



TOWN PLANNING

**Proposed Residential Development At
The Old Quarry, Common Road, Brierley**



VOLUME 2: Appendices

Prepared by:
David Taylor BA (Hons) DMS MRTPI ARIBA MCMi MIOB
Report ref: 10.29 (2) PS
March 2011

6 Crewe Road
Shavington-cum-Gresty
Cheshire
CW25JB
Tel 07864 104109
Email dtaylor.oligra@btinternet.com

OLIGRA Town Planning

Land at Common Road, Brierley

VOLUME 2 APPENDICES

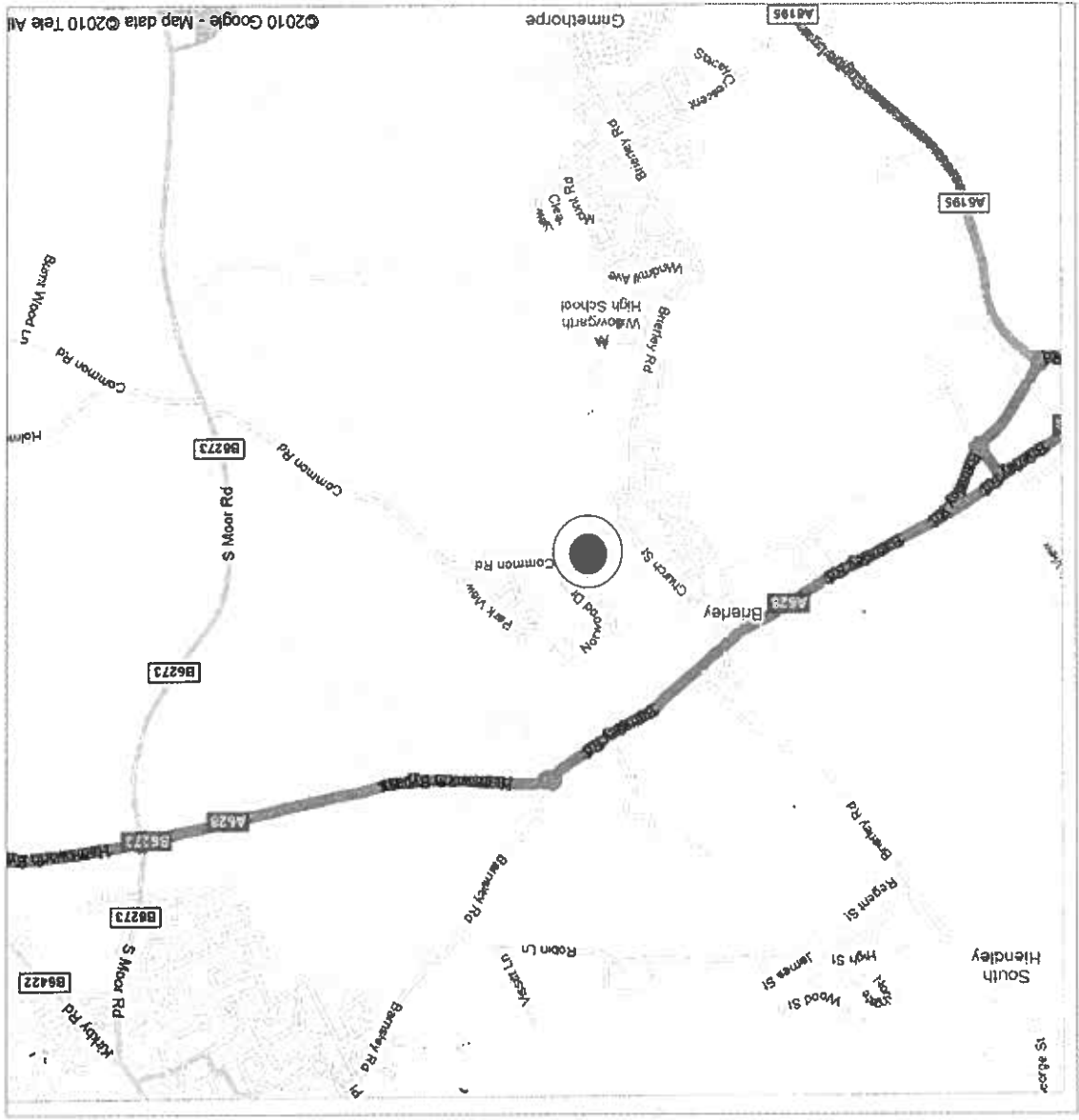
Oligra Town Planning
VOLUME 2 Appendices
OLIG 10.29 (2)
March 2011

Land at Common Road, Brierley

Page	3	4	5	8	14	15	18	26	27	29	30	31	34	35	36	37	38	39	40	41	42	43	46	48	73	74	75	76	78	80																														
CONTENTS	Appendix 10.1	Location Map	Appendix 10.2	OS Map 1:2500	Appendix 10.3	Letter from Barnsley MBC Regulatory Services dated 28 th October 2010	Appendix 10.4	Anti-Social Behaviour Related Emails	Appendix 10.5	Pre-Application Consultation	Appendix 10.5.1	Email from LPA dated 28 th July 2010	Appendix 10.5.2	OLIGRA Letter to LPA dated 29 th July	Appendix 10.5.3	OLIGRA Letter to LPA dated 11 th August	Appendix 10.5.4	LPA email dated Thursday, August 12, 2010 12:39 PM	Appendix 10.5.5	OLIGRA email dated 12 August 2010 12:48	Appendix 10.5.6	LPA email from dated 12 August 2010 13:07	Appendix 10.6	Traditional Building in Brierley	Appendix 10.7	Brierley Conservation Area Approved Residential Development	Appendix 10.7.1	Planning Applications 2008/0971 [CAC] and 2008/0764	Appendix 10.7.2	Planning Applications 2006/1991 & 2006/1998 [CAC]	Appendix 10.7.3	Planning Application 2008/0308	Appendix 10.7.4	Planning Application 2008/0902	Appendix 10.7.5	Planning Application 2008/1577	Appendix 10.7.6	Planning Application 2009/0453	Appendix 10.7.7	Planning Application 2009/0593	Appendix 10.7.8	Planning Application 2009/1473	Appendix 10.8	Planning Permission 2010/0321 (Penistone)	Appendix 10.9	Planning Appeal Precedent	Appendix 10.10	JCA Ltd Tree Survey	Appendix 10.11	Planning: LPA email Monday October 18 th 2010	Appendix 10.12	Trees: Edward Jowett Internal Consultation 29 th September 2010	Appendix 10.13	Conservation Area: Tony Wiles Internal Consultation 7 th October 2010	Appendix 10.14	Highways: Sheridan Pashley Internal Consultation 27 th September 2010	Appendix 10.15	Yorkshire Water: Stephanie Walden 30 th September 2010	Appendix 10.16	Sewer and Water Legends

