

Application Reference Number:		2024/1064	
Application Type:		Full.	
Proposal Description:		Proposed extension to rear with pergola and paved seating area.	
Location:		Crown And Anchor Inn, Barugh Lane, Barugh Green, Barnsley, S75 1LL.	
Applicant:		True North Brew Co.	
Third-party representations:	X2 Objections.	Parish:	
		Ward:	Darton West.

Summary: The applicant is seeking planning permission for the erection of a rear extension with a pergola and paved seating area. The proposal is an acceptable form of development in the Green Belt in principle if it would not result in disproportionate additions over and above the size of the original building, in accordance with paragraph 154(c) of the NPPF and Policy GB2. The proposal would also remain ancillary to the existing public house and would enable its continued use as an established community facility, in accordance with Policy I2. The proposal is therefore considered acceptable in principle In accordance with the provision of paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development. Significant weight is attributed to the need to ensure that established shops, facilities and services, including public houses, can develop and modernise, and are retained for the benefit of the community, in accordance with paragraph 98(d) of the NPPF. The proposal is considered an acceptable form of development in the Green Belt and is located within a sustainable location within an existing commercial site. The proposal would provide an ancillary events space supporting an existing public house use and would enable the long-term viability and continued operation of an established local business. Significant weight is therefore also attributed to the anticipated economic benefits of the scheme. Having balanced all material planning considerations, whilst a small number of objections have been received in respect of the proposal, they have been suitably addressed through the information supplied and further details will be secured by condition. Consequently, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations. The proposal is therefore, on balance, recommended for approval subject to necessary conditions. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024). Recommendation: APPROVE subject to conditions.			
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Site Description

This application relates to the Crown and Anchor public house which is located on the north side of Barugh Lane and to the south-west of a roundabout connecting Barnsley Road, Dearne Hall lane, Claycliffe Road and Barugh Lane. The immediate surrounding area is principally residential in nature with commercial and industrial uses focused to the east and south. The site is split between urban fabric and the Green Belt.

The development site is established and operated as a public house with vehicular access off Barugh Lane to the south-west corner of the site leading onto an expansive car park to the south, east and north of the primary detached building. The development site is slightly elevated above Barugh Lane which falls south-west to north-east and is bounded by a vegetated banking, other mixed vegetation, and a stone wall. To the rear of the building is a modest-sized beer garden that is a mix of soft and hard landscaping with outdoor benches and tables enclosed by a white picket fence and stone walls, and other boundary fencing. There are some trees within the beer garden area. The building itself is relatively large comprising a mix of single and two-storey elements with pitched and flat slate roofs. The building is entirely rendered white and has been extended extensively over the years. The site topography falls gradually west-to-east and is set below residential properties to the west.



Planning History

There is an extensive planning history associated with the development site. However, the most recent and relevant applications are:

