

**Town and Country Planning Act 1990
(As Amended)**

Planning Statement

**Engineering Operations to Re-profile Land
and Subsequent Landscaping**

**Site: Land at Wombwell Road, Stairfoot,
Barnsley**

Document date: February 2016

Applicant: Sentiville Limited

Ref: SWI216/2

CONTENTS

1.	INTRODUCTION	1
2.	SITE AND SURROUNDINGS.....	1
3.	RELEVANT PLANNING HISTORY	2
4.	THE PROPOSAL	3
5.	THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS	4
6.	ASSESSMENT	9
7.	CONCLUSION.....	14

1. INTRODUCTION

- 1.1 This planning statement has been submitted by Knights Professional Services Limited on behalf of Sentiville Limited to accompany a full planning application which seeks permission for engineering works for the re-profiling of land with subsequent landscaping on land adjacent to Wombwell Road, Stairfoot, Barnsely.
- 1.2 The planning application follows on from the issuing of a Temporary Stop Notice by Barnsley Metropolitan Borough Council relating to the engineering works. This planning application seeks to regularise these works, and to allow the applicant to complete the re-contouring and subsequent landscaping of the application site.
- 1.3 Prior to the formal submission of this planning application, Carl Copestake of Knights attended a site meeting on 28 January 2016 with Steve Kirkham to discuss the proposals which are the subject of this planning application.

2. SITE AND SURROUNDINGS

- 2.1 The application site forms the edge of an established retail and trade park, known as Barnsley Retail Park, which bounds the land situated within the Green Belt. The land in question runs along the south western boundary of the retail park and encompasses a disused canal structure which is now dry and overgrown with grass and self-seeded trees. Sections of this canal have recently been removed. This section of the disused canal previously included a raised embankment on the northern side of canal which formed the canal path and separated the retail park from the agricultural land to the southwest. This former canal path structure was also accessible by a footpath which ran along the ridge of the structure linking Caulk Lane in the east to Bleachcroft Way in the northwest. Beyond the application site, the disused canal structure continues south of Caulk Lane (where Cork Bridge was previously located before its demolition) before curving around to the southwest below Swaithe (via the former Stairfoot Locks) where it turns into a more formalised public footpath leading towards Swaithe Bridge.
- 2.2 The land directly to the southwest of the application site comprises of agricultural land which rises in topography to a point known to the north of Swaithe Hall Farm. Beyond this are railway sidings serving the railway line which leads northwest into the centre of Barnsley and south toward Sheffield. Further west forms the fringe of Barnsley's built-up urban area. A small water course known as Dob Sike runs east to west to the north of the application site and into the retail park. The application site and its surrounding area is located entirely within Flood Zone 1 (lowest probability of flooding).
- 2.3 The site and the surrounding area do not fall within any statutory heritage designations such as conservation areas or areas of special landscape control. There are no listed buildings or structures within or adjoining the site. The site

formed a section of the Dearne and Dove Canal which was constructed in the late 18th Century and opened in 1804 but was abandoned in the 1950s.

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history relating to this site however there are a number of planning permissions which relate to the surrounding retail park. These date back to 6 October 1979 when planning application B/78/0125/BA was granted permission for the 'erection of workshop and offices to be used for the sale, servicing and renting of commercial vehicles' at Caulk Garage, Aldham Bridge. Subsequent planning applications granted permissions for the erection of further industrial buildings and extensions to existing buildings during the 1980s.
- 3.2 On 3 September 1993 planning permission was granted under planning application B/94/0147/BA for the erection of non-food retail store and garden centre, access road and car park'. This was followed by the granting of planning permission B/03/0832/BA for the 'erection of new retail unit (class A1) and alterations to car park and service yard' on 7 February 2004. Further planning permissions were granted at land adjacent to 154 Wombwell Lane for the 'erection of commercial unit with associated car parking and access' under planning application 2005/2091 on 8 October 2006 and then for the 'construction of builders merchants, car parking and access road' under planning application 2006/1504 on 10 December 2006.
- 3.3 Planning permission was then obtained (retrospectively) under planning application 2009/0595 for the 'continuation of use of land and buildings comprising a total of 9,335 sqm of non-food retail floorspace, garden centre' on 9 February 2010.
- 3.4 Most recently, and directly to the northeast of the application site, planning permission was granted under planning application 2015/0885 for the 'erection of 2no. trade and warehouse units (Units 7 & 8) on 11 April 2015.
- 3.5 Further north of this site, the Tesco Superstore was first granted outline permission under planning application B/86/1404/BA on 2 April 1987 and was followed by the reserved matters application of B/86/0022/BA which was granted on 3 August 1987. Further planning applications were then approved for extensions and alterations between 1998 and 2009.
- 3.6 There was also a planning application to the southeast of the application site at a site known as land adjacent Caulkwell, Caulk Lane, Swaithe, which incorporated part of the disused canal under planning application reference number B/88/0902/WB. This application sought permission for the filling and reclamation of this land to return it to an agricultural use. This was refused on 9 March 1988. The reasons for refusal are not available on the Council's website however this decision predates the publication of the National Planning Policy Framework and the Council's development plan.