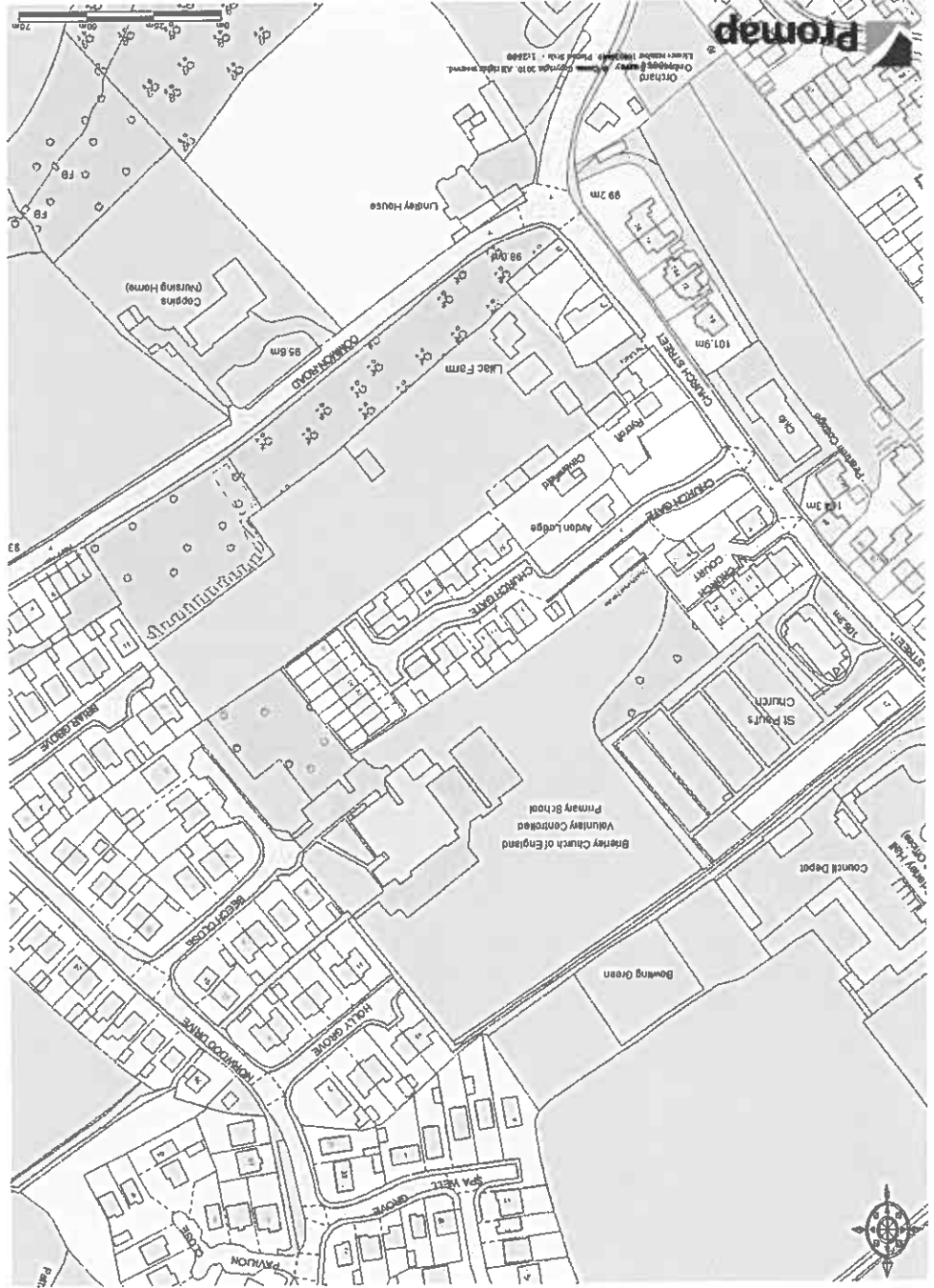
Land at Common Road, Brierley

Appendix 10.1



Land at Common Road, Brierley

Appendix 10.2
1:2500 OS Map



Land at Common Road, Brierley

Appendix 10.3

Letter from Barnsley MBC Regulatory Services dated 28th
October 2010

Land at Common Road, Brierley



Regulatory Services
Assistant Director: Ken Eastwood, BSc (Hons), MCIEH
PO Box 602, Barnsley S70 9FB

Mr & Mrs Wright
36 Booth Avenue
Sandbach
Cheshire
CW11 4JN
My Ref: ERU/239492
Your Ref:
Enquiries to: Diane L Dodds
Email: regulatoryservices@barnsley.gov.uk
Dial Direct: (01226) 772468
Fax: (01226) 775699
Date: 28 October 2010

Dear Sir/Madam,

ENVIRONMENTAL PROTECTION ACT 1990 s33 s55
UNAUTHORISED DEPOSIT OF WASTE ON FORMER QUARRY SITE,
COMMON LANE, BRIERLEY, BARNSELEY, SOUTH YORKSHIRE.

I am informed that you are the owners, of the above area of land and to inform you that there has been further incidents of fly tipping at the above location, which has resulted in controlled waste being deposited on your land, consisting of a variety of waste including bathroom fittings, domestic appliances, tyres, car parts and building waste.

Whilst investigations into the people responsible for the fly tipping have failed to reveal those responsible, I must draw your attention to the above legislation. This enables the Council to require the land occupier/owners to remove controlled waste from their land, and/or reduce or eliminate the consequences for the controlled waste on your land to be removed and properly disposed of at a licensed facility or by a licensed contractor. This should be undertaken within three weeks of receipt of this letter. Please note that once you remove the waste, you would be able to seek civil recovery of the costs for this from the person responsible for the fly tipping.

As the area of land is easily accessible to further fly tipping, I would strongly recommend that you make arrangements, to be implemented as soon as the waste has been removed, in order to prevent further access for repeat fly tipping. I must remind you that if you do not take reasonable steps to prevent further fly tipping, it is considered that the defence of not knowingly permitting the deposit would not be valid in any formal action brought against you by this Service.

DEVELOPMENT, ENVIRONMENT & CULTURE DIRECTORATE

Land at Common Road, Brierley



For your information, this area will be monitored, along with other locations in Barnsley. Please be aware that if the Council obtains evidence of anyone's involvement in fly tipping, then we will normally instigate formal, legal action against them.

All enforcement carried out by the Service is in accordance with the Regulatory Services Enforcement Policy. If you would like a copy of the Policy please telephone us.

Should you wish to discuss this correspondence further, or want to arrange an appointment to speak to me in person, please contact me, Diane L Dodds. If I am unable to resolve your query, you may then contact my Manager, Paul Denton.

Yours sincerely,

A handwritten signature in black ink, appearing to read "D. L. Dodds".

Diane L Dodds

Field Officer

DEVELOPMENT, ENVIRONMENT & CULTURE DIRECTORATE

Land at Common Road, Brierley

Appendix 10.4

Anti-Social Behaviour Related Emails

Land at Common Road, Brierley

07 November 2010 18:28

Brierley Tyre disposal

- More junk has been tipped inside but is not noticeable from entrance.
- Some bathroom stuff has been dumped (from over the wall, on the RHS, far side of 'cave') and also kiddies toy pushchair, skipping rope and other domestic stuff (from over wall RHS nearer to gate), but not visible from gate.

- There are approx 100 tyres. Some have appeared since we were last there.
- We will be fitting a galvanised 'wire/metal' security fence across the gateway to stop access there.
- If people start throwing stuff over the front/pavement wall, there's not a lot I can do about it, other than fit more pale fencing the full length of the front wall ('I'm sure the conservation dept will love that!')

- The main thing is, 'disposing' of the tyres 'correctly' (will get paperwork to show that) AND trying to stop more tipping from over wall on RHS. If people throw things over front of wall, cross that bridge as and when!! AND to block the entrance with wire/metal panel.
- Wooden fencing that Cooper was starting to put up on his/mine boundary the other week, well, at least half of it has been vandalised and stolen. He also had some metal security fencing delivered to secure the building site. It was stolen before being erected.
- There had been another fire on my land earlier last week.
- More 'coping' stones have been stolen from the top of the wall to RHS of gate

Land at Common Road, Brierley

- 17 November 2010 22:03 New Gate-trashed already!
Just to let you know that one of my 'Royd View' Neighbours I chatted to last week, has texted me to let me know that the new wire/metal security gate that we fitted to the quarry entrance last Thursday has been bent over, he says people able to get through it.

- 18 November 2010 12:54 Police Incident Number: 1050
An Officer from South Yorkshire Police rang me this morning to follow up my call to them last night. They are going to send local officers to have a look at the damaged gate etc. I have informed them about the continued Fly-tipping, the continued theft of stone wall/coping stones from my wall and other neighbours walls along Common Road, and also the theft of Mr Coopers recently erected boundary fence.

- The Police are also aware that adults/youngsters 'hang out' in the Orchard 'cave', drinking alcohol and using drugs. They will do their best to 'keep an eye on things' in the hope of 'catching' any intruders/fly-tippers etc but obviously they cannot monitor it 24/7.

Land at Common Road, Brierley

23 November 2010 13:23 Quarry Common Road Criminal Damage

Thurs 11th Nov

- Wire/metal security gate, 12ft x 8ft heavy duty chains, padlocks etc (127 tyres removed)
- I rec'd msg 17th Nov to say gate bent over allowing access to land reported to S.Yorks Police, incident number 1050 17th Nov
- also informed police of continued theft of coping stones/stone blocks from my wall and neighbouring walls

Sat 20th Nov

- went to check damage looked as though a vehicle had reversed into it and bent it over approx 1ft from bottom (chains & padlocks still in place)
- also noticed more domestic rubbish had been dumped/thrown over wall to left of Royd View houses

Tues 23rd Nov

- rec'd msg informing me that gate now totally flattened reported to police, incident number 407 23rd Nov,
- Police now pass all info onto 'safer neighbourhood team'

Land at Common Road, Brierley

- 23 November 2010 14:41 Crime Recording Bureau
- just had call from CRB, I now have a crime reference number B-114 955-2010
- safer neighbourhood team will ring me at some point

24 November 2010 22:24 Update re: POLICE!

- A WPC from Cudworth Police Station rang earlier! She then went to have a look at the 'gate' situation, and rang me back! From what she said, it sounds as tho' the gate has been bent back as before (chains and padlocks still attached)! She seems to think that 'kids' have done it (she could be right on this occasion, but I do think a vehicle bent it first time)

- She is aware of the theft of materials from Coopers site. She/colleagues going to try and keep an eye on things. The WPC is on 2-10, and going to do 'drive bys' when she can, in the hope of catching 'who-ever', or she will let me know if any 'new' tipping appears! She's given me her 'collar number' etc. so that I can get a msg to her if I hear anything!

Land at Common Road, Brierley

09 January 2011 17:23

Sunday 9th-Fly Tipping Update!