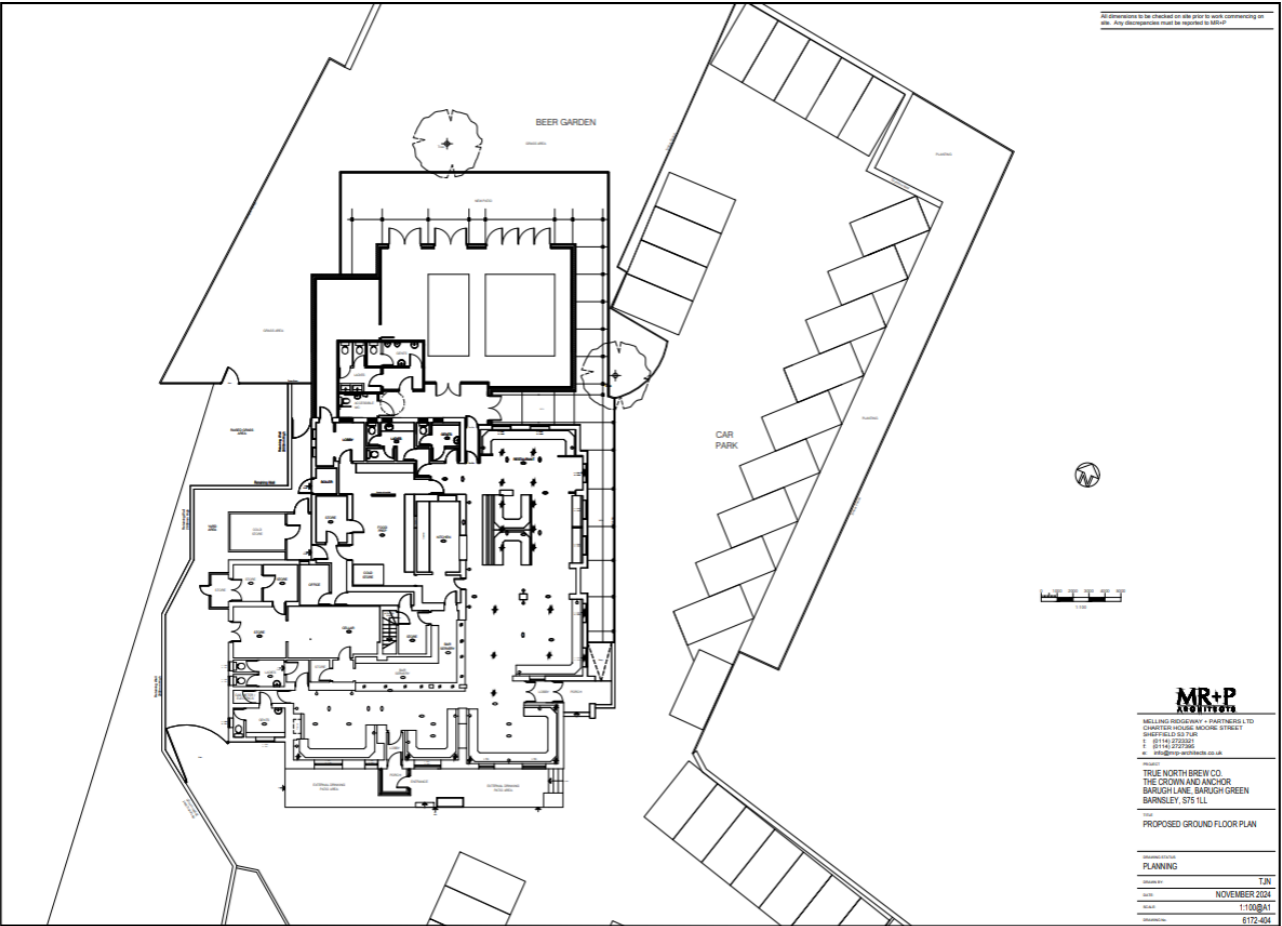
Application Reference	Description	Status
B/80/1432/DT	Extension to public house to form steak bar, and extension to car park.	Refused.
B/80/2015/DT	Alterations and extension to public house to form steak bar.	Approved.

B/81/0983/DT	Alterations and extensions to public house to provide restaurant, office, bottle store, toilets, and extended living accommodation.	Approved.
B/82/0238/DT	Extension to car park and formation of beer garden.	Approved.
B/86/0293/DT	Erection of porch extension.	Approved.
B/95/0209/DT	Formation of children's play area at public house.	Approved.
B/96/0913/DT	Erection of garden shed to public house.	Approved.
B/99/1201/DT	Erection of rear single-storey extensions to public house.	Approved.
2018/1344	First floor extensions to side and rear of public house.	Approved.
2023/0278	Retention of marquees and outdoor container bar in rear car park.	Refused.

Proposed Development

The applicant is seeking planning permission for the erection of a rear extension with a pergola and paved seating area.

The extension would measure approximately 11.4 metres (L) x 16.6 metres (W) x 2.8 metres (H). It would adopt a flat roof with power coated aluminium roof lanterns and would be finished with Cedral wall cladding. The pergola would project beyond the rear elevation of the extension by approximately 1.5 metres and would extend along the north-east side elevation of the building to the existing ramp side access. The pergola would have a sideways projection of approximately 1.7 metres and a height of approximately 2.5 metres. The pergola would be constructed of timber with hanging planting. The proposed paved seating area would project beyond the rear elevation of the extension for a total of approximately 6.4 metres. The paving would extend along the north-east elevation of the building to the existing ramp side access.



Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. The northernmost part of the development site also falls within the Green Belt.