4. THE PROPOSAL

- 4.1 The planning application seeks planning permission for (9in part retrospective) engineering works relating to the re-profiling of the land on the edge of the existing retail and trade park.
- 4.2 The scheme also proposes a landscaping scheme which comprises of the formation of a sloped bunded area which would reinstate part of the raised land where the disused canal path was previously sited. The scheme would also introduce a new public footpath and landscaped area which would serve the purpose of reinstating the footpath which ran through the site to connect with the existing footpaths either side of the site. The proposed development would result in no change of use of the land.
- 4.3 The accompanying drawings show that the proposed bunding would be at its highest point along the southwest boundary of the site and slopes downs in stages to plateau out along the northeast boundary of the site where it abuts the retail and trade park, physically severed from it by a post and rail fence.
- 4.4 Landscaping is proposed through the inclusion of a mixture of grassed areas, shrubs and the planting of native trees to soften the bunding to enable the site to assimilate with its surroundings. The proposed grassed area is proposed to be sown with a mixture of grass seed and wildflower seed. Final details of the species that are proposed to be used for the landscaping would be agreed via condition. A post and rail fence would be positioned along the northeast boundary of the site in order to delineate the site from the adjacent retail and trade park.

5. THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

- 5.1 Section 38(6) of the 2004 Planning and Compulsory Purchase Act requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. The most important material consideration at this stage is the National Planning Policy Framework (the Framework), which was published on 27 March 2012.
- 5.2 At the time of writing, the development comprises the Core Spatial Strategy which was adopted in September 2011 and seeks to direct the location of new development within the Council's jurisdiction between the years 2006 to 2026. This document superseded a number of policies contained within the 'saved' Barnsley Unitary Development Plan (adopted in December 2000).
- 5.3 The Council is now in the process of producing their new Local Plan which was subject to an Additional Consultation which ran from October to December 2015 with the aim of considering a number of options of new development site allocations within Barnsley as well as included new draft policies relating to water resource management and wind turbines proposals. This consultation followed on from the previous consultation of the Draft Local Plan in November 2014. When adopted, this document will superseded the Core Strategy and remaining policies within the 'saved' Local Plan.

Core Spatial Strategy

- 5.4 The Core Strategy was adopted in September 2011 and provides the strategic planning policies which will inform the determination of planning applications through to the year 2026. Figure 1 shows an extract of the Proposals Map which identifies the application site located outside of a settlement boundary and instead is designated as Green Belt.



Figure 1 - Extract of Proposals Map

5.5 The relevant policies to this application are as follows:

- Policy CSP8 – The Location for Growth
- Policy CSP19 – Protecting Existing Employment Land
- Policy CSP21 – Rural Economy
- Policy CSP14 – Safeguarding of Former Railway Lines
- Policy CSP29 – Design
- Policy CSP30 - The Historic Environment
- Policy CSP33 - Green Infrastructure
- Policy CSP34 - Protection of Green Belt
- Policy CSP37 - Landscape Character

5.6 Policy CSP8 'The Location for Growth' identifies that new development will be prioritised within both Urban Barnsley, as well as the Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe, Penistone and Royston. The policy goes on to clarify that Urban Barnsley is expected to accommodate substantially more growth than the Principal Towns in order to maintain its position within the settlement hierarchy. The policy also states that development will only be allowed within villages on the proviso that it is consistent with Green Belt policy.

5.7 Policy CSP19 'Protecting Existing Employment Land' seeks to safeguard existing employment land for uses for employment generating uses in order to maintain jobs within these areas. .

5.8 Policy CSP21 'Rural Economy' seeks to support the rural economy particularly if it results in the growth of existing businesses or is related to tourism and recreation. The policy goes on to state that development in rural areas should be *"of a scale proportionate to the size and role of the settlement, ... not have a harmful impact on the countryside, biodiversity, Green Belt, landscape or local character of the area, consider the re-use of existing rural buildings in the first instance, and protect the best quality agricultural land"*.

