control and long-term management.

Further amended plans have been submitted throughout May in response to consultee comments relating to levels, biodiversity and the colour of the offices.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making which in Barnsley is the adopted Local Plan and the Joint Waste Plan. The Council has also adopted a series of Supplementary Planning Documents, which are other material considerations.

The Local Plan

The site is subject of the following site-specific allocation policy which is set out below. In addition the site is located directly opposite to the Hoyland North Masterplan area:-

Site ES15 Shortwood Extension 11.8 ha

The development will be expected to:

- Undertake necessary drainage works.
- Ensure that development does not impair the visual amenity of the landscape (wider countryside). Potential mitigation measures include restrictions on building heights, landscaping, and structural planting.
- Consider the potential impact on the nearby Shortwood and Hay Green Local Wildlife Sites and include appropriate mitigation where necessary.
- Retain the valuable habitats in the south-western corner of the site and exclude them from the scope of any development proposals. The site has potential as a habitat for newts, so it is recommended that this possibility is investigated prior to any development; and
- Protect the routes of the Green Way and Public Rights of Way that cross the site and make provision for these as part of any proposal.

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

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

Other relevant policies include:-

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

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

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

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

CC2 - Sustainable design and Construction

D1 - Design

T3 - New Development and Sustainable Travel

T4 - New development and Transport Safety

T5 - Reducing the Impact of Road Travel

D1 - High Quality Design and Place Making

CC1 - Climate change

CC2 - Sustainable Design and Construction

CC3 - Flood Risk

CC4 - SUDS

GI1- Green Infrastructure

GS2 - Green ways and Public Rights of way

Bio1 - Biodiversity and Geodiversity

HE1 – The Historic Environment

HE6 - Archaeology

RE1 - Low Carbon and Renewable Energy

Hoyland North Masterplan Framework

Although not located within the Hoyland North Masterplan Framework area, the masterplan is relevant as the hybrid planning permission 2019/1573 (which additionally included land within the Masterplan area) was determined in accordance with the Framework and conditions on the hybrid permission for this site therefore relate to it.

The Masterplan Framework was adopted on 19th December 2019 and aims to create a mixed-use community comprising around 765 new homes and 37 hectares of employment land with associated infrastructure to the north of Hoyland's urban area set within a greenspace network that supports multi-functions and activities to the south of the DVP. The key points of the masterplan as they relate to this proposal through planning conditions are the requirement for 10% biodiversity net gain, a neutral colour palette, limits to scale and massing to minimise harm to wider landscape, location of service yards, consideration of green roofs, pedestrian and cycle routes enhanced and retained, new woodland areas within high wall zones, high value wetland swamp grass land area to be retained and management and maintenance of green infrastructure.

The outline part of hybrid planning permission 2019/1573 included an approved parameters plan, an indicative masterplan with a suite of conditions and a Section 106 agreement to secure the requirements of the masterplan and the requirements of the relevant Local Plan Policies.

Supplementary Planning Documents

Parking

Biodiversity and Geodiversity

Sustainable Travel

Trees and Hedgerows

Planning Obligations

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.

Consultations

Air Quality – No objections subject to condition

Biodiversity – No objections

Coal Authority – No objection

Conservation – No objections.

Design – Initially there was concern about a lack of structural planting to the site frontage and objection to offices in white colour as this did not meet the neutral colour palette of the masterplan. However, amended plans have been submitted to increase planting and amend the office colour scheme to greys. The Design Officer therefore no objections based upon the most up to date set of plans.

Enterprising Barnsley – Actively support the application which will help to create a much-needed new unit in a strategically important area of the borough that will help to both attract future inward investors and retain growing indigenous companies. The size of the unit will help to fill a clear gap in the development pipeline market that will help to support several enquires that EB are turning away due to limited available stock levels of proposed developments of this size. This development is essential in helping BMBC and Sheffield City Region create future employment opportunities as per the existing strategic and corporate plans as well as contributing to a jobs lead recovery from Covid.

Forestry – A mix of native and ornamental species are proposed, but there are trees surrounding the site which need protection. There are therefore no objections subject to tree protection as approved at the outline stage.

Highways Drainage – No objections.

Highways DC - Raised initial concerns about levels. However, the amended plans are now satisfactory subject to suitable planning conditions.

Natural England – No objections.

Pollution Control – No objection subject to a condition relating to hours of construction and submission for a Construction and Environmental Management Plan (CEMP). However, condition 9 of the outline permission requires the submission of a CEMP prior to construction so it is not necessary to repeat the condition here.