The following Local Plan policies are therefore relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy GB1: Protection of Green Belt.*
- *Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt.*
- *Policy I2: Educational and Community Facilities.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy D1: High quality design and place making.*
- *Policy T4: New Development and Transport Safety.*
- *Policy BIO1: Biodiversity and Geodiversity.*
- *Policy CL1: Contaminated and Unstable Land.*

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 8: Promoting healthy and safe communities.*
- *Section 12: Achieving well designed places.*
- *Section 13: Protecting Green Belt land.*
- *Section 15: Conserving and enhancing the natural environment.*

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take this guidance into account when taking decisions.

Supplementary Planning Guidance

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty-eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The following SPDs are relevant in this case:

- *Residential amenity and the siting of buildings (Adopted May 2019).*
- *Biodiversity and Geodiversity (Adopted March 2024).*
- *Trees and hedgerows (Adopted May 2019).*
- *Walls and fences (Adopted May 2019).*
- *Parking (November 2019).*

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Consultations

This planning application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended).

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

A site notice was placed nearby, expiring 4th February 2025, and the application has been advertised on the Council website.

Two objections were received from two addresses. The concerns raised are summarised as follows:

- Loud noise from outside areas.
- Additional noise from new outdoor areas.
- Anti-social behaviour from customers.
- On-street parking.

Biodiversity	<i>No objection subject to condition(s).</i>
Forestry Officer	<i>No objection subject to condition(s).</i>
Highway Drainage	<i>No objection.</i>
Highways Development Control	<i>No objection.</i>
Pollution Control	<i>No objection subject to condition(s).</i>
Mining Remediation Authority	<i>No objection subject to condition(s).</i>
South Yorkshire Mining Advisory Service	<i>No objection subject to condition(s).</i>
Local Ward Councillors	<i>No comments received.</i>

Planning Assessment

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. The northernmost part of the development site also falls within the Green Belt. The proposal relates to the northernmost part of the development site in the Green Belt.

Paragraph 142 of the NPPF states 'the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'

Paragraph 143 of the NPPF states 'the Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'

Paragraph 153 of the NPPF states 'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

Paragraph 154(c) of the NPPF states 'development in the Green Belt is inappropriate unless one of the following exceptions applies: the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.'

The starting point for Green Belt policies at a local level lies with Local Plan Policy GB1.

Local Plan Policy GB1 states 'the Green Belt will be protected from inappropriate development in accordance with national planning policy.'

Local Plan Policy GB2 states 'the extension or alteration of a building where the total size of the proposed and previous extensions does not exceed the size of the original building, will be allowed in the Green Belt if proposals would not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt.'

Paragraph 98(a) of the NPPF states 'to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments'.

Paragraph 98(d) of the NPPF states 'to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community'.

Local Plan Policy I2 states 'we will support the provision of schools, educational facilities and other community facilities. New schools, educational and community facilities such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship, should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling and public transport. Such uses will be protected from development unless it can be demonstrated that the sites and premises are no longer required by the existing or an alternative community facility.'

Proposals will also be expected to demonstrate that they are not likely to result, directly or indirectly, in an increase in pollution which would otherwise unacceptably affect or cause nuisance to the natural and built environment or to people.

Considering the above, the proposal is an acceptable form of development in the Green Belt in principle if it would not result in disproportionate additions over and above the size of the original building, in accordance with paragraph 154(c) of the NPPF and Policy GB2. The proposal would also remain ancillary to the existing public house and would enable its continued use as an established community facility, in accordance with Policy I2. The proposal is therefore considered acceptable in principle subject to an assessment of the matters discussed below.

Green Belt Assessment

Paragraph 154(c) of the NPPF states 'development in the Green Belt is inappropriate unless one of the following exceptions applies: the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.'

Local Plan Policy GB2 states 'the extension or alteration of a building where the total size of the proposed and previous extensions does not exceed the size of the original building, will be allowed in the Green Belt if proposals would not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt.'

Original means as existed in 1948 or, in relation to a building constructed later, as it was built.

Floorspace will be calculated by external measurement of the building and floorspace within roof spaces will not be taken into account. Outbuildings will only be taken into account when calculating the cumulative additions to the original building.

- Original building = 470.69m²
- Existing additions = 221.42m²
- Proposed additions = 165.59m²
- Total existing and proposed = 387.01m²

Considering the above, the total cumulative additions would not amount to more than a doubling of the size of the original building, in accordance with paragraph 154(c) of the NPPF and Policy GB2.