5.9 Policy CSP14 'Safeguarding of Former Railway Lines' relates solely to land within or adjacent to existing or historic rail alignments (as identified on the Proposals Map) but make no reference to canal infrastructure.

5.10 Policy CSP23 'Accessibility Priorities' sets out a number of transport investment initiatives including sub-section D) which promotes the facilitation of sustainable links between Principal Towns and community, leisure and tourism facilities.

5.11 Policy CSP29 'Design' promotes high quality development which respects and takes advantage of the distinctive features of Barnsley, considering issues such as topography, landscape character and public accessibility. The policy goes on to stress that design considerations are of particular relevance when they may impact heritage assets such as conservation area.

- 5.12 Policy CSP30 'The Historic Environment' positively encourages the management and conservation of Barnsley's historic environment. It makes particular reference to consideration of the character and appearance of conservation areas, scheduled ancient monuments, listed and locally listed buildings, archaeological remains, and historic parks or other historic landscapes.
- 5.13 Policy CSP33 'Green Infrastructure' seeks to *"protect, maintain, enhance and create an integrated network of connected and multifunctional Green Infrastructure assets"* which, among other things, *"enhances biodiversity and landscape character [and] improves opportunities for recreation and tourism"*.
- 5.14 Policy CSP34 'Protection of Green Belt' identifies that Green Belt boundaries will be subject to local review in order to assist in the delivery of the borough distribution of new employment sites, but that otherwise these areas will be safeguarded unless it can be shown that there are very special circumstances to justify the proposal and that in these cases the potential harm of the development on the Green Belt would be weighed up against potential benefits.
- 5.15 Policy CSP37 'Landscape Character' of the Core Strategy requires development to *"retain and enhance the character and distinctiveness of the individual Landscape Character Area in which it is located"*.

Saved Barnsley Urban Development Plan

- 5.16 A number of policies remained 'saved' from the Barnsley Urban Development Plan (which was adopted in 2000). Only a few saved policies are of relevance to this scheme and these are summarised below:
- 5.17 Policy GS2 'Derelict and Degrade Land' states that the Council will seek to reclaim and improve derelict, disused, degraded and under used land and that priority will be given to new developments which provide commercial, industrial and housing proposals or provides opportunities for recreation, nature conservation and wildlife purposes.
- 5.18 Policy GS6 'Extent of Green Belt' sets out the wider strategic purposes of the Green Belt land within the Council's jurisdiction, however some of the relevant Green Belt UDP policies that are relevant to this proposal are no longer saved.

Other Material Considerations

The National Planning Policy Framework (The Framework)

- 5.19 The Framework was published in March 2012 and supersedes all previous planning policy guidance notes and statements upon which the policies of the saved Local Plan and Joint Core Strategy are based. The Framework carries with it a presumption in favour of sustainable development which is defined as having a social, economic and environmental role.
- 5.20 The Framework at paragraph 14 states that for decision taking, development proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out of date, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted.
- 5.21 Paragraph 17 sets out the 12 core planning principles of the Framework which include the need to “seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings” [bullet point 4], to “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value” [bullet point 8] and to “*promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)*” [bullet point 9].
- 5.22 Chapter 7 ‘Requiring good design’ confirms the importance of good design and in paragraph 59 requires local planning authorities to focus on the “*overall scale, density, massing, height, landscape, layout, materials and access of new development*” as opposed to being unnecessarily prescriptive.
- 5.23 Chapter 9 ‘Protecting Green Belt land’ sets out the five purposes of the Green Belt in paragraph 80 which are:
- “to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”

- 5.24 Paragraph 87 states that *"inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances"*. Paragraph 89 of the Framework lists instances where the construction of new buildings are not considered to be inappropriate in the Green Belt.
- 5.25 Paragraph 90 goes on to list other forms of development which are also considered to be not inappropriate in the Green Belt, these include engineering operations.
- 5.26 Paragraph 112 advocates that development of agricultural lands, where necessary, *"should seek to use areas of poorer quality land in preference to that of a higher quality"*.
- 5.27 Paragraph 118 states that local planning authorities, in an aim to conserve and enhance biodiversity should encourage the incorporation of biodiversity in and around developments.
- 5.28 Chapter 12 'Conserving and enhancing the historic environment' requires in paragraph 128 for applicants to set out the significance of any heritage assets that would be affected by a development proposal as well as demonstrate how such a proposal would be impacted upon the heritage asset. Local planning authorities are advised to assess how the new development contributes towards the local character and distinctiveness of such heritage assets, with those heritage assets of the most significant having the greatest weight attributed towards them. Paragraph 134 goes on to state that *"where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use"*.
- 5.29 Paragraph 135 goes on to state that *"the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application"* and that *"in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"*.