- Three of us spent two and a half days in rain and snow tidying up Quarry and erecting Chestnut Pale Fencing on high wall to RHS next to Royd View driveway. Hopefully this will prevent people throwing domestic/garden/other waste over into Quarry.
- 'The Cave' has been filled in with soil to prevent 'drugies' from 'hanging out' in there and 'squatters' from taking up residence again (The locals informed me 'kids' (and 'kids' in their 20's) have been hanging about in there 'doing drugs', over Christmas)
- The main entrance has now been blocked off, we managed to 'doctor' the wire-metal security panel (previously vandalised) and fix it across the gateway, along with long lengths of timber. Earth was then 'piled up' behind it. Hopefully this will prevent vehicular access.
- On arrival, I noticed that more domestic/garden rubbish had been thrown in and several more trees had been vandalised, those with drooping/snapped branches have been broken off during the Christmas holiday period.
- Several local people who passed by, during Weds, Thur & Fri, were all in favour of the land being built on, to tidy up the area and stop the on-going Fly Tipping problem

Appendix 10.5

Pre-Application Consultation

Appendix 10.5.1	LPA email dated 28 th July 2010
Appendix 10.5.2	Oligra Letter to LPA dated 29 th July
Appendix 10.5.3	Oligra Letter to LPA dated 11 th August
Appendix 10.5.4	LPA email dated Thursday, August 12, 2010 12:39
Appendix 10.5.5	Oligra email dated 12 August 2010 12:48
Appendix 10.5.6	LPA dated 12 August 2010 13:07

Land at Common Road, Brierley

Appendix 10.5.1

LPA email dated 28th July 2010

Land at Common Road, Brierley

Hi David

I have looked at the preliminary scheme and as it stands would not be able to support it.

As you are aware the site is allocated as Urban Greenspace on the Unitary Development Plan proposals maps. Additionally it falls within the boundaries of the Brierley Conservation Area.

Policy Context

UDP policy relating to Urban Greenspace, in particular Policy GS34, states that whilst areas designated as urban greenspace should normally remain open and undeveloped, proposals for the re-development of areas of greenspace will be assessed for their effect on the present formal and informal function of the area as:

- a) a facility for recreation
- b) an area of amenity value
- c) an area of nature conservation value
- d) a link between adjacent areas.

The policy states that proposals which are likely to have a significant adverse effect on the function of the greenspace will not be approved.

UDP policy relating to Conservation Areas states that development proposed within a Conservation Area should not detract from its special character or appearance.

Discussion

Although I do not consider that the site functions as a facility for recreation or provides a link between areas, I do consider that the site has an amenity value and potentially even some conservation value, particularly when viewed from Common Road. This amenity value is afforded by the trees and the stone wall and its green and open nature.

The total eradication of these elements therefore, which would occur if the submitted scheme were implemented, would significantly adversely affect its functions as an area of amenity value and an

Land at Common Road, Brierley

area of conservation value in that the site would no longer function as either. I therefore cannot support your proposals as I consider that the scheme would be contrary to UDP Policy GS34.

In addition to the above, I consider that the design and siting of the dwellings would be completely inappropriate on this site. The site falls within a designated Conservation Area and regard should be had to this when designing a new development. Although I am aware that the integrity of the Conservation Area has been diluted somewhat overtime by modern infill development, I would expect the design of any new development in the area to make reference to the more traditional buildings which fall within it. The modern three storey dwellings proposed do not make any visual reference to those important features. I am also concerned about the loss of the stone wall and the siting of the dwellings, which does not reflect or respect that of existing and proposed development in the area.

As a consequence of the above I would not therefore recommend that you submit an application for the scheme. Although I can see some merit in developing the site as it is fly tipped and the trees are unmanaged, there are ways and means of improving and sometimes even redeveloping a site, which do not entail wholesale clearance.

I hope you find the above useful.

If you wish to discuss any of the above, please do not hesitate to get in touch.

Kind regards

Alexandra Cotton

Planning Officer

Development Management

Barnsley Metropolitan Borough Council

Planning and Transportation Service

PO Box 604

Barnsley

Land at Common Road, Brierley

Appendix 10.5.2

OLIGRA Letter to LPA dated 29th July

Barnsley Metropolitan Borough Council.

Thursday 29th July 2010

Planning & Transportation,

PO Box 604,

Barnsley,

S70 9FE

Our Ref. OLIG 10.29

FAO Alexandra Cotton

Dear Alexandra,

LAND AT COMMON ROAD BRIERLEY

1 Thank you for your emailed comments dated 28th July regarding the indicative scheme we recently submitted for your consideration as part of our ongoing pre-application consultation. Your comments are informative and gratefully received.

2 As you say, the subject site is allocated as Policy GS34 Urban Greenspace on the Unitary Development Plan proposals maps and it also falls within the boundary of the Brierley Conservation Area.

3 Policy GS34 states proposals for the re-development of areas of greenspace will be assessed for their effect on the present formal and informal function of the area as:

- a) a facility for recreation
- b) an area of amenity value
- c) an area of nature conservation value
- d) a link between adjacent areas.

4 We agree with you that the site neither functions as a facility for recreation nor provides a link between areas. We also agree with you that the site has an amenity value afforded by some of the trees and the stone wall, although we cannot agree with you that the site has an "open nature".

Land at Common Road, Brierley

- 5 A site with an "open nature" would not display evidence of homeless people having squatted there and would not render the site susceptible to the evident domestic and commercial fly-tipping, which you acknowledge to be a specific problem:
"I can see some merit in developing the site as it is fly tipped and the trees are unmanaged"
- 6 On the matter of trees, in our opinion it is the trees set within and to the top of the quarry face that add amenity and conservation value, rather than the unmanaged self-seeded apple and pear trees that populate the lower levels.
- 7 The trees in and atop the quarry face are untouched by the proposed development and it is therefore inaccurate of you to claim:
"The total eradication of these elements therefore, which would occur if the submitted scheme were implemented, would significantly adversely affect its functions as an area of amenity value and an area of conservation value in that the site would no longer function as either. I therefore cannot support your proposals as I consider that the scheme would be contrary to UDP Policy GS34."
- 8 We also fundamentally disagree with your interpretation of Policy GS34. You stated, with underlined emphasis:
"The policy states that proposals which are likely to have a significant adverse effect on the function of the greenspace will not be approved."
- 9 Policy GS34 does not say that. It says:
"A proposal likely to have a significant adverse effect on the function of the area in any such respect will not normally be approved.
Where material considerations nevertheless indicate approval, the adverse effects on urban greenspace must be offset by compensatory improvements or additions within or outside the development site, including where appropriate, through planning conditions or obligations."

Land at Common Road, Brierley

10 Material considerations that could nevertheless indicate approval would include the anti-social fly-tipping across the site, the evidence of homeless people having lived there and the planning precedent created by recently approved numerous schemes for residential development near to the site.

11 This planning precedent is wholly within the Conservation Area, and sometimes within defined Policy GS34 Urban Greenspace.

12 On the matter of the Conservation Area, you state that " *development proposed within a Conservation Area should not detract from its special character or appearance.*"

13 We broadly agree with you on this, and we are of the opinion that sensitive development at the site - which in our opinion is a neutral area - will not undermine the setting of the built elements of the nearby central Brierley Conservation Area

14 Policy Guidance 15 (Planning and the Historic Environment: Section 4. Conservation Areas) also provides additional support:

- " *Conservation area status should not prevent all new development: the emphasis being the controlled and positive management of change.*" (Para 4.16)
- " *Though choices sometimes have to be made, conservation and sustainable economic growth are complementary objectives and should not generally be seen as in opposition to one another.* (Paragraph 1.4)

15 Although the subject site is located in a neutral backwater to the central Brierley Conservation Area, it is also worth noting that there is no requirement in the legislation that conservation areas should be protected from all development which does not enhance or positively preserve (South Lakeland DC v Secretary of State for the Environment, [1992] 2 WLR 204).

Land at Common Road, Brierley

Indicative Scheme	
Siting	
16	We cannot agree that the proposed siting is " <i>completely inappropriate</i> " on this site.
17	The proposed scheme is intended to overcome your concerns that the lower lying area near the quarry face has reduced levels of natural light. By bringing the proposed housing to the front of the site we would remove this concern and would also safeguard specific trees in the lower reaches. Housing at the front would not entail the wholesale clearance you have opined. (We assume you are referring to trees and not normal summer undergrowth that dies back each autumn).
18	Moreover, housing to the front would give visual continuity to the existing street scene looking east to the terraced houses and beyond.
Design	
19	We cannot agree that the design is " <i>completely inappropriate</i> " on this site.
20	The design has had regard to the site and its setting.
21	As you say, the site is within a Conservation Area, the integrity of which, you admit, " <i>has been diluted somewhat overtime by modern infill development.</i> "
22	We feel you are understating this diluting effect and the impact on the Conservation Area of approved residential development.
23	In our opinion this part of the Conservation Area has been significantly diluted over recent years and the implementation of consented residential development will markedly and permanently change the character of the Conservation Area.