The proposal would also be attached to an existing building within an established commercial site and would therefore, not affect the five purposes of the Green Belt established by paragraph 143 of the NPPF. The proposal would therefore not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, in accordance with Policy GB2.

Considering the above, this is considered to weigh significantly in favour of the proposal.

The proposal is therefore considered to comply with paragraph 154(c) of the NPPF and Local Plan Policies GB1: Protection of Green Belt and GB2: Replacement, extension and alteration of existing buildings in the Green Belt and is considered acceptable.

Impact on Residential Amenity, Health and Pollution Control

During the application process, concerns were raised regarding loud noise levels from existing outdoor areas, additional noise from new outdoor areas and anti-social behaviour from customers.

Paragraph 96(a) states 'planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other'.

Paragraph 96(b) states 'planning policies and decisions should aim to achieve healthy, inclusive and safe places which: are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion'.

Paragraph 198(a) of the NPPF states 'planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life'.

Regarding noise, the LPA can only consider the potential impacts of the proposal. Existing noise concerns would either need to be enforced through previous planning conditions (if applicable) or through the Council's online 'report a noise problem' procedure.

Regarding anti-social behaviour, paragraph 96(b) of the NPPF states 'planning policies and decisions should aim to achieve healthy, inclusive and safe places which: are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life of community cohesion.' Whilst crime and disorder, and the fear of crime can be a material consideration, concerns must be relevant to the specific proposal under consideration. In this instance, the concerns raised relate to previous and existing issues, and whilst these could continue under the current proposal, it would be unreasonable to attribute significant weight against the proposal on the grounds of previous and existing issues, or future potential. In addition, no demonstrable evidence has been supplied to evidence these issues. As such, limited weight is attributed to these concerns in this instance against the proposal.

During the application process, a noise assessment and noise management plan was submitted to support the application. The assessment concludes that while there could be a slight adverse impact based on worst case events, any effects are unlikely to be significant, and that there is no additional mitigation considered necessary at this stage over and above ensuring the building envelope can achieve the recommended minimum sound reduction performances. The assessment adds that should such events occur more regularly or produce regular louder amplified music levels, further assessment may be required to ensure the building envelope sound insulation performance remains sufficient. The noise management plan sets out how noise would be controlled at the premises by the operator. The Council's Environmental Health Officer (Pollution control) was consulted, and no objections were received subject to conditions to restrict noise levels from live and recorded music, times for use of the extension, the implementation of mitigation measures and further assessments. There are some discrepancies within the submitted noise management plan and therefore, a new management plan will be secured by condition.

The LPA has no reason to disagree with the professional opinion of the Council's Environmental Health Officer in this instance, and therefore, the proposal is considered acceptable regarding noise and pollution control, subject to conditions.

Whilst concerns have been raised regarding additional noise from new outdoor areas, the proposed paved seating area would be installed within an existing beer garden within the development site that is already likely to experience varying noise levels in connection with the existing public house use. It is anticipated that the proposed extension would provide an ancillary events space to the public house, and whilst this would increase the capacity of the venue and could lead to additional customers and noise, any potential impacts are likely to be similar to those that may exist and be experienced. Additionally, the applicant has submitted a noise assessment and noise management plan, which subject to conditions, are considered acceptable by the Council's Environmental Health Officer.

There could be some potential disturbance and disruption because of construction works, and

whilst any potential impact is anticipated to be temporary, should this application be approved, a condition could be used to control construction hours

The proposed extension would be erected to the north within the development site and to the north and west of adjacent residential curtilages where sufficient separation distances would be maintained. The proposed extension would also be set down from properties to the west, and well-screened by existing boundary treatments. As such, it is not anticipated that the proposal would contribute to significant overshadowing, overlooking and loss of privacy or reduced outlook that would otherwise be detrimental to the existing amenity levels of neighbouring residents.

Considering the above, this is considered to weight moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.

Impact on Visual Amenity

Paragraph 135(c) of the NPPF states 'planning policies and decisions should ensure that developments: are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'.

