
Ref 2020/1038

Applicant: BMBC

Description: Provision of new foot and cycle bridge over the existing Barnsley to Huddersfield rail line linking Penny Pie Park to Pogmoor recreation ground and associated new footways

Site Address: Penny Pie Park, Dodworth Road, Barnsley

4 letters/emails of representations have been received to this application from local residents.

Site Description

Penny Pie Park is a Local Neighbourhood Green Space to the west of Barnsley town centre. It is bordered by Pogmoor Road to the west, Dodworth Road/A628 to the south, the Barnsley to Huddersfield rail line to the north and residential properties to the east.

The park is approximately 500m to the east of Junction 37 of the M1, with Dodworth Road acting as a primary vehicular route into Barnsley town centre.

Pogmoor Recreational Ground lies to the north of Penny Pie Park and is separated by the Barnsley to Huddersfield rail line.

Work is currently on going within the park to create signalised gyratory roundabout with improvements to the existing Dodworth Road / Broadway / Pogmoor Road junction and re-configuration of park (Ref 2018/0965).

Proposed Development

As part of the design process for the signalised gyratory, a greenspace appraisal was undertaken to identify deliverable mitigations to compensate for the impact of the scheme on the greenspace known as Penny Pie Park to ensure that the existing facilities would be enhanced. One of those enhancements was the provision of a footbridge over the rail line, connecting to Pogmoor Recreation Ground as a compensatory green space with further links to Stock's Lane / Sugden's Recreation Ground.

Prior to the submission of this application a feasibility study was undertaken to determine the most appropriate bridge type for the location. The chosen option (option 3) is an arched truss bridge which has been designed in accordance with the relevant standards contained within the Design Manual for Roads and Bridges (DMRB).

As the bridge is intended for both pedestrian and cycle usage then a 3.0m clear width will be provided. New access paths leading to/from the path will also be created, linking into the paths created as part of the signalised gyratory scheme. These can be seen on the Masterplan submitted with this application.

The proposed foot and cycle bridge is to be lit throughout the hours of darkness.

The bridge would be located in the North East corner of Penny Pie Park and Southern boundary of Pogmoor Recreation Ground, spanning the railway line.

A masterplan has been submitted with the application which builds on, and mainly reflects, the approved Gyrotory landscape masterplan and shows the pedestrian links between the footbridge and the approved/existing paths at Penny Pie Park and Pogmoor Recreation Ground.

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.

Local Plan Allocation – Green Space (Penny Pie Park and Pogmoor Recreation Ground)

Relevant Local Plan Policies are:-

Policy GD 1 – General Development

Policy GS1 – Green Space

Policy GS2 – Green Ways and Public Rights of Way

Policy T3 – New Development and sustainable Travel

Policy T4 – New Development and Transport Safety

Policy T5 – Reducing the Impact of Road Travel

Policy D1 – High Quality Design and Place Making

Policy CC3 – Flood Risk

Policy Poll1 – Pollution Control and Protection

NPPF

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

Consultations

Network Rail – No objections subject to entering into a bridge agreement

South Yorkshire Police – No objections

Yorkshire Water – had initial concerns given the proximity to drains but a S185 has been agreed and the Council are in direct discussions with YW.

Pollution Control – No objections subject to condition

Highways DC – No objections subject to conditions.

Public Rights of Way – No objection subject to condition/informative

South Yorkshire Mining Advisory Service – no objections following the receipt of the deeper borehole report

Coal Authority – no objections following the receipt of the deeper borehole report

Tree Officer – No objections following receipt of the Tree Survey

Ward Councillors – Two Councillors commented on the application, both support the bridge and its wider benefits, but a number of concerns were raised;

- Potential suicides
- Create a desire line across the football pitch
- Glendale Close will become a drop off point
- No additional waste bins proposed
- Limited notifications regarding the application

Representations

The application was advertised by neighbour notification (21 properties) and by site and press notices. 4 No. representations have been received. The main points of concern are;