Land at Common Road, Brierley

24 Turning back to the indicative scheme - which, as you know, for an outline application is purely indicative. You say:

" I would expect the design of any new development in the area to make reference to the more traditional buildings which fall within it. "

25 You express an opinion that new housing should make reference to " more traditional buildings" which fall within the Conservation Area when this evidently has not been the case with the recently approved and developed Barratt housing on the former Danny Oates site and the forty houses approved but still unimplemented on Lillac Garage (where Barratt was planning agent)

" The modern three storey dwellings proposed do not make any visual reference to those important features. "

26 The three storey building indicated is designed to maximise the site' s unique ambience. At the rear ground-floor, the houses provide terrace for tranquil private amenity space with the quarry as backdrop, whilst to the front overlooking Common Road, upper-floor balcony space allows unrivalled views over rolling countryside to the south towards Grimethorpe.

27 The concept underpinning its design is inspired by similar innovative housing at Hall O Shaw Street, Crewe, which has been developed by another Oligra client. (Please see Appendix One)

28 Having said that, at your behest the details of the indicative scheme can be revised to make visual reference to those " *important features*" to which you refer. We would therefore be grateful for further guidance on this point.

" I am also concerned about the loss of the stone wall and the siting of the dwellings, which does not reflect or respect that of existing and proposed development in the area."

29 Although we share your concern about the stone wall and can revise the indicative scheme accordingly, we cannot agree that the housing proposed to the site frontage does not reflect

Land at Common Road, Brierley

nor respect the existing bye-law terraced housing that extends to the east along Common Road.

30 Similarly, we cannot agree that the indicative scheme does not reflect or respect the recently developed Barratt housing on the former Danny Oates site to the north.

31 As to "*proposed development in the area*", we are not aware of any proposed development in the area and can only assume you mean either the approved detached house to the west further along Common Road or the approved but unimplemented forty houses at Lilac Garage.

32 The approved detached house is located on high ground within the same Urban Greenspace, at a location that better fulfils the Policy GS34 policy objectives.

33 Not only will this detached house cause visual impact to its surroundings, it will also be served by a new access onto Common Road that cuts through and loses part of the same stone wall that you are so keen to safeguard at our site a few yards away.

34 The approved forty houses at Lilac Garage are on land overlooking the proposed development. We have not seen the approved layout but would assume it is akin to that built out by Barratt's on adjacent land to the north.

35 When Lilac Garage is built out it will be highly visible to remote receptors when viewed from the south. The tree cover in and above the quarry wall - which will be retained by our proposed development - will mitigate the impact from the south only when they are in leaf between April and September.

36 In our opinion neither of these two approved developments will be affected by the siting of the proposed dwellings.

37 In conclusion, we would suggest the following six steps are taken to support an outline planning application:

Land at Common Road, Brierley

- 37.1) Although there already is an access into the site, the indicative scheme is to be revised to show the existing wall retained.
- 37.2) The indicative design detail is revised to show reference to " traditional design"
- 37.3) Trees to be retained would be indicated.

38 We would submit the revised indicative scheme for your opinion prior to executing next three steps:

- 38.1) A Tree survey is undertaken of the unmanaged and self-seeded fruit trees and the trees in and atop the quarry.

- 38.2) A PPS9 Bio-diversity survey is undertaken

- 38.3) Section 106 Heads of Terms are prepared for computed sum payment towards provision and maintenance of open space. This should be borne by an eventual developer as part of their development costs.

We would be grateful for your comments on the points we have raised, and in particular the point on the proposed siting (our paragraph 16)

With kind regards,

Yours sincerely,

David Taylor BA (Hons) DMS MRTPI ARIBA MCMI
Appendix One: Housing at Hall O Shaw Street, Crewe



Land at Common Road, Brierley



Land at Common Road, Brierley

Appendix 10.5.3

OLIGRA Letter to LPA dated 11th August

Barnsley Metropolitan Borough Council. Tuesday 11th August 2010

Planning & Transportation,

PO Box 604,

Barnsley,

FAO Alexandra Cotton

Dear Alexandra,

LAND AT COMMON ROAD BRIERLEY

We wrote to you on 29th July regarding your observations on our proposed residential development at Common Road Brierley; you had opined that the siting and design of the indicative scheme was "completely inappropriate". (Your email dated 28th July)

Unfortunately, your comment is too general for our needs, and to be able to review and re-present the indicative scheme we need more specific commentary from you.

Whilst writing, we understand that the subject site is designated Urban Greenspace on the online Barnsley MBC Proposals Map. We have checked defined greenspace in and around Brierley - such land is shown shaded turquoise - and can find no reference to the subject site. We feel we may have misinterpreted the Proposals Map and would be grateful for confirmation that the site is indeed defined urban greenspace on the proposals Map.

We are in the process of preparing a planning statement to accompany a future planning application and would therefore be very grateful for a prompt response.

With kind regards,

Yours sincerely

David Taylor BA (Hons) DMS MRTPI ARIBA MCMI MIOD

Oligra Town Planning Services

Land at Common Road, Brierley

Appendix 10.5.4

LPA email dated Thursday, August 12, 2010 12:39 PM

David,

In response to your letters dated the 29th July 2010 and the 10th August 2010, I write to confirm that the site is indeed allocated as Urban Greenspace and falls within the Brierley Conservation Area on the Barnsley Unitary Development Plan Proposals Maps.

Please find below an extract from the relevant proposals map entitled ' North East Towns' .

I have identified the location of the site using a dashed red line, for your convenience. The area coloured light green demarcates land allocated as Urban Greenspace and the thin red line demarcates the boundary of the Brierley Conservation Area. The policies which link to the Urban Greenspace allocation and Conservation Area designation are as follows: NE14/1, BE1, BE1A, NE12 and GS34.

From my previous comments you are aware that I consider that the site performs some of the functions of Urban Greenspace, in particular its functions as an area of amenity value and also, albeit only potentially, as an area of nature conservation value. I therefore would have hoped that your proposal would have regard to, retain and enhance its ability to perform those functions. As, in my opinion, your proposal failed to achieve either, retention, or enhancement of those function, I stated that it was, with particular reference to the siting of the dwellings, and potentially even the number of dwellings, unacceptable.

My concerns revolved around the fact that your proposal, if built out, would result in the loss of most, if not all, of the trees on the site, which would, in my opinion, seriously jeopardise the sites ability to continue to function as area of amenity value and eradicate its ability to function as an area of nature conservation value. In addition, views of the site from Common Road would be of built development as opposed to of trees and the site would appear as a high density housing site, rather than an area of greenspace, which in my opinion is contrary to the objectives of the Urban Greenspace allocation. You will be aware that planning permission was granted, subject to a S106, on an area of Urban Greenspace to the west of the site (BMBC Ref: 2010 0338). The application was recommended on the basis that the proposal would retain and enhance the sites ability to function as an area of

Land at Common Road, Brierley

amenity value and as an area of nature conservation value and as a consequence as the above the proposal was not considered contrary to policy. The approved layout incorporates a single dwelling only, positioned to the rear of the site, which will ensure that a large proportion of it remains open and undeveloped. In addition, a significant number of trees on the site, particularly along the site frontage, will be retained and where they are proposed for removal, will be replaced.

For the redevelopment of your site to be supported I would suggest therefore that you take some time to look at the approved scheme and try to achieve something of a similar nature. I suspect that only a very low density high quality development would be acceptable.

I hope you find the above useful. If you wish to discuss the matter further, please do not hesitate to get in touch.

Land at Common Road, Brierley

Appendix 10.5.5

OLIGRA email dated 12 August 2010 12:48

From: Oligra [mailto:oligra@btinternet.com]

Sent: 12 August 2010 12:48

To: Cotton , Alexandra

Subject: Re: Land at Cotton Road, Brierley

Thanks for this point in particular Alex

BMBC Ref: 2010 0338). The application was recommended on the basis that the proposal would retain and enhance the sites ability to function as an area of amenity value and as an area of nature conservation value and as a consequence as the above the proposal was not considered contrary to policy. The approved layout incorporates a single dwelling only, positioned to the rear of the site, which will ensure that a large proportion of it remains open and undeveloped. In addition, a significant number of trees on the site, particularly along the site frontage, will be retained and where they are proposed for removal, will be replaced.

(Why no mention of the new access through the stone wall frontage on Common Road?)

Land at Common Road, Brierley

Appendix 10.5.6

LPA email dated 12 August 2010 13:07

David,

The creation of a small access in the boundary wall was not considered to be a significant issue as it was necessary to facilitate the redevelopment of the site.