The existing building adopts a relatively traditional appearance. Existing extensions are somewhat sympathetic and do not overly detract from the character of the original building, and particularly, the south-eastern principal elevation. Although the proposed extension would adopt a relatively large floorspace and a more modern appearance derived from a flat roof and use of Cedral cladding, the proposed extension would not appear overbearing or disproportionate and the proposed materials would likely harmonise well with the existing rendering, providing a pleasant contrast. The pergola would be constructed of timber posts and would present a relatively neutral element when seen within the context of the existing building. The proposal would not be an overtly prominent or dominant structure within the street scene that could otherwise detract from its character.

The proposed development would not result in disproportionate cumulative additions to the original building, would be in-keeping with local character and would be attached to the application property. As such, it is not considered that the proposal would be harmful to the character, permanence and openness of the Green Belt.

Considering the above, this is considered to weigh significantly in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policies D1: High Quality Design and Placemaking and GB1: Protection of Green Belt and is considered acceptable regarding visual amenity.

Impact on Highways

During the application process, concerns were raised regarding existing on-street parking issues.

Paragraph 116 of the NPPF states 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'

Highways Development Control were consulted, and it was stated that the submitted information shows that the existing customer floor area, to comply with the Parking SPD, requires a total of

33no. car parking spaces for customers. The proposed extension would provide an additional 98m² of customer floor area, which at a ratio of 1no. parking space per 4m² equates to the need for a further 25no. spaces, giving an overall requirement for 58no. parking spaces for customers. It was added that the proposed number of full-time equivalent staff is given as being 25. The parking requirement of 1no. space per 3 staff equates to the need for 8no. staff parking spaces. As such, the total parking requirement for the proposed development is 66no. spaces. The development site has 74no. parking spaces and therefore, this level of provision is satisfactory. It is stated that the proposals do not affect the current access, parking and turning arrangements of the site or otherwise adversely impact upon the highway and are therefore, considered acceptable from a highway perspective.

The LPA has no reason to disagree with the professional opinions of colleagues within Highways Development Control in this instance and therefore, the proposed development is not considered to be prejudicial to highway safety and consequently, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.

Impact on Trees

There are a small number of trees located within the rear beer garden area within the development site. As such, the Council's Forestry Officer was consulted. This application is also supported by a Tree Survey.

The Council's Forestry Officer was considered the submitted survey and noted that T1 will require removal to facilitate the proposal. The Forestry Officer states that this is not a particularly noteworthy specimen and as such, there is no objection to its removal, provided that a replacement tree is provided as part of the scheme. They add that based on the measurements provided in the tree survey it appears that some works will occur in the rooting areas, in particular T2 with new paving being proposed. As such, some specialist construction techniques will need to be employed to ensure the trees to be retained remain as unaffected as possible. An Arboricultural Method Statement will therefore be required to detail these alongside protective barrier details. The Forestry Officer states only a Tree Location Plan has been provided rather than a Tree Constraints Plan, and the Tree Survey information misses information such as canopy height and spreads etc. which enable an application to be fully assessed with regards to clearances etc. It is therefore considered that an Arboricultural Method Statement and Tree Protection Plan must contain and show this information as well as showing the rooting areas of the trees for the avoidance of any doubt.

The Forestry Officer confirmed that they have no objections based upon the limited Tree Survey information provided subject to conditions.

Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable.

Impact on Biodiversity and Geodiversity

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. This application is subject to BNG.

This application is supported by a Preliminary Ecological Appraisal (PEA), Bat Survey and Biodiversity Net Gain Assessment. The PEA and metric indicate that the development will result in the loss of modified grassland and urban trees. The metric indicates that 0.75 area units and 0.03 linear units are required to ensure the development results in a minimum 10% biodiversity net gain. The PEA suggests that the shortfall in units may be purchased from a habitat bank. This will need to be evidenced when discharging the Statutory Biodiversity Gain Plan condition.

The Council's Ecologist was consulted, and they state that the PEA indicates that there are GCN records within proximity to the site. Given the low value habitat to be impacted (predominantly modified grassland), they state they are content with the proposed approach to ensure no impacts to GCN, which includes precautionary working methods, in this instance. This could be secured by a condition for a CEMP.

The Council's Ecologist also states that bat and bird boxes are required as per the Biodiversity and Geodiversity SPD, alongside invertebrate boxes on trees, which could be secured by a condition.