Public Rights of Way –Further clarification was required initially. However, amended plans are now satisfactory subject to an informative.

South Yorkshire Archaeology Service – It was confirmed at outline stage that no archaeological investigation is required.

South Yorkshire Mining Advisory Service – No objections subject to Coal Authority approval.

Superfast South Yorkshire – No objections subject to planning condition for gigabit capable full fibre broadband (a similar condition was also required at the outline stage condition 38).

Tankersley Parish Council – No comments have been received.

Yorkshire Water – No objections.

Representations

The application was advertised by press notice, by 3no. site notices and by 57 individual letters to neighbours and businesses and on the Councils website. No letters of representation have been received.

The Principle of Development

Employment use of this site is in accordance with Local Plan Policy ES15 and the principle was established by the existing hybrid planning permission (ref 2019/1573).

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

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

Indicative layout and parameters plans were approved at the outline stage to guide the design of the reserved matters proposals. In addition, the hybrid planning permission contains a large variety of conditions and a S106 Agreement requiring biodiversity net gain which will be applicable when the development is carried out. The details to be considered in this reserved matters application relate to layout, scale, appearance and landscaping only with the principle of development already established in land use planning policy terms. Detailed consideration of reserved matters is set out below.

Design and visual impact considerations (layout, scale, appearance and landscaping reserved matters)

The layout comprises 1 large building instead of the 2 smaller buildings that were envisaged in the indicative outline masterplan. The building would be to the west of the access road, with the service yard to the rear, screened from the DVP by the building, in accordance with the masterplan. Car parking would be to the east of the access road. This would be an improvement on the indicative outline masterplan, which envisaged a smaller building in this location with a service yard to the rear, close to the residential dwellings of Shortwood Villas. The replacement of a service yard by the proposed car park is likely to result in a lower level of noise emissions. Additionally, the northern boundary of the service yard will be screened both visually and acoustically by a close boarded fence. Security fencing around the yard would be via paladin fence in green. The attenuation pond and substantial landscaped area would separate the dwellings from the built development.

The access, attenuation pond and footpaths are closely in line with the indicative masterplan. Although specific occupants are not yet known (the proposal is speculative at this stage), the applicant states that the layout has been designed to accommodate operational requirements for typical occupiers for this size of unit. Air Quality mitigation strategies include 32 EV charging points and 30 covered cycle parking spaces. All are considered of appropriate dimensions and locations for modern employment units. A gatehouse will control vehicular access and egress. Overall layout is considered acceptable.

In relation to scale the size of the two units on the approved indicative masterplan at outline stage was approximately 25,500sqm. The current proposal is for one unit of 31,612sqm which equates to an approximate increase of 23% in size. However, the increase in size is achieved by an increase in width rather than an increase in length and therefore would not appear materially different than what was shown on the indicative plans when viewed from the Dearne Valley Parkway.

In floorspace terms the proposed amount of 31,600sqm equates to approximately 31% of the maximum 102,193 sqm of floorspace granted under outline permission 2019/1573. Therefore, whilst this proposal would use up a considerable proportion of total building floorspace that was allowed by the hybrid planning permission (nearly 1/3) it would still be well within the overall parameters that were allowed for the overall development.

Within the overall floorspace limit however a limitation was also imposed on the overall amount of B8 use (storage and distribution) that would be allowed. Condition 21 stated that:- *The development hereby approved shall not exceed a maximum of 102,193sqm of employment use floorspace (use classes B1/B2 and B8), of which a maximum 75% may be B8 uses, the details of which shall be submitted as part of the application for approval of reserved matters.*

The Council has recently granted a reserved matters application for phase 2 under 2021/1007 for 10,312sqm of flexible E(g)(iii)/B2 or storage and distribution B8, totaling approximately 10% of the permitted B8 use set out in condition 21 of the outline. Together, the units granted by 2021/1007 and this application, total B8 uses granted would be 41% of the allowable B8 use. This falls well below the maximum threshold of B8 use allowed under 2019/1573 and would therefore be acceptable also.

Overall, therefore in floorspace scale terms the submitted reserved matters application proposes one large unit rather than two units shown on the approved masterplan. Having reviewed the submitted documentation accompanying this application Officers are satisfied that one unit would be acceptable of the scale proposed. Although of greater floorspace than the two combined units set out on the masterplan, it would nevertheless comply with condition 21 which sets out the parameters for B8 use on the site.