Regards

Alexandra Cotton

Planning Officer

Development Management

Barnsley Metropolitan Borough Council

Planning and Transportation Service

PO Box 604

Barnsley

S70 9FE

Tel: (01226) 772577

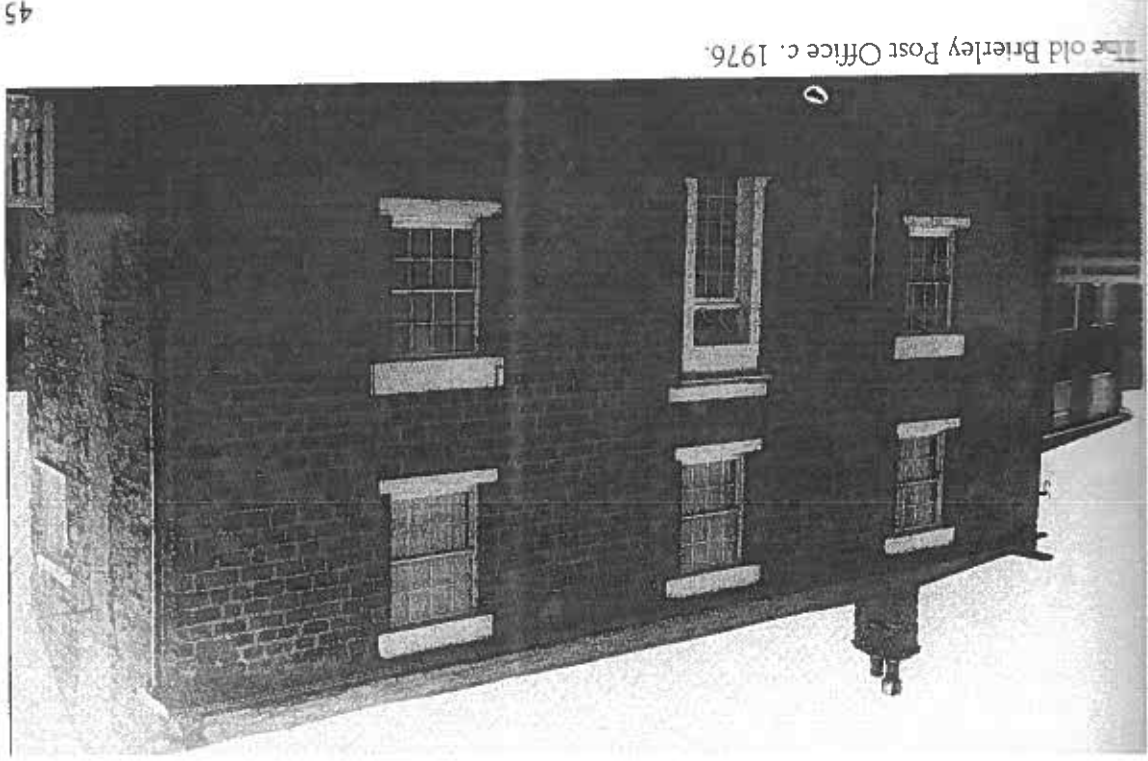
Fax No: (01226) 772591

Email: alexandracotton@barnsley.gov.uk

Land at Common Road, Brierley

Appendix 10.6

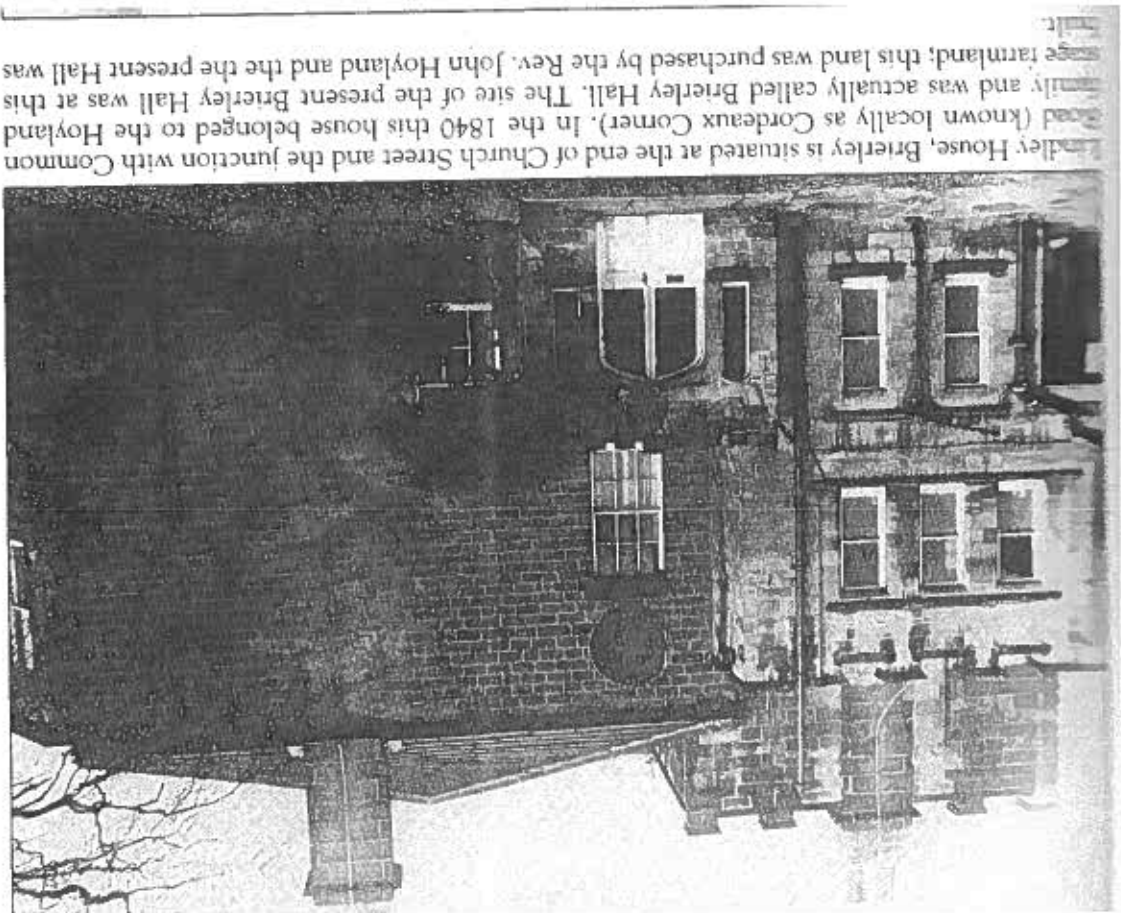
Traditional Building in Brierley



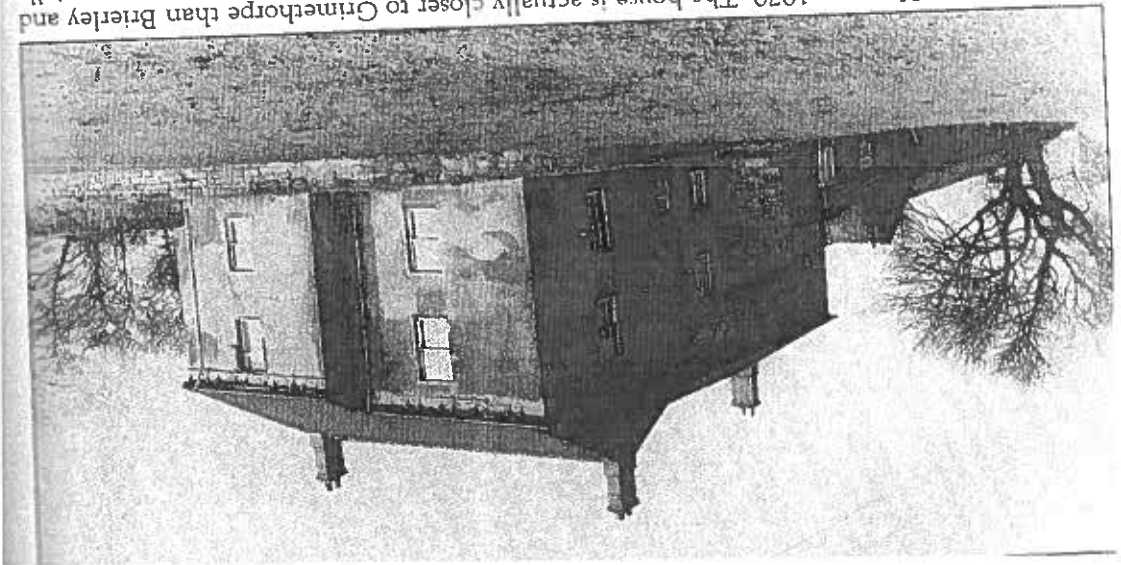
The old Brierley Post Office c. 1976.

45

Land at Common Road, Brierley



Land at Common Road, Brierley



Brierley Manor House c. 1970. The house is actually closer to Grimethorpe than Brierley and can only be reached by track extending from Burnwood Road. The farm house is essentially eighteenth and nineteenth century but retains fragments of the late medieval period at the rear of the building. It is a listed house under the protection of the Department of Environment. In their excellent history of Brierley M.R. Watson and M. Harrison have noted that following the succession of the Saville family to the Manor in 1617 large sums were spent on renovating the house (M. Harrison and M.R. Watson, *Brierley. A History of Brierley*). (1975). For many centuries the Manor of Brierley (Brierley) was one of the most important in Yorkshire and extended south through what is today Grimethorpe. In the seventeenth century the Lord of the Manor (Lord Talbot) extended his parkland and the village of Grimethorpe almost vanished from the map. Only after the sinking of the pits and the arrival of the railways did Grimethorpe's population begin to increase beyond that of Brierley.