The Council's Ecologist states they are content with the findings within the bat survey report. They note that the survey ended less than 1.5 hours after sunset, which is not in line with best practice guidance. However, given the very low numbers of bats encountered, a repeat survey is not required in this instance.

The Council's Ecologist states Japanese knotweed has been recorded on site and should be managed to ensure it is not spread in the wild. It is suggested that this could be addressed within a CEMP.

Considering the above, the Council's Ecologist raised no objections subject to conditions. This application is subject to the Statutory Biodiversity Net Gain and Gain Plan conditions. The Gain plan should be prepared in accordance with the ecological details submitted and evidence of off-site mitigation or the purchase of units from a registered habitat bank provider will be considered when submitted to the LPA for consideration to satisfy the relevant statutory condition(s).

Considering the above, this is considered to weight significantly in favour of the proposal subject to conditions.

The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable.

Impact on Contaminated and Unstable Land

Paragraph 196(a) of the NPPF states 'planning policies and decisions should ensure that: a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation)'.

Paragraph 196(c) of the NPPF states 'planning policies and decisions should ensure that: adequate site investigation information, prepared by a competent person, is available to inform these assessments.'

Paragraph 197 of the NPPF states 'where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.'

The development site is within a development high risk area as identified by the Mining Remediation (Coal) Authority and therefore, this application is supported by a Coal Mining Risk Assessment (CMRA).

The submitted CMRA has been considered by the Mining Remediation (Coal) Authority (MRA) and South Yorkshire Mining Advisory Service (SYMAS), who were consulted.

The MRA states that the CMRA has been informed by an appropriate range of historical, geological and coal mining information, and that having carried out a review of the available information, including opencast abandonment plans, the report authors inform that while opencast infill to the south of the site was subject to a moderate degree of compaction, the fill materials in the northern opencast below the Crown & Anchor's beer garden (area of the proposed extension) may not have been compacted to the same degree. Accordingly, both opencast workings (deep opencast infill) and underground mine workings may exist below the floor of the infill opencast, where new development is proposed. It is concluded that "the complex ground conditions beneath the current location of the building extension are perhaps likely to create significant planning issues as well as requiring costly ground stabilisation and special foundation design measures".

The MRA states that its planning team would normally seek to ensure that no buildings are over the location of a highwall as part of major development. However, for minor development as per this current proposal (extension to an existing building) it would be unreasonable for us to require this. In such cases, we would expect a robust engineering solution to be provided to demonstrate that any ground instability and public safety risk can be minimised. These should be informed by any necessary intrusive site investigations. Therefore, we are pleased to note that Geoinvestigate Ltd have identified the significant ground stability risks to the proposed development and that intrusive site investigations should be carried out to further assess these risks.

Considering the above, as recommendations have been made that intrusive site investigations are required to confirm the exact ground conditions beneath the site, to inform the engineering solutions required to ensure safe and stable development, the MRA withdrew their initial objection, in this particular instance, subject to conditions.

SYMAS raised no objection subject to the conditions suggested by the MRA.

Considering the above, this is considered to weigh significantly in favour of the proposal subject to conditions.

The proposal is therefore considered to comply with Local Plan Policy CL1: Contaminated and Unstable Land and is considered acceptable.

Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development.

Significant weight is attributed to the need to ensure that established shops, facilities and services, including public houses, can develop and modernise, and are retained for the benefit of the community, in accordance with paragraph 98(d) of the NPPF. The proposal is considered an acceptable form of development in the Green Belt and is located within a sustainable location within an existing commercial site. The proposal would provide an ancillary events space supporting an existing public house use and would enable the long-term viability and continued operation of an established local business. Significant weight is therefore also attributed to the anticipated economic benefits of the scheme.

Having balanced all material planning considerations, whilst a number of objections have been received in respect of the proposal, they have been suitably addressed through the information supplied and further details will be secured by condition.

Consequently, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations. The proposal is therefore, on balance, recommended for approval subject to necessary conditions.

RECOMMENDATION: Approve subject to conditions.

Justification

Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- *Submit a Coal Mining Risk Assessment (CMRA).*
- *Submit a Tree Survey.*
- *Submit a Preliminary Ecological Appraisal (PEA), Bat Survey and Biodiversity Net Gain (BNG) Metric.*
- *Submit a Noise Survey and Noise Management Plan.*

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering representations, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.