In relation to the assessment of building height the single unit is in the location of Phase 3, Unit 2 as set out in the indicative masterplan approved as part of the existing hybrid planning permission. It is noted that the unit does not accord with condition 19 which states:-

Building's heights shall not exceed 10m to eaves other than Unit 2 on Gateway 36 Phase 3 as shown on indicative masterplan 12006-1-110 REV L which shall not exceed 12.5m to eaves.

However, where condition 19 is exceeded condition 20 of hybrid p.p 2019/1573 allows applicants to demonstrate that the enlarged building would not harm the wider landscape though the submission of landscape and visual impact assessment and photomontages.

The approved parameters plan required the maximum building height to be no more than 15.5m and the maximum finished floor level to be 128.5m AOD. This application proposes the height to eaves to be 16m with a very shallow curved roof at 18.4m. To offset this, it is noted that the floor level is anticipated to be lower than the maximum permitted within the outline part of 2019/1573 at 127.4 AOD resulting in an overall maximum height of only approximately 1.8m above over maximum permitted.

The documentation submitted to address the outline condition 20 has been assessed and is considered satisfactory in this case. This has been borne out by comments from the Design Review Panel and has been discussed in detail in the report below. Having one unit would also be beneficial in that built development would be located further away from residential development.

In considering the landscape and visual impact of the proposal, the landscape and visual impact addendum document provided with this proposal has been reviewed. The addendum concludes that the impacts would not be materially greater than the approved indicative maximum size limits. Considering that the proposed floor level is lower than the potential maximum and the screening effects offered by vegetation over time, together with careful elevational treatment, on balance, the slight increase in height over permitted levels is considered acceptable.

The building is proposed to have shallow curved roofs with rooflights and solar PV panels (up to 5%). Colours are proposed to be grey with horizontal bands of green and neutral/earthy colours. Amended plans propose offices to be of grey shades. Roofs are proposed to be a neutral/earthy green to blend in with the surrounding landscaping and minimise impacts on the wider landscape. The colours are all close to the neutral palette as set out in the adopted Masterplan Framework and are acceptable therefore.

Glazed elements to the offices and to elevations facing the access road will provide additional interest. Within plot landscaping will provide biodiversity habitat and screening, with mature trees and ornamental shrubs providing instant impact and year-round interest.

The Urban Design Officer was initially concerned about the lack of trees screening to the elevations of the building as viewed from DVP as this did not reflect the softened character which is the Council is endeavouring to achieve through the Hoyland North Masterplan. However, the amended plans propose to considerably increase the tree coverage towards the internal access road with a new section of native woodland planting, followed by a denser grouping of specimen tree planting. The Urban Design Officer is now satisfied with the screening and softening effect now proposed. It should be noted however that there is an area of highway verge which lies outside the red line boundary and may therefore not be planted unless agreed with the highway authority.

The application was also presented to the Design Review Panel at the pre-application stage and as the formal application is almost identical to that it is not considered necessary for the Panel to reassess the proposal.

The Panel considered that the height was less of a concern than the overall design in terms of scale, massing, and layout. The curved roof form and darker roof colour was considered to be a positive and the Panel considered colour and materials as being key in terms of landscape setting and visual impact and were keen to see the colours set out in the masterplan colour palette being used. The Panel requested that the margin to the Dearne Valley Parkway is co-ordinated and on each side of the road, this appears to have been incorporated into the design at the application stage.

Overall, despite the minor exceedance of height of unit 2 above outline expectations, the LVIA has demonstrated that the impacts are acceptable to the Design Panel who were in the main, satisfied with the layout and colour palette at the pre-application stage.

The proposal now comprises a high-quality product of appropriate design and elevational treatment within a high-quality landscaped setting. The proposal is considered to comply with Local Plan Policy D1 and GD1 in relation to the proposed design of the building and its finished appearance.

In landscaping terms, the outline part of the hybrid planning permission required a woodland area to northeast and the area to southwest are to be retained, in accordance with the site-specific policy. A pond area in the northeast of the site was also set out in approved outline plans. The submitted landscape plans provides a green corridor to the frontage of Dearne Valley Parkway and landscaping to access and elsewhere on the plot. Management would be in accordance with a comprehensive landscape and ecological management plan discussed in more detail below. The landscape proposals are intended to retain as much of existing as possible and:

- establish woodland planting assist in screening and provide enhanced linkages for wildlife.
- establish well managed scrub areas to support a range of wildlife create a rich mosaic with varied age, species, and structure.
- a sustainable drainage basin for the catchment of water run-off from proposed built form. The basin would be planted with a species mix selected to reflect the surrounding landscape character with suitable tolerances for fluctuating conditions.
- Mature trees planted across the site to provide focal features.
- The creation of seating areas adjacent to the SUDS Pond planted around the building entrance, vehicular access, and car parking areas to provide recreational amenity for employees and users of the commercial buildings.
- The realignment of existing Public Rights of Way and footpaths.
- Site wide furniture would provide low-level navigation sympathetic to the site's rural context. Woodscape benches and timber signage have been chosen to suit the semi-rural character of the site, taking a 'country park' approach to the layout and specification.