Land at Common Road, Brierley

Appendix 10.7

Approved Residential Development within the Brierley
Conservation Area

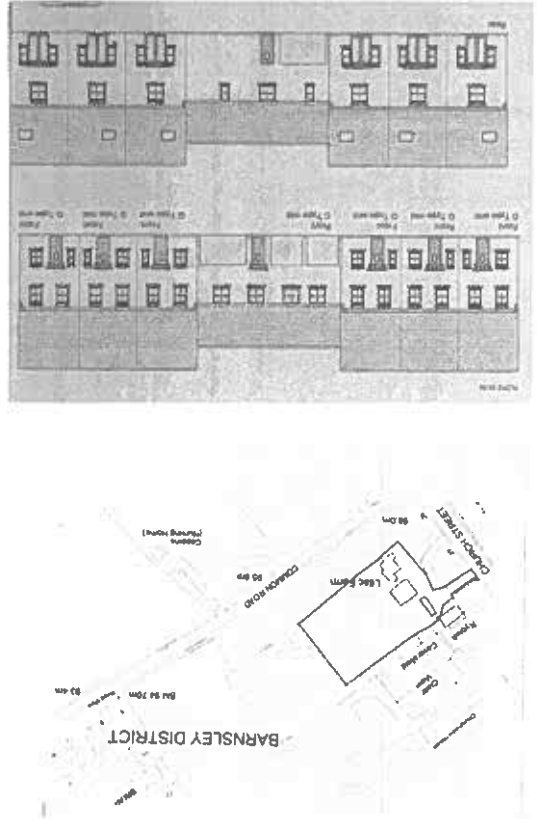
Land at Common Road, Brierley

Appendix 10.7.1

Planning Applications 2008/0971 [CAC] and 2008/0764

Land to rear of Lilac Farm, Church Street, Brierley, Barnsley

Demolition of existing bungalow and outbuildings and erection of 40 no. dwellings and area of open space



Land at Common Road, Brierley

Appendix 10.7.2

Planning Applications 2006/1991 & 2006/1998 [CAC]

Land at 23 Church Street, Brierley, Barnsley.

Demolition of 23 Church Street and industrial buildings (former ice cream factory) and residential development of 27 dwellings.

NO INFORMATION AVAILABLE

Land at Common Road, Brierley

Appendix 10.7.3

Planning Application 2008/0308

Land to the rear of Brierclyffe House, Cliff Lane, Brierley
Erection of 3 detached houses

NO INFORMATION AVAILABLE

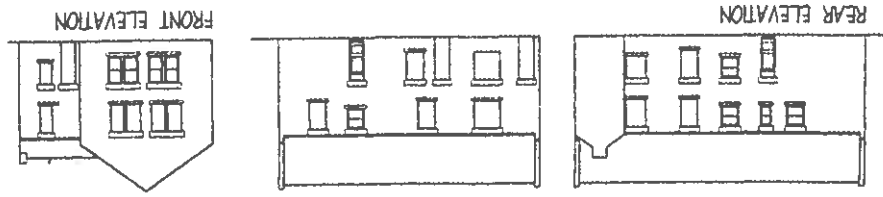
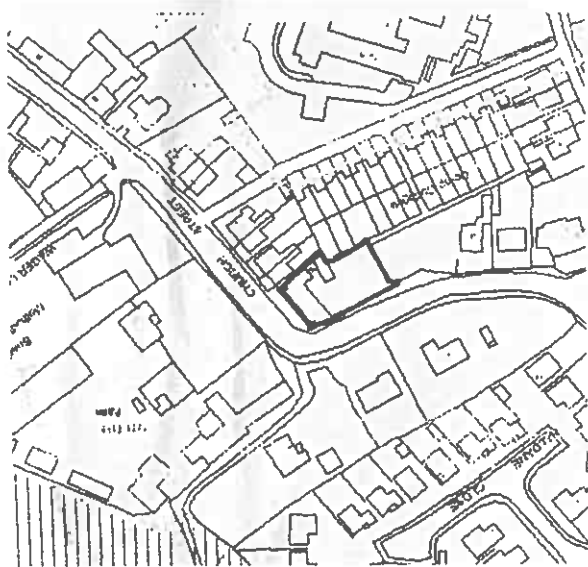
Land at Common Road, Brierley

Appendix 10.7.4

Planning Application 2008/0902

24 Church Street, Brierley, Barnsley.

Conversion of workshop/flats into three dwellings and one detached dwelling.



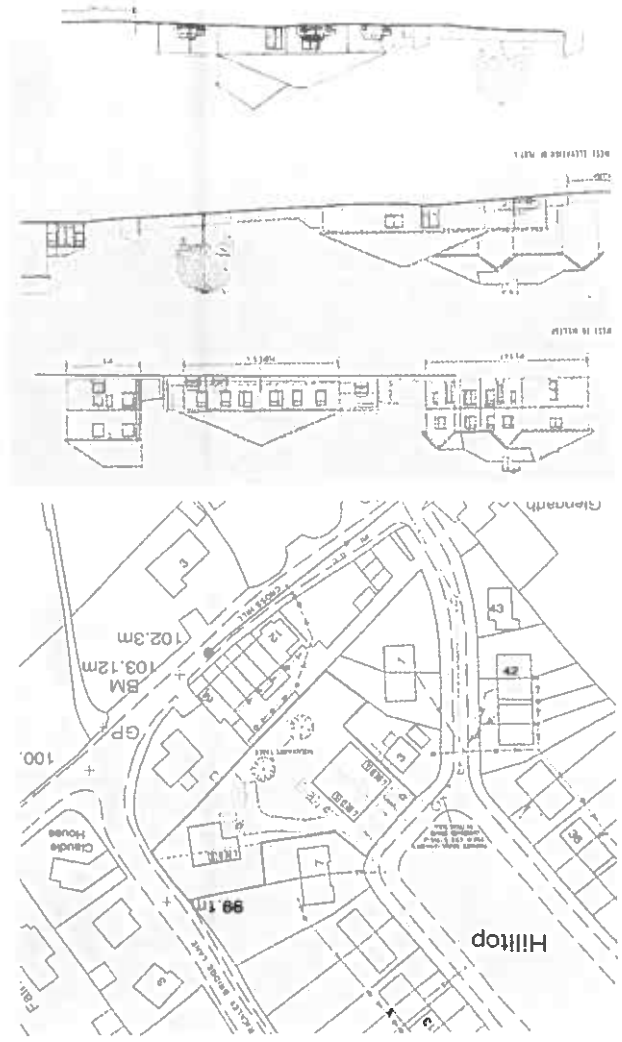
Land at Common Road, Brierley

Appendix 10.7.5

Planning Application 2008/1577

Land between 3 & 7 Hilltop, Brierley, Barnsley, S72 9LF

Erection of 3 bungalows for the disabled.

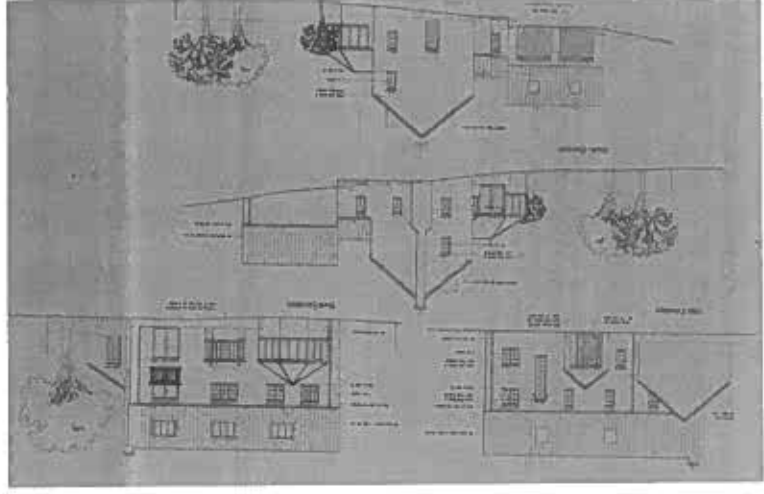


Land at Common Road, Brierley

Appendix 10.7.6

Planning Application 2009/0453

Land adjacent 30 Hill Top, Brierley, Barnsley, S72 9LF
Erection of a detached dwelling and double garage