6. ASSESSMENT

Principle of Development

- 6.1 The application site is located within the Green Belt and on the edge of an established retail trade park. The site comprises greenfield land and was a predominantly a stretch of a disused canal structure. The development comprises solely of engineering operations, both in terms of the recent excavations on this site as well as the proposed landscaped bunding that is intended to be reinstated in its place.
- 6.2 Paragraph 89 of the Framework lists a number of exceptions where development is not considered to be inappropriate within the Green Belt provided that they *"would not have a greater impact on the openness of the Green Belt and the purposes of including the land within it than the existing development"*.
- 6.3 Paragraph 90 of the Framework provides a further list of forms of development that are also considered not to be inappropriate development within the Green Belt *"provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt"*. The second bullet point of this paragraph lists 'engineering operations' as one of these exceptions.
- 6.4 The proposed development comprises an engineering operation. The site is currently levelled out and raises up in places to the south western portion of the site. The previous canal structure resulted in the raised portion of land which formed the north eastern edge of the canal structure and would have originally formed part of the canal path which ran along the length of the canal.
- 6.5 The accompanying landscape scheme demonstrates the extent to which it is proposed to regrade and landscape this portion of the disused canal in order to provide a bund which would slope down and level out to the edge of the retail trade park. A footpath would be formed along the top of the bund and there would be landscaping of the site to soften its visual impact.
- 6.6 When comparing the scale and shape of the proposed bund to the former landform on the site it is considered that these engineering operations would have no greater impact upon the openness of the Green Belt.
- 6.7 It is therefore considered that this development would preserve the openness of the Green Belt and that further, in accordance with paragraph 90 of the Framework, accords with the five purposes of including land within the Green Belt as set out in paragraph 80. This is demonstrated in the following paragraphs which considers each of the five purposes of including land within the Green Belt in turn.

Check the unrestricted sprawl of large built up areas

- 6.8 The site is comprises greenfield land, albeit the site previously comprised disused canal sidings which had become overgrown in time with self-seeded planting. This development is not considered to result in the increase in sprawl of built up areas. No hard surfacing is proposed and there would be no extension whatsoever of the built up area into the application site. There would be clear delineation between Green Belt land and non-Green Belt land.

Prevent neighbourhood towns merging into one another

- 6.9 The retail trade park is situated on the fringe of the settlement of Stairfoot which is a linear settlement. The site is situated on the south east edge of the main urban area of Barnsley and Stairfoot provides a link between Barnsley and the settlement of Wombwell to the southeast. This section of Stairfoot provides a continuous line of established development between both of these towns as a result of the continuous built frontage linking Wombwell and Barnsley's main urban settlement. The position of the application site, which is located to the southwest of Stairfoot, means that this development would not result in any further merging of these towns.

Assist in safeguarding the countryside from encroachment

- 6.10 The former canal sidings remain as an intervening development between the retail park and the agricultural land beyond to the southwest. This structure had been in existence for a significant period of time providing a buffer between the two land uses. The engineering operations do not therefore extend into the undeveloped agricultural land beyond the existing structures and therefore is not considered to result in encroachment into the countryside.

Preserve the setting and special character of historic towns

- 6.11 A heritage assessment has been produced by RPS to consider the heritage merits of this proposal. This report confirms that the scheme results in no harm to the setting of any heritage asset. Furthermore the site is situated a significant distance away from the historic core of Barnsley and therefore is considered to have a neutral impact on its setting or special character.

Assist in urban regeneration, by encouraging the recycling of derelict land and other urban land

- 6.12 The proposed development would result in the reinstatement and improvement of the publicly accessible route that ran along the disused canal. It does not propose to introduce any new uses to the site but to landscape the site in order to return it to its previous level of openness. As a consequence, the proposal would have a neutral impact upon the openness of the Green Belt and maintain the focus upon regeneration of the urban areas of Barnsley.
- 6.13 In light of the above, it is considered that the proposed development complies with paragraph 80 of the Framework in that the scheme would satisfy the purposes of

including land within the Green Belt. The proposed landscaped bunding is also considered to result in no greater impact on the openness of the Green Belt when comparing the proposed profiling of the new landscaped bunding to the existing situation (this is amplified later on in the Design section of this report and is demonstrated in the accompanying landscaping plans).