The hybrid planning permission anticipated that almost all existing trees on site which were planted following open case reclamation would be removed to accommodate the level changes and the build elements of the scheme. There are however trees surrounding the site which will need to be protected during the proposed works. An arboricultural impact assessment was provided at outline which contained details of the protection of the trees and details of the protection of the woodland edge. The Forestry Officer requests that the document be conditioned to be complied with at the reserved matters stage.

In assessing the proposed landscaping scheme, the Forestry Officer considers that the landscaping is broadly in line with what is expected in terms of a varied species mix for the native woodland and hedgerow mixes and ornamental type species in the more formal areas around the car park etc. There are therefore no objections to the proposed on-site tree and hedgerow planting for this application.

Overall, the landscaping proposals are acceptable and accord with Local Plan Policy BIO1 and GD1 and GS2.

Biodiversity

A S106 agreement attached to the existing hybrid planning permission 2019/1573 requires 10% biodiversity net gain for the overall development both on-site and offsite mitigation and enhancement.

The outline part of the permission required detailed plans and documents to be submitted with each Reserved Matters application indicating biodiversity mitigation and enhancement measures, including long term management, for each plot.

An on-site landscape and ecological management plan proposes the following with a 30-year management period:

- The retention, enhancement and management of existing woodland, hedgerow, and grassland habitats.
- The establishment of native woodland planting to both assist in screening the development and provide enhanced linkages for wildlife.
- The establishment of well-managed scrub areas to support a range of wildlife and managed to create a rich mosaic with varied age, species and structure
- The creation of a sustainable surface water attenuation basin and wetland meadow for the catchment of water run-off from proposed roofscapes and areas of hard standing. The basin would be planted with a species mix selected to reflect the surrounding landscape character, with suitable tolerance to fluctuating conditions. There will be an area of permanent water to establish reedbed and open water habitat
- A range of mature trees will be planted across the site to provide focal features and assist in screening the development as well as providing greater structural diversity and potential habitat for bats and birds from an early stage.
- Formal and informal hedgerow using native species to assist in creation of wildlife corridors with associated ditches.
- Ornamental planting to provide pollinator species.
- Pole mounted bird boxes, bat boxes and hibernacula .

Since 2019/1573 was granted permission the Dearne Valley Wetlands Site of Special Scientific Interest (SSSI) has been designated. The offsite biodiversity mitigation and enhancement sites of Barrow Hill Colliery and part of Short Wood now lie within the SSSI, and the applicant and the Council Biodiversity officer have worked with Natural England to determine an appropriate off site biodiversity net gain proposal comprising:

- 1: Specimen Woodland Planting Table
- 2: Whip Woodland Planting Table
- 3: Wet Woodland Planting Table
- 4: Marginal Aquatic Planting

The Biodiversity Officer has assessed the proposals and has no objections to on-site and off-site enhancements which together will deliver greater than 10% net gain. Natural England have confirmed that they have no objection to the proposals and that there will be no adverse impact on the SSSI as a result of drainage or air pollution. Furthermore, Natural England welcome the habitat enhancements proposed on site for the assemblage feature of the Dearne Valley Wetlands SSSI.

A condition is proposed to ensure a lighting scheme sympathetic to biodiversity as well as residential amenity is provided.

The proposal is therefore in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

Highway's considerations

The Highways Development Control Group Leader has confirmed that the implications of the overall development proposal parameters covered by 2019/1573 on the highway network were assessed through a Transport Assessment previously and that a Framework Travel Plan was agreed in order to ensure the site maximises sustainable travel opportunities.

This reserved matters application is for the development of 31,000sqm for business and industrial floorspace, although this is speculative type development as specific occupiers are not known at the present time. However, notwithstanding this, it is noted that the planning statement confirms that the layout has been designed to accommodate the operational requirements of a typical occupier of these types of units.