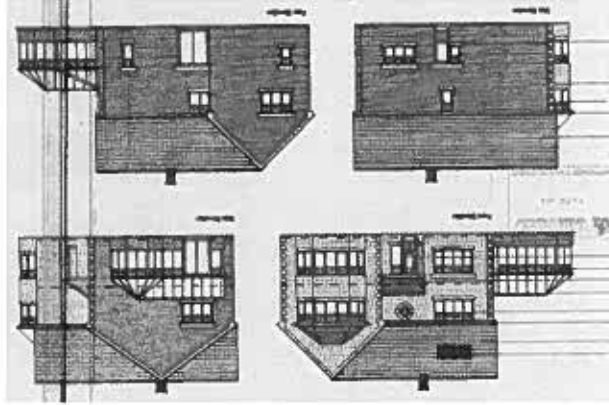
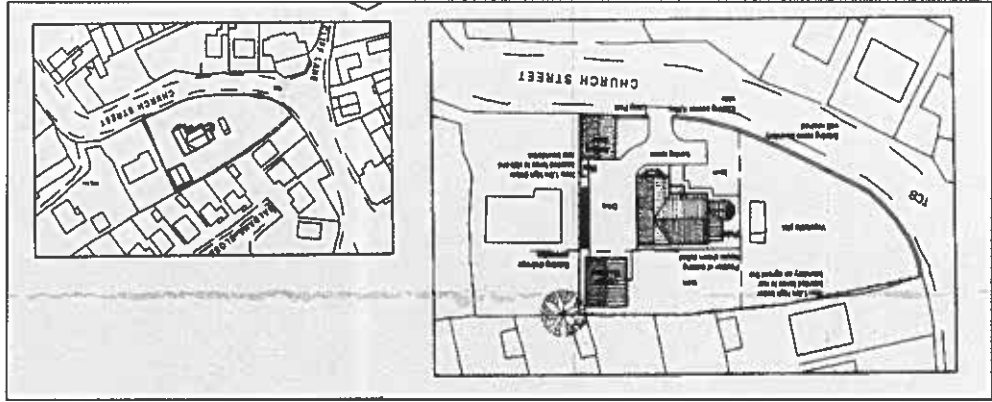
Land at Common Road, Brierley

Appendix 10.7.7

Planning Application 2009/0593

1 Church Street, Brierley, Barnsley, S72 9JR

Demolition of existing dormer bungalow and erection of 2 storey dwelling with detached garage



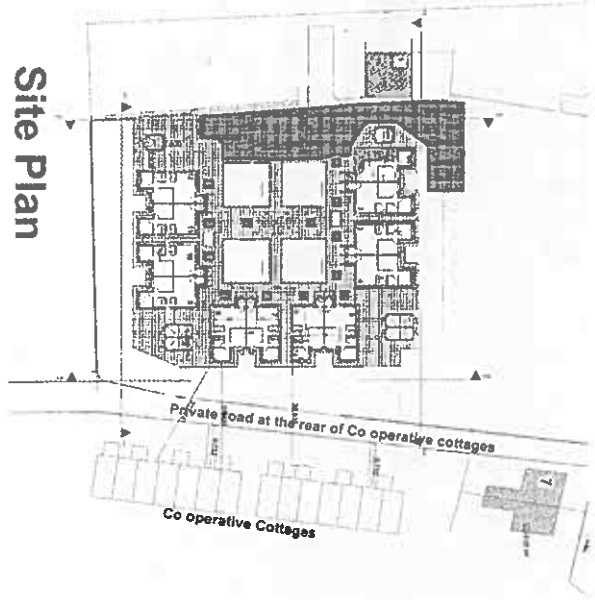
Land at Common Road, Brierley

Appendix 10.7.8

Planning Application 2009/1473

Land adjoining Grange Close/Cliff Lane, Brierley, Barnsley

Demolition of Grange House and erection of 6 no. pairs of semi detached bungalows for the elderly.



Site Plan

Land at Common Road, Brierley

Appendix 10.8

Planning Permission 2010/0321

Site Adjacent the viaduct Sheffield Road, Penistone, Sheffield, South Yorkshire
Erection of 2 no. detached dwellings.



The proposal is located 6m from the back edge of the footpath, this is sufficient for off road parking and manoeuvring and the same as the row of terraces beyond No.3.

The buildings are equally spaced from No.3 with at least 10m between buildings. Although No.3 appears to be facing the proposal, the main aspect is actually to the north overlooking the fields with only the smallest of the living room windows facing the gable wall of the proposal.

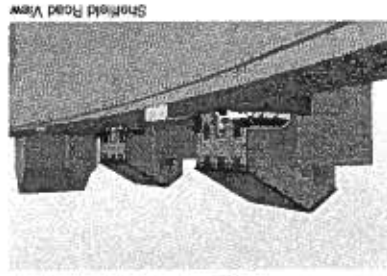
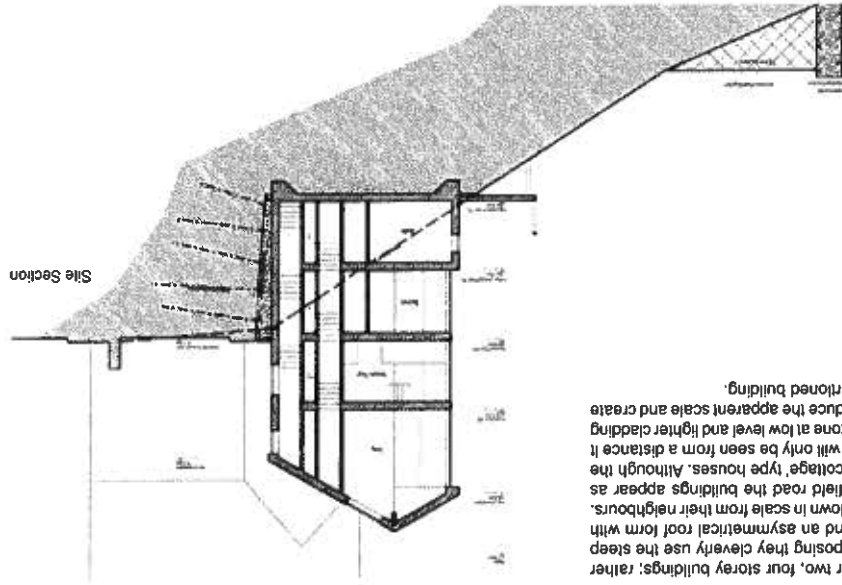
The buildings follow the line of the road and neighbouring buildings.

Although both houses have windows that wrap around the North East corner of the building, overlooking issues are overcome as the buildings are staggered and so the natural view from these windows is over the fields as opposed to over the neighbours gardens. The small windows in the East gable walls are at high level to further minimise overlooking, the majority of these will be opaque glazing as they are bathroom windows. The morning terrace is on the entrance level and so at the same level as the neighbouring garden so a simple 1.8m timber fence to No.3 will prevent any overlooking issues.

Land at Common Road, Brierley

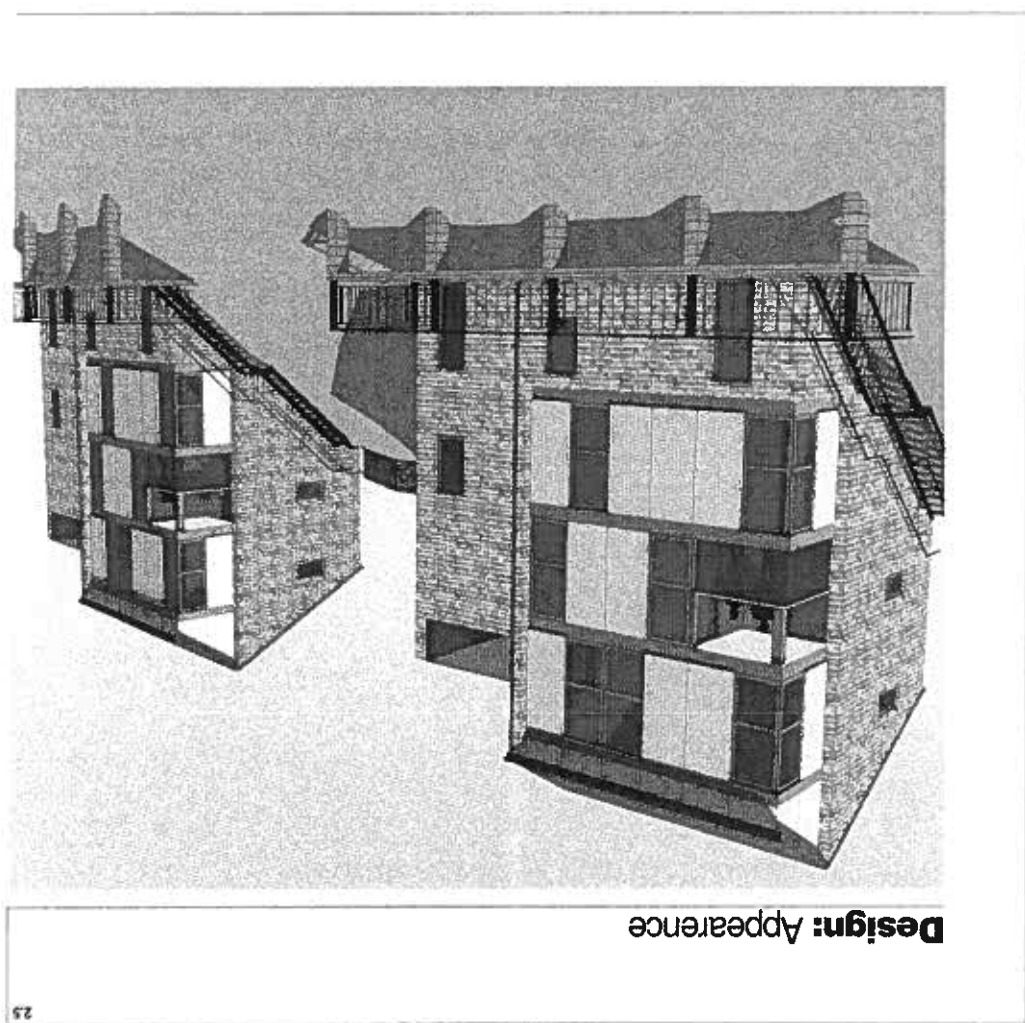
Design: Scale

The proposal is for two, four storey buildings; rather than appearing imposing they cleverly use the steep slope of the site and an asymmetrical roof form with low eaves to step down in scale from their neighbours. Viewed from Sheffield road the buildings appear as relatively modest 'collage' type houses. Although the northern elevation will only be seen from a distance it uses a mixture of stone at low level and lighter cladding panels above to reduce the apparent scale and create a pleasingly proportioned building.