- 6.14 In light of the above, it is considered that this development results in an appropriate form of development within the Green Belt and is therefore in full conformity with paragraph 90 of the Framework.
- 6.15 The scheme is also considered to comply with Policy CSP34 'Protection of Green Belt' of the Core Strategy which seeks to safeguard these areas unless it has been demonstrated that there are very special circumstances to justify the potential harm on the Green Belt by weighing the scheme against its potential benefits. The adoption of the Core Strategy pre-dates the publication of the Framework and as stated previously the scheme constitutes an appropriate form of development which does not require very special circumstances to be demonstrated. Notwithstanding this, there are considered to be a number of key benefits to this proposal, namely the improved landscaping that is proposed which would result in significant improvements to the surrounding area. These are set out in more detail in the following paragraphs of this report.

Heritage

- 6.16 The disused canal sidings do not have a statutory heritage designation but formed a section of the Dearne and Dove Canal which was constructed in the last 18th Century and was opened in 1804. This canal was then abandoned in the 1950s and many sections of this canal have disappeared completely.
- 6.17 As a consequence, it is necessary for a Heritage Assessment to be produced to accompany this planning application in order to assess the impact of the development on this heritage asset in accordance with Chapter 7 of the Framework. A document has been prepared by RPS which should be read alongside this planning statement.
- 6.18 Policy CSP30 'The Historic Environment' of the Core Strategy requires development to protect or improve Barnsley's historic assets including listed and non-listed buildings, any archaeological remains of local or national importance and other historic landscapes.
- 6.19 The Heritage Assessment confirms that the canal is of a low significance in terms of its heritage value and that the section which formed the application site made only a minor contribution to the heritage asset of this former canal as a whole. The report also demonstrates that there is no evidence for the proposed development area to contain any below ground remains of the highest significance or of sufficient significance to warrant its preservation in situ.

- 6.20 The nature of the site and the earthworks that have already been undertaken suggests that there are unlikely to be any archaeological remains of any significance and as a consequence an archaeological assessment has not been included within this scheme. However, should the Council consider that this is required, an archaeological walk-over could be undertaken by way of a condition prior to further engineering operations.

Design and Appearance

- 6.21 Policy CSP29 of the Core Strategy sets out a number of design principles that are of relevance for new development proposals in order to ensure that a high quality of development can be provided. The policy recommends that distinctive features of the environment should be taken into account including topography, green infrastructure and other natural features. The policy also endorses the need for new development to contribute to a healthy and sustainable environment whilst enabling safe and convenient accessibility to be gained by all people, to transform the character of physical environments which have become run down, and most notably to *"contribute towards creating attractive, sustainable and successful neighbourhoods"*.
- 6.22 Policy GS2 'Derelict and Degrade Land' of the 'saved' Barnsley Urban Development Plan advocates the positive benefits of reclaiming and improving derelict, disused, degraded and under used land and that priority will be given to new developments which provide opportunities for recreation, nature conservation and wildlife purposes.
- 6.23 The previous section of this report and the accompanying Heritage Assessment have already demonstrated that the proposed development would result in a low significant level of harm. This level of harm, in accordance with paragraph 134 of the Framework, needs to be balanced against the wider benefits of the proposal including ensuring its viable use. In this instance it is considered that the improved landscaping that is proposed results in improvements to the appearance of the surrounding area which would also include improvements to the footpath along this stretch, which increases the accessibility of this site to the local community.
- 6.24 The landscaping scheme proposes the introduction of a bunded area sloping down from its highest point on the southwest portion of the site to its lowest point in the northeast portion of the site. The bunding would be seeded with grass seed and wildflower seed with a variety of native shrubs and planting to soften the bunding. The proposal would also include the planting of a number of trees of native species along its length. A new footpath would be provided along its length linking up the existing footpaths either side of the site.
- 6.25 Policy CSP37 'Landscape Character' of the Core Strategy requires development to *"retain and enhance the character and distinctiveness of the individual Landscape Character Area in which it is located"*. As set out above, the scheme gives due regard to the specific characteristics of the local landscape area and provides appropriate landscaping to maintain these characteristics.

- 6.26 The proposed development is therefore considered to fully accord with Policy CPS29 of the Core Strategy, Policy GS2 of the 'saved' Unitary Development Plan as well as the guidance contained within Chapter 7 of the Framework which promotes good design.