The Framework Travel Plan approved under the approved application 2019/1573 is applicable for this reserved matters application and a detailed Travel Plan (or Tenant Travel Plan) for each building requires approval by the Council prior to occupation under the obligations contained within the S106 agreement dated 10th August 2020.

The car parking has been designed in accordance with B8 use, however given the speculative nature of the proposal, should B2 use be required by the occupier, the design and access statement states that additional provision would be made.

The Highways Development Control Group Leader notes that given the single unit served by the proposed access, lack of public utility (serving a single unit) and the design not being to adoptable standards, the road would remain private and unadopted.

Following previous comments on this application a number of amendments have been made to the site layout. The priorities of traffic entering and exiting the yard and adjacent car park have been reconfigured to improve vehicle flow which also overcomes the initial concerns regarding visibility as a give-way has been introduced giving priority to vehicles leaving the car park. In addition, 16no. powered two-wheel parking spaces have been included to accord with the Council's parking standards requirement. Furthermore, the stepped access to between the access road and building has been replaced by a reconfigured / 'ramped' footway.

Consequently, the Highways DC Group Leader confirms that there are no objections to the proposed development from a highways perspective subject to planning conditions, and the proposal is therefore in accordance with Local Plan Policies T3 and T4.

Residential Amenity

The relationship between the proposed new development and the adjacent existing residential properties has been considered in detail. Local Plan Policy POLL1 seeks to protect residents from the impact of new industrial and warehouse development and adopted SPD "Residential Amenity and the Siting of Buildings" sets out minimum thresholds for distances and scale to be applied to non-residential buildings to ensure residential amenity is not affected. The proposal comfortably exceeds the relevant distances to the nearest dwellings at Shortwood Villas despite the differences in levels with the Villas being at a lower level than the proposed development. The dwellings do not face towards the site and the attenuation pond and intervening vegetation, and landscaping will serve to provide a substantial landscape barrier between the dwellings and the commercial building and service yard.

The omission of unit 1 and its service yard which would have been to the rear of the unit will be of benefit to residential amenity causing fewer noise impacts to residents at Shortwood

Villas, being proposed to be replaced by a car park. All parking areas should be well screened by landscaping to minimise visual impacts, and an acoustic fence to the rear of the service yard would mitigate any noise impacts.

The design and layout of a large building can also create significant visual impacts and outlook on residential dwellings. As Unit 1 is proposed to be omitted, the impact of the proposed building, although larger in scale and massing, are anticipated to be less as it is set further away than the indicative masterplan anticipated. Members should note that no representations have been received from any local residents.

The Pollution Control Officer has no objections regarding noise either during construction or operationally, subject to condition controlling the hours of construction. This requirement is condition 6 of the outline part of the hybrid permission and it is therefore not necessary to repeat it here.

Overall, the proposal accords with Local Plan Policy D1 and POLL1 in residential amenity terms.

Public Rights of Way

Recorded PROW run directly across the site. Formal diversion orders have been made and confirmed without receiving objections. The diversions will only take effect once the diversion routes have been certified as having been constructed to a suitable standard by the Council.

A temporary closure order is currently in place for these PROW, approved until March 2023. A suitable temporary closure / diversion must be in place until such time as the diversion routes are certified as complete and opened to the public.

As part of 2019/1573, various changes to non-vehicular routes were anticipated. The following are proposed:

- Existing public footpath within the northern part of the site boundary - uneven surface to be made good.
- Realigned public footpath close to the eastern boundary.
- Realigned public bridleway running from site access to exit near Shortwood Villas and along frontage of Dearne Valley Parkway.
- Footpaths (not public rights of Way) linking the exiting footpath which runs along DVP to the northeast of the site (outside the boundary) to the proposed bridleway.

Other features such as footpath signage, metal signage and timber route markers are proposed. After initial clarification was sought and amended plans submitted, the Public Rights of Way Officer has no objection, and the application is considered to be in accordance with Local Plan Policy GS2.

Sustainability

In accordance with conditions on 2019/1573 a preliminary BREEAM assessment has been undertaken which demonstrates the building will have the potential to achieve BREEAM very good through a variety of measures.

EV charging points are proposed to 10% of the car parking spaces in accordance with condition 31 of the outline permission. A condition is proposed to develop a further strategy if appropriate. In addition, a 50 no cycle spaces and 10 no cycle shelters will be provided together with showers and drying facilities.

5% of the roof area would have photovoltaic cells, with natural daylight and sunlight provided via plentiful rooflights. The design and access statement notes that the development would be constructed to net zero carbon in line with the UK Green Building Councils Net Zero Carbon Buildings Framework.