- Extra traffic and activity on Glendale Close, especially during school drop off and pick ups so parents/guardians can avoid the gyratory.
- Noise and disturbance during construction on nearby residential properties
- Mitigation requirements regarding the ground conditions – 165page report indicates issues
- The length and technical detail in the supporting documentation is likely to deter objections or comments on the application
- Future upkeep and maintenance costs
- Safety using the bridge at nights or in winter months with shorter daylight hours. Adequate street lighting and sound underfoot surfacing required.
- Approach ramps need to be protected from skateboard abuse.
- Potential for the bridge to be used as a meeting or loitering point which could dissuade the general public using the bridge
- Gradient of the bridge
- Retain barrier at the football pitch carpark

There were also a number of points made and questions raised which are not material planning considerations such as the cost of the bridge, the method of arriving at the proposed bridge design, the quality of handwriting on the application form and any political motivations.

It should also be noted that Pogmoor Recreation Ground is a miners Welfare Park and held by the Council in trust. *In addition, CISWO (Coal Industry Social Welfare Organisation) which is the overseeing seeing body of the Miners Welfare grounds have an interest in the site. As such, notice has been served on them for a period of 21 days by the Council as applicants.*

Assessment

Principle of development

Planning approval has previously been granted to create signalised gyratory roundabout with improvements to the existing Dodworth Road / Broadway / Pogmoor Road junction and re-configuration of park (Ref 2018/0965 dated 31st July 2018).

This application follows on from that approval and the proposed foot/cycle bridge aims to make further improvements to the park area by providing greater connectivity links between two community areas, creating a safer walking route to school and an active travel link for local residents.

Visual amenity

As stated in the Design and Access Statement a feasibility study was undertaken considering 3 options in order to select the most appropriate bridge for the site. Option 3 is the subject of this application which is an Arched Truss Bridge which was partially chosen due to its aesthetically pleasing appearance. It also has a limited impact on the green space as it does not require long intrusive access ramps. The gradients have been questioned by objectors but they are fully set out on the submitted drawings and are considered acceptable.

The bridge is a relatively simple arched design with anti-climb panels to the side and an arched canopy above. The bridge will be linked to the existing/approved footpaths within Penny Pie Park and Pogmoor Recreation Ground. There is a landscaping masterplan for the site which reflects and builds on that approved as part of the gyratory application. That will aid to soften the new bridge and footpaths and aid it to sit comfortably within its surroundings.

The proposed bridge would meet the requirements of Local Plan Policies D1 'Design' and would make a positive contribution to public spaces through its design, siting and use of materials.

The bridge would be set away from the gyratory and adopted highways, with views from the railway fleeting. The bridge is also set away from existing residential properties. There would be views of the bridge from both Penny Pie Park and Pogmoor recreation ground, however, as outlined above the design of the bridge has been chosen due to its aesthetically pleasing design and it would be softened by existing and proposed landscaping, as such, visual amenity would be maintained or enhanced within the immediate area.

There is palisade fencing proposed to both sides of the bridge on both sides of the railway, however, this would follow the slope of the railway embankment down to the railway tracks and would not be highly visible.

Residential Amenity

As outlined above, the proposed bridge would be set away from the neighbouring residential properties and would not be an overbearing feature given its modest size. Bulkhead lighting is included in the design of safety purposes but given the separation distances, direction of lighting and surrounding trees and landscaping this would not reduce the amenity of neighbouring residents.

The use of the bridge would also not unreasonably increase noise and disturbance levels within the area given that it is a foot/cycle bridge and considering the nature of the immediate area which contains principle routes into/out of the town centre and hospital, and also the position of the gyratory.

A number of residents and councillors have raised the issue of parents/guardians using Glendale close, adjacent to Pogmoor Recreation Ground, as a drop off/pick up point for pupils attending Horizon in order to avoid the gyratory. This would be made

possible due to the proposed bridge and associated footpaths. This point is noted and is similar to situations on residential streets around school sites. There would be some disruption around drop off and pick up times but would not warrant refusal given the wider benefits of the scheme.