Highway Safety and Accessibility Considerations

- 6.27 The recent earthworks and the proposed remediation landscaping would have no impact upon the manoeuvring of vehicles within the adjacent retail trade park. Furthermore, the scheme would have no impact upon the adjacent road of Caulk Lane to the southeast.
- 6.28 Policy CSP33 'Green Infrastructure' seeks to *"protect, maintain, enhance and create an integrated network of connected and multifunctional Green Infrastructure assets"* which, among other things, *"enhances biodiversity and landscape character [and] improves opportunities for recreation and tourism"*.
- 6.29 The disused canal path formed part of an interconnected footpath which links the southeast fringe of Barnsley to the more defined public footpaths to the south, most notably the Trans Pennine Trail (Footpath 62) which runs from the east to the west coast traversing around the southern fringes of Barnsley and the northern fringes of Wombwell. The proposed development is therefore considered to be in accordance with Policy CSP33 of the Core Strategy.
- 6.30 The landscape works proposed to the site of the disused canal would provide an opportunity to improve the accessibility along this short stretch of the footpath which are considered to result in significant improvements to accessibility. It is noted that the Core Strategy includes Policy CSP24 which seeks to safeguard former railway lines (but that no such policy extends towards disused canals), however this proposal nevertheless provides such an opportunity to improve accessibility over an established piece of Barnsley's infrastructure.
- 6.31 The proposed development, through the provision of an improved footpath, therefore complies with Policy CSP23 of the Core Strategy which seeks to improve accessibility particularly in relation to providing links to community, leisure and tourism facilities. The proposal also follows the principles of bullet point 9 of paragraph 17 of the Framework which advocates that open land can provide the opportunity to provide improved recreation facilities.

7. CONCLUSION

- 7.1 This planning statement has been submitted by Knights on behalf of Sentiville Limited to accompany a full planning application which seeks permission for engineering works comprising of engineering works for the re-profiling of land with subsequent landscaping on land adjacent to Wombwell Road, Stairfoot, Barnsley.
- 7.2 The proposed development forms an operational development in the form of an engineering operation which falls within the list of exceptions that do not constitute inappropriate development within the Green Belt, as set out within paragraph 90 the National Planning Policy Framework, provided that the development *"would not have a greater impact upon the openness of the Green Belt and the purposes of including land within it than the existing development"*. This report confirms that the proposed landscaping scheme to soften the recent excavation works would not have a greater impact on the character and openness of the Green Belt and furthermore would have a positive benefit to the character of the surrounding area, providing improved accessibility for the community along the reinstated footpath that would run along the top of the landscaped bunding.
- 7.3 As a result of this, it is considered that the proposed development would result in an appropriate form of development within the Green Belt and therefore no very special circumstances are required to justify this proposal. The accompanying landscaping scheme demonstrates that the proposed regrading works would result in no material harm to the openness of the Green Belt or other harm by way of its design and furthermore would result in a significant amount of positive benefits; most notably through the provision of improved native landscaping and accessibility for the local community. The proposed development is also in accordance with the five purposes of including land within the Green Belt as set out in paragraph 80 of the Framework
- 7.4 This proposal is also accompanied by a Heritage Assessment, produced by RPS, which concludes that this section of the former Dearne and Dove Canal is of low significance and this section only contributed a minimal amount to the wider canal structure. Therefore in accordance with paragraph 134 of the Framework, the development proposal will lead to a less than substantial harm in terms of its significance and therefore the weight that should be attributed to its removal is not substantial compared to the wider benefits of the improvements to the scheme resulting from the new landscaping proposed and its improved accessibility. .
- 7.5 The scheme would not result in an intensification of the use of the site and would therefore have a neutral impact on highway safety and accessibility. The proposed development is therefore in full conformity with the policies contained within the Core Strategy and the 'saved' Unitary Development Plan as well as the guidance contained within the National Planning Policy Framework.
- 7.6 In accordance with paragraph 14 of the National Planning Policy Framework, the benefits of the proposal listed above are considered to significantly and demonstrably

outweigh any harm that may arise. The proposal would comprise sustainable development, and as such, in accordance with Section 38(6) of the 2004 Planning and Compulsory Purchase Act, that planning permission ought to be granted.

FEBRUARY 2016

Carl Copestake BA (Hons), Dip. UPI, MRTPI
Partner
Knights

Michael Askew Dip T&CP, MRTPI
Senior Planner
Knights