Summary and Conclusion

The site is allocated for employment use in the Local Plan (policy ES15) and the principle of the proposed use was established through extant hybrid planning permission 2019/1573. The site is located in the Hoyland Principal Town area and as such the proposal also accords with policies Policy E1 Providing Strategic Employment Locations, Policy E2 The Distribution of New Employment Sites and LG2 The Location of Growth.

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

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

The proposed development is acceptable in all aspects associated with the principle of development and land use planning policy considerations which attracts substantial weight in favour of the proposal.

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

This particular application is seeking approval for the layout, scale, appearance, landscaping and access reserved matters relating to one particular phase of 2019/1573 (phase 3). Essentially therefore the application is about seeking the acceptability of the plans in relation to important material planning considerations including the impact of the development on visual impact, residential amenity, highways considerations and trees and biodiversity having regards to the other relevant policies of the Local Plan (GD1, D1, BIO1, T3 and T4) and the more detailed requirements of the relevant Supplementary Planning Documents (Residential Amenity and the siting of buildings, Biodiversity and geodiversity, Sustainable travel, Parking).

In terms of layout the proposal differs from the approved indicative plan granted at outline stage, in that 1 unit is proposed instead of 2, and only a car park is to be provided to the west of the access road rather than a second unit with service yard to the rear. The increase in floorspace is mainly accommodated by depth rather than length and would not appear excessive when viewed from the Dearne Valley Parkway. Overall, it is considered that the development of one larger unit instead of two smaller units is acceptable.

In considering scale, the amount of development proposed is slightly more than anticipated within 2019/1573 for phase 3, but it would still be well within the floorspace limited permitted both overall and for the amount of B8 use that was allowed appreciating that the proposal is speculative at this stage and is also going to be marketed for class E(g)(iii)/B2) uses also. Condition 21 of 2019/1573 is complied with therefore.

The slightly increased building height over and above that allowed by the conditions included within 2019/1573 is offset by a lower than anticipated floor level and the resulting maximum height is not considered to be materially greater than anticipated at the outline stage (approximately 1.8m). A Landscape and Visual Impact Assessment has been submitted which demonstrates that the slight increase in size over the permitted parameters would not cause a significantly greater impact on landscape and visual amenity as a result and the Design Review Panel were also supportive on this point.

In terms of appearance, the Design Review Panel were very positive of the proposed colour scheme, using neutral colours, which fitted well with the masterplan colour palette and the Panel were supportive of the darker shade for the roof. They had no concerns about the slightly increased height of the building.

In terms of landscaping, a significant amount of landscaping is proposed around the site, maintaining a well landscaped frontage in accordance with the masterplan and retaining the area to the southwest, in accordance with the site-specific policy. New and improved footpath routes, fencing signage and biodiversity mitigation and enhancement, together with a long-term management plan for on-site and off-site enhancement are proposed. In addition the development would deliver 10% biodiversity net gain which is another consideration that is afforded significant weight in the overall planning balance.

In summary the proposal is considered to be in accordance with the main development plan policies that are relevant to the proposal (most notably Local Plan policies ES15, E2, E3, D1, BIO1) in that it would lead to the provision of a large scale employment unit on a site that is allocated for that purpose in the Local Plan. The development would result in substantial economic investment and potential employment opportunities and would deliver the other benefits mentioned above. The assessment of 2019/1573 established that the overall development would lead to moderate adverse landscape and visual impacts when the development is first undertaken. That harm needs to be afforded moderate assessment weight therefore in the overall planning balance. However, many of those change impacts have already occurred as part of the site clearance works and engineering works to create the development platform (works that were approved in full under hybrid planning permission 2019/1573). In addition the landscape and visual impact assessment that has been submitted with this application has demonstrated that the changes being proposed for Phase 3 would not amount to any greater impacts upon visual amenity, the wider landscape or sensitive receptors than those previously approved. As such it is considered that the level of harm would be moderate and would be far outweighed by the other areas of development plan compliance and the economic benefits of the development which are afforded substantial weight. The proposal therefore complies with the development plan as whole and the advice set out in the NPPF. As such the scheme is considered to accord with policies and guidelines and is recommended for approval accordingly.