Highways considerations

The proposed bridge and associated footpaths link with existing routes and those approved under the Gyratory application. The proposed foot/cycle bridge aims to make further improvements to the park area by providing greater connectivity links between two community areas, creating a safer walking route to school and an active travel link for local residents, which would be of benefit to the highways conditions in the area and allow for sustainable travel through walking and cycling.

The concerns with Glendale Close are noted and could be monitored for potential Traffic Regulation Orders in the future, similar to those already along Pogmoor Road given the proximity to the hospital.

There are some questions over the connection to the public highway to the north of the application boundary, to Glendale Close. The application will introduce a potential new desire line/demand for movement along this section of highway and highways will require details of said connections and any associated improvements required to provide for future usage levels. Having looked at the area in question Highways do not envisage this to be a major issue as this could be addressed through minor footway connections and tie-ins and, as such, this could be secured through an appropriately worded planning condition.

The scheme provides a 3m wide pedestrian/cycle bridge across the rail line but the approach path connections through current/future green space areas appear to be limited to 1.8m in width. Highways recommend that the proposal be amended to widen the footpath width to be between 1.8m and 3m in width along paved connections both north and south of the proposed structure. This will again be conditioned.

Mining

The Northern part of the application site falls partly within the defined Development High Risk Area, as such, the applicant submitted a Ground Investigation Report (HPBW Consulting Engineers, dated Feb 2020). However, only one borehole to only 10m deep has been undertaken on the northern edge of where the bridge structure is to be sited. This side of the railway has some concern as to potential shallow coal workings in the Barnsley coal seam circa 15m deep. Therefore, Both SYMAS and the Coal Authority objected and requested the applicants to undertake a borehole investigation to a depth of at least 30m to disprove (or otherwise) the issue of mining instability.

This testing was subsequently carried out with the results of the borehole testing and accompanying report provided to SYMAS and The Coal Authority. As a result of those test results, both SYMAS and The Coal Authority withdrew their objections.

Trees

A survey carried out by ECUS confirms there are no trees within the location of the proposed bridge abutments and no trees greater than 75mm diameter at breast

height within 12m of the proposed location. As such, the Tree Officer has raised no objections.

As stated above, the application is accompanied by a masterplan which builds on the approved soft and hard landscaping plan which formed part of the gyratory application.

Drainage

Yorkshire Water have raised concerns regarding the proposed bridge foundations and piling are very close to 2no. sewers (a 300mm diameter public foul sewer and a 300mm diameter public surface water sewer). However, discussions have taken place between the applicant and Yorkshire Water to divert the sewers and a S185 agreement has been entered into.

Conclusion

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

Recommendation

Grant planning permission subject to the following conditions:-

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

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

2. The development hereby approved shall be carried out strictly in accordance with the plans (Nos SL06524-HBPW-xxx-DRG-C-CV-1003 - P02 & PPP/595/01 rev F) and specifications as approved unless required by any other conditions in this permission.

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

3. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

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

4. All planting, seeding or turfing comprised in the approved details of landscaping (plan refs PPP/595/01 rev F) 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. The approved hard landscaping details shall be implemented prior to the bridge being brought into use.

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'

5. The approved footbridge shall not be brought into use until precise details of the specification (width and surface material) of the link footpath positioned between the northern bridge landing and Glendale Close have been submitted to and approved in writing with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved specifications and timescales.

Reason: In the interests of Highway Safety, the visual amenities of the locality, and residential amenity, in accordance with Local Plan policies T4 'New Development and Transport Safety', GD1 'General Development' and D1 'High Quality Design and Place Making'

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

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in constructing the development
- v. Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety.

