



BARNSLEY
Metropolitan Borough Council

**Planning & Building Control Service
Development Management
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PO Box 603, Barnsley, S70 9FE
Head of Service: Joe Jenkinson**

Ms Katrina Hulse
Cushman and Wakefield LLP
St Paul's House
23 Park Square South
Leeds
LS1 2ND

Our ref 2020/0647 & 2022/ENQ/00122
Your Ref:
Date: 2nd September 2022
Enquiries to: Elaine Ward
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Email: elaineward@barnsley.gov.uk

Dear Madam

APPLICATION SUBMITTED UNDER SECTION 96A OF THE TOWN AND
COUNTRY PLANNING ACT (1990) AS AMENDED

**Non-material amendment to planning permission 2020/0647 to change the levels
of Plot 3 of :**

**Hybrid planning application for a development up to 103,086sqm of employment
uses (use classes B1/B2 and B8) and associated works including access roads,
drainage and landscaping, a) Outline seeking approval over means of access
and scale across 2 development plots (plots 2&3) of up to 71,515sqm floorspace;
and b) full application for the development of plot 1 (31,571 sqm floorspace for
use B8), associated earthworks and creation of access points including new
roundabout to link with Hoyland south Masterplan Area (Local Plan references
HS68, HS65, HS61, HS58, HS6, SL5)**

Land to the west of Sheffield Road, Hoyland, Barnsley

I refer to the above referenced application for a Non-Material amendment to planning
permission reference 2020/0647 granted on 9th November 2020 subject to a S106
legal agreement.

The changes proposed by the Non- Material Amendment are as follows:

To utilise excess spoil from earthworks material generated from Plot 1 (permission
2020/0647), Plot 2 (permission 2021/1159) and the attenuation basins (2021/0637),
to increase the level of the Plot 3 from an approved finished earthworks level of
145.6m OD to 146.2m OD, an increase of 600mm.

The amendment would require some minor changes to landscaping.

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This increase in levels will allow 29,000 m3 of surplus material to be placed on Plot 3 thus providing a sustainable solution to its disposal rather than disposing to an offsite location. This solution will reduce the number of lorry movements by circa 2,300.

Assessment

Section 96A (1) gives the power to a Local Planning Authority to make a change(s) to a planning permission if the change(s) is/are not material.

The changes would not result in any development which lies outside of the description of development, nor does it contravene any conditions attached to the original permission.

The Biodiversity Officer has reviewed the submitted documents and is satisfied that the changes would lead to a slight increase in Biodiversity Net Gain.

The Highways Development Control Group Leader has no objections, however the design of any drainage infrastructure within the plot will need to accommodate this change and any associated approvals for these changes will need to be sought by the applicant.

Overall, the proposed changes are inconsequential in terms of its scale in relation to the original permission. Whilst there may be temporary impacts on residential amenity, the operation is anticipated to take approximately one week only, there will be no permanent impacts on residential amenity of existing dwellings. The proposed changes are therefore considered to be non-material.

It is considered that these amendments are satisfactory having regard to relevant planning considerations including impact on residential amenity and design considerations and will not alter the nature or scale of the original permission.

Conclusion

Taking into account all the above I can confirm that the **non-material amendment is acceptable.**

As such, the following approved plans *approved under 2020/0647*

Drawing NO. 4400-005 P01 Masterplan

Drawing No. 20-04-S8 P2 Landscaping Proposals Drg 04

Drawing No. 20-07-S8 P2 Landscaping Proposals Drg 07

Shall be replaced by the following:

Drawing No. 4400-001-P40HOY-AG-VGT-XX-FN-CE-

Drawing No. 20-04-S8 P7 Landscaping Proposals Drg 04P20026-RPS-1A-XX-DR-C-SR1281 P05 Plot 3 Revised

Drawing No. 20-07-S8 P8 Landscaping Proposals Drg 07P20026-RPS-1A-XX-DR-C-SK1282 P04 Plot 3 Plateau

and the following additional plans/documents

HOY-AG-VGT-XX-FN-CE-AG3080-19-TN14 Technical Note

P20026-RPS-1A-XX-DR-C-SR1281 P05 Plot 3 Revised Plateau Area

P20026-RPS-1A-XX-DR-C-SK1282 P04 Plot 3 Plateau Areas

Biodiversity Net Gain Metric dated 10/06/22

Letter from FPCR dated 10/06/22 with ecology enhancement proposals

This decision letter only relates to the non-material amendment. It is not a reissue of the original decision notice for application 2020/0647 which still stands. The two documents should be read in conjunction.

Should you require anything further, please contact me again.

Yours sincerely

Elaine Ward

For and on behalf of:
Joe Jenkinson BA (Hons) MSc
Head of Planning and Building Control
www.barnsley.gov.uk/developmentmanagement