Recommendation

Grant approval of reserved matters subject to conditions

1. The development thereby permitted shall be begun before the expiration of 2 years from the date of this permission.

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

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

Site Layout ref. 21049_P0601 rev.G
 Location Plan ref. 21049_P0602 rev.A
 Site Finishes Plan ref. 21049_P0603 rev.F
 Indicative Site Sections ref. 21049_P0604 rev.B
 Fencing and Barrier Details ref. 21049_P0701 rev.E
 Bin Store Details ref. 21049_P0702 rev.D
 Cycle Shelter Details ref. 21049_P0703 rev.E
 Building Plan ref. 21049_P1001 rev.G
 Office Plans ref. 21049_P1002 rev.C
 Roof Plan ref. 21049_P1003 rev.C
 Elevations ref. 21049_P1301 rev.E
 Landscape Framework Plan ref. 441-UW-P-001 rev.E
 Softworks Planting Plan ref. 441-UW-P-002 rev.E
 Landscape Features Plan ref. 441-UW-P-003 rev.D
 Landscape Features Signage ref. 441-UW-P-004 Rev.-
 Landscape Features Rabbit Fencing ref. 441-UW-P-005
 Landscape Features Bench Detail ref. 441-UW-P-006
 Landscape Features Typical Tree Planting Details ref. 441-UW-P-007
 Landscape Features Typical Retaining Feature ref. 441-UW-P-008
 Landscape Amenity Area ref. 441-UW-SK-001 rev.A
 Proposed Levels ref. 079577-CUR-XX-XX-DR-C-91001-P12
 Retaining Structure and Slope Detail Drawings (set) ref. 079577
 Drainage Masterplan ref. 079577-CUR-ZZ-ZZ-D-C-92001-P05
 Attenuation Basin Details ref. 079577-CUR-ZZ-ZZ-D-C-92201-P02
 Car Park Visibility Splays ref. 22022.IN.02
 Planning Statement ref. JM/PS/02
 LVIA Addendum (inc. photomontages) (December 2021 rev.A)
 Landscape and Ecological Management Plan ref. 441-UW-P-LEMP rev.D
 Habitat Creation, Biodiversity Mitigation and Enhancement Scheme rev.A
 Biodiversity Impact Assessment Phase 3 rev.A
 Biodiversity Offsetting Scheme rev.A
 Road Access Levels Statement ref. 079577-CUR-ZZ-ZZ-T-C-95001-P01
 Drainage Statement ref. 079577-CUR-ZZ-ZZ-T-C-92001-P03 (inc. Operation & Maintenance Plan ref. 079577-CUR-ZZ-ZZ-T-C-92900-V01)
 BREEAM Pre-Assessment Report dated 07/12/21

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

3. No development or other operations being undertaken on site shall take place until tree protection is erected on site in accordance with the method statements in the approved Arboricultural Impact Assessment V2 dated Feb 2020 by The Environment Partnership (approved by outline permission 2019/1573). Thereafter the development shall be implemented in accordance with the approved documents.

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

4. Prior to the commencement of development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include measures to residential amenity, and to protect the adjacent Dearne Valley Wetlands SSSI and nearby Short Wood and Hay Green LWS from habitat degradation during construction operations including from dust deposition, accidental damage or pollution incidents. Thereafter the development shall proceed in accordance with the approved plan.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, and to ensure that the SSSI and LWS are not degraded during construction operations including through habitat degradation arising from dust deposition, accidental damage, or pollution incidents and in accordance with Poll1 and BIO1.

5. Upon commencement of engineering/construction operations, details of any temporary lighting (if proposed to be used) shall be submitted to and approved by the Local Planning Authority. Details shall include the location, orientation, angle, and luminance of the lighting including lux levels plans and shall be designed to ensure light pollution does not affect residential amenity or harm wildlife. Thereafter the approved details shall be implemented in full.

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

6. Upon commencement of development the detailed construction specifications and implementation timescales of all footpaths/multi user routes/bridleways shown on the approved plans for this phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the footpaths/multi user routes/bridleways shall be constructed and maintained in accordance with the approved details and timescales.

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

7. No building hereby approved shall be occupied prior to the installation of Electric Vehicle Charge Points in accordance with plan referenced Site Layout ref. 21049_P0601 rev.G and meeting the minimum specification of "mode 3" 7 kW 32 amp, or alternative in accordance with an Electric Vehicle Charge Point and Infrastructure Strategy scheme submitted to and approved by the local planning authority.

Reason: In the interests of minimising the impact of the proposal on air quality in accordance with Local Plan Policy Poll 1.

8. Prior to the occupation of the building hereby approved, full details of permanent external lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle, and luminance of the lighting including lux levels plans and shall be designed to ensure light pollution does not affect residential amenity or harm wildlife. The approved details shall be implemented on each plot prior to occupation of the building of the use and retained as such thereafter.