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

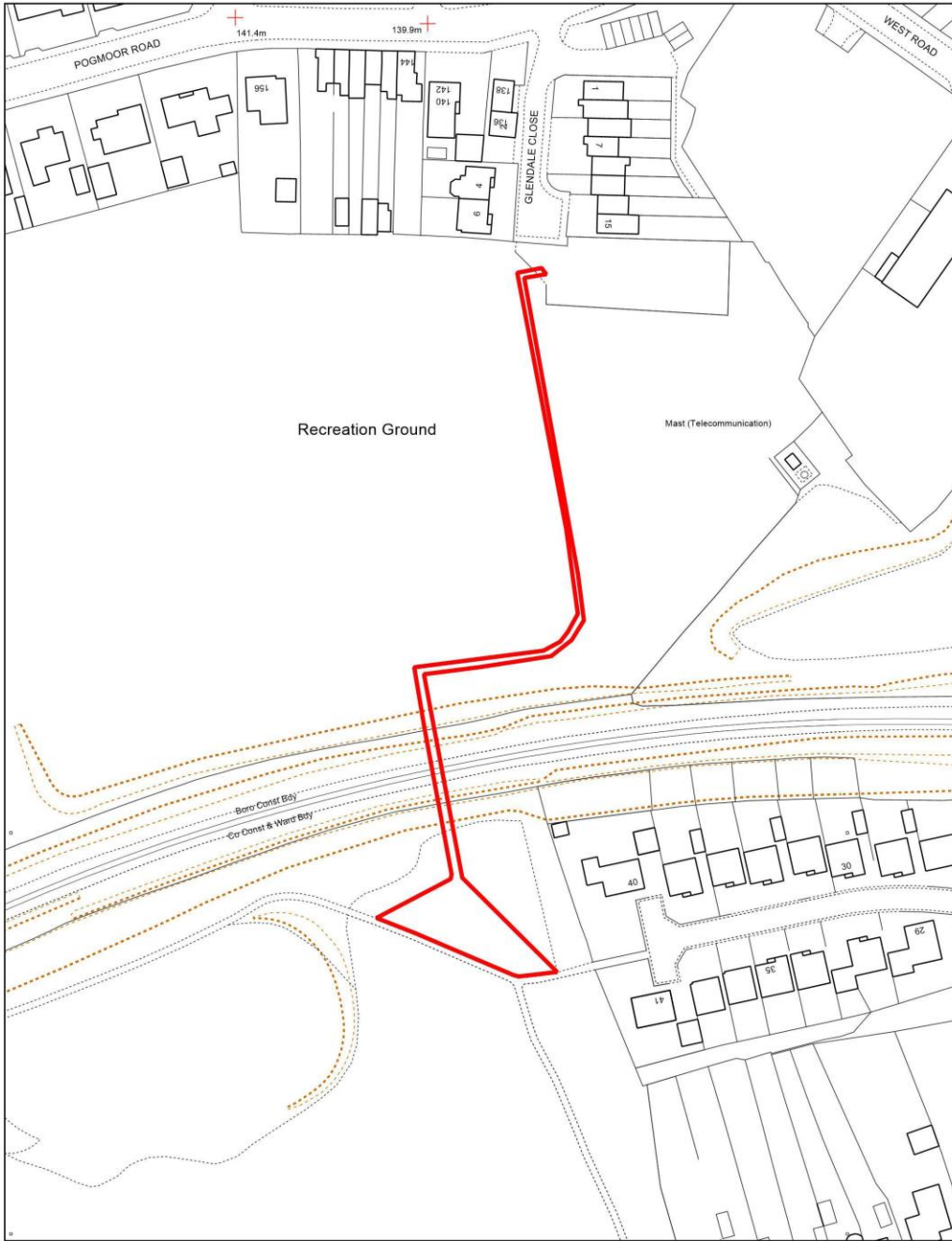
- i. A plan to a scale of 1:1250 showing the location of all defects identified
- ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the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

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

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

PA Reference:-

2020/1038



BARNSELY MBC - Regeneration & Property



Scale: 1:1250