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

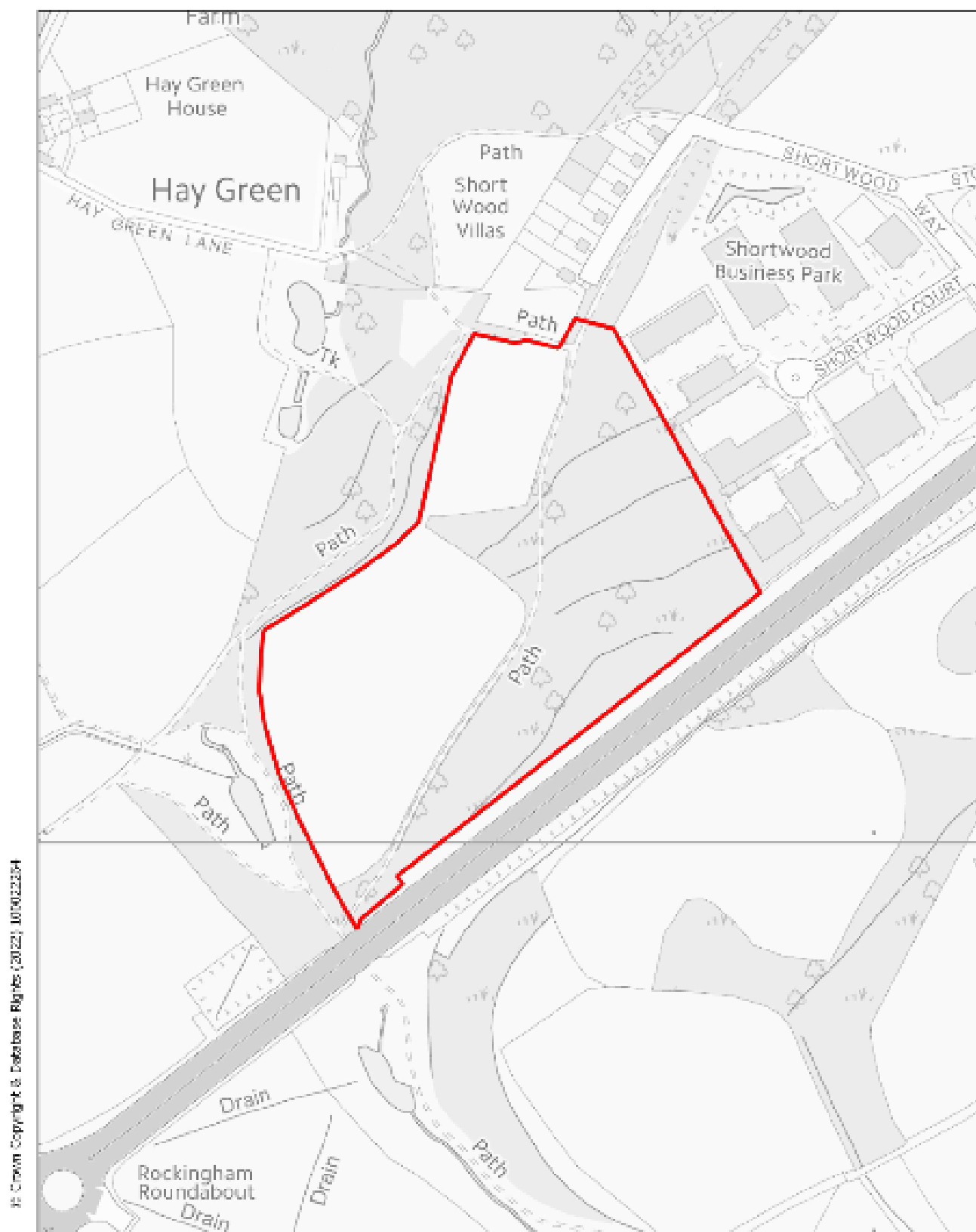
9. Prior to the first occupation of the building hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan Car Park Visibility Splays ref. 22022.IN.02 . The splay shall thereafter be maintained at all times free from any obstruction exceeding 900mm above the level of the adjacent highway carriageway.

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

10. All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway.
Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.
11. Vehicular and pedestrian gradients within the site shall not exceed 1:12
Reason: To ensure safe and adequate access in accordance with Local Plan Policy T4.
12. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1300 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales and managed in accordance with Landscape and Ecological Management Plan ref. 441-UW-P-LEMP rev.D
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'

PA Reference:-

2021/1691



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