2A

Land at Common Road, Brierley



25

Land at Common Road, Brierley

Appendix 10.9

Allowed Planning Appeal Precedent

- 100-067-195 (Surrey)
- Proposed Development: 4 x semi-detached two storey houses
- Siting: Open land to side of row of terraced housing in urban area.
- Council Case: Unacceptable loss of urban land.
- Appellant Case: Undefined land considered as " other" open land which makes little contribution to the area character. Incorporates adjacent garden land to give 56 DPA which is less dense than neighbouring terraced housing.
- Inspector: Break in building line would just be following flow of bend in the road.
- 100-067-682 (London)
- Proposed Development: Contemporary designed 6 flats in 3 and 4 storey blocks
- Siting: Bloomsbury Conservation Area.
- Council Case: piecemeal appearance and of limited architectural coherence. Poor design form , scale and height
- Appellant Case: Neutral contribution
- Inspector Comment: A contemporary scheme which would make a positive contribution with conservation area character maintained
- 100-067-620 (Monmouthshire)
- Proposed Development: 2 semi-detached (affordable) homes
- Siting: Local Plan " Green Wedge" on settlement edge set in Special Landscape Area
- Appellant Case: Would meet local need.
- Inspector Comment: No significant harm to adjacent residential outlook, privacy or daylight

Land at Common Road, Brierley

100-068-191 (London)
Proposed Development: Demolition of large dwelling and replacement with five dwellings.
Siting: Residential suburb with Tree Preservation Order
Appellant Case: No harm to sylvan character of area from proximity of development to road given no fixed building line.
Inspector Comment: In keeping with surroundings. No harm to residential amenity or protected trees.
100-068-051 (Devon)
Proposed Development: Four dwellings.
Siting: Vacant grassland site within settlement boundary.
Appellant Case: Acceptable design proposed in residential area of mixed type and design and noting both hipped and gabled roof forms. In scale, density and layout with area character Access from adjacent suburban housing estate spur and hammerhead turning area.
Inspector Comment: Access not out of keeping with street pattern. Loss of neighbours privacy and outlook not significant
100-067-379 (Wiltshire)
Proposed Development: Demolition of large dwelling and replacement with eight dwellings (3 affordable).
Siting: Village Conservation Area.
Appellant Case: No harm to residential amenity due to no overbearing or overlooking given screening and distances. No harm to highway safety due to adequate and improved visibility, pedestrian improvements and sufficient parking.
Inspector Comment: Whilst increased density and some loss of landscaping for access, no harm to sylvan and verdant character and appearance of Conservation Area due to appropriate design, layout and retained and proposed landscaping.

Land at Common Road, Brierley

Appendix 10.10
JCA Ltd Tree Survey

Land at Common Road, Brierley

ARBORICULTURAL REPORT
to BS 5837:2005
at
Common Road
Brierley
Barnsley
South Yorkshire
S72 9EA

Client:

Mrs Sue Wright

Client Address:

36 Booth Avenue

Sandbach

Cheshire

CW11 4JN

Client Contact:

07751797622 (Tel)

JCA Ref:

9900/AW

Land at Common Road, Brierley

Arboricultural Report at: Common Road, Brierley, Barmley, South Yorkshire, S72 9EA.
Ref: 9900/AV

Page 3 of 19

Contents

1.	Introduction.....	4
1.1	Purpose of the Report.....	4
1.2	Terms of Reference.....	4
1.3	Scope of the Report.....	4
1.4	Survey Details.....	4
2.	Site Description.....	5
2.1	Land Use.....	5
2.2	Topography.....	5
2.3	Treescape.....	5
2.4	Visual Amenity Value.....	5
2.5	Age Class Mix.....	5
2.6	Species Diversity.....	5
3.	Status of the Trees.....	6
4.	Tree Descriptions and Recommendations.....	6
5.	Discussion.....	7
5.1	Tree Condition & Recommended Works.....	7
5.2	Potential Arboricultural Implications & Design Advice.....	8
6.	Conclusions.....	10
Appendix 1:	Tree Descriptions and Recommendations.....	12
Appendix 2:	Explanation of Tree Descriptions.....	13
Appendix 3:	General Guidelines.....	15
Appendix 4:	Glossary of Terms & Abbreviations.....	16
Appendix 5:	Author Qualifications.....	17
Appendix 6:	Tree Constraints Plan.....	18

1. Introduction

1.1 Purpose of the Report

- 1.1.1 A report is required at land off Common Road, Brierley, to provide detailed, independent, arboricultural advice on the trees present, in the context of potential development.

1.2 Terms of Reference

- 1.2.1 I am instructed by Mrs Sue Wright to visit the site and prepare my findings in a report.
1.2.2 For this purpose I have been supplied with a topographical survey.

1.3 Scope of the Report

- 1.3.1 This report is compiled in accordance with BS 5837:2005 *Trees in relation to construction*.
1.3.2 Preliminary recommendations are given with a view to the long-term management of a sustainable tree cover.
1.3.3 All trees within the site boundary with a stem diameter above 75mm are included.
1.3.4 Where applicable trees outside the site boundary, but close enough to be affected by the proposed development, are included.
1.3.5 The specific design of any proposed development is not generally taken into account at this stage.

1.4 Survey Details

- 1.4.1 The survey took place during the month of December 2010.
1.4.2 The survey was conducted by Adam Winson MSc, BSc (Hons), NPD (Arboriculture).
1.4.3 Inspection was made at ground level. Further investigation, such as climbed inspections or decay detection surveys, may be recommended where appropriate.
1.4.4 Measurements were obtained using clinometers, specialist tapes or electronic distonimeters. Where this was not possible measurements were estimated.

2. Site Description	
2.1	Land Use
2.1.1	The site is a former sandstone quarry: it has long been abandoned and suffers from fly-tipping
2.2	Topography
2.2.1	Around half of the site is bounded by an approximately 10m high vertical cliff face. The site slopes down at a gentler gradient from Common Road to its lowest elevation at the base of the northern cliff face.
2.3	Treescape
2.3.1	Surrounding the site is a predominantly residential area containing a reasonable mix and distribution of trees.
2.3.2	The trees on this site have a moderate impact on the local treescape.
2.4	Visual Amenity Value
2.4.1	The trees on site collectively provide a reasonable visual amenity to the surrounding area.
2.5	Age Class Mix
2.5.1	The trees surveyed ranged in age from young to mature. However, the trees were predominantly semi-mature and mature.
2.6	Species Diversity
2.6.1	The predominant species were Ash and Hawthorn, with more occasional Hazel, Apple, Sycamore, Blackthorn and Oak, with other species being single specimens.

3. Status of the Trees

- 3.1 A check was made on 22nd December 2010 with: *Barnsley Metropolitan District Council*.

We are currently awaiting a response from the council, when we have received this information we will inform you in the first instance and update our reports as necessary. Before any work is organised, all the necessary steps to get the permission of the Local Planning Authority should be taken.

No work should be done to any trees until this information has been ascertained.

4. Tree Descriptions and Recommendations

- 4.1 Full details of all individual trees surveyed are recorded in the tables at **Appendix 1**. A full explanation of the tables can be found at **Appendix 2**. Please refer also to the Tree Constraints Plan at **Appendix 6** for tree locations.

5. Discussion

5.1 Tree Condition & Recommended Works

5.1.1 The tree survey revealed a total of 50 items of vegetation (45 individual trees and 5 groups of trees). Of these, 3 trees were identified as retention category 'B', 43 trees/groups were identified as retention category 'C', and 4 trees/groups were identified as retention category 'R'. No retention category 'A' trees were identified on this occasion. Please refer to Appendix 2 for retention category and definition criteria.

5.1.2 The significant vegetation can be broadly grouped into more mature Ash and Oak growing on top of the quarry cliff face, younger scrub and self sown trees within the southern third of the site, occasional mature Apple trees along the southern boundary and lapsed hedgerows to the west and north.

5.1.3 The mature Ash and Oaks (T3, T5, T38, T39 and T41 to T50) situated along the northern third of the site boundary, collectively form the dominant landscape feature of the site and surrounding area. Unfortunately, due to the limited space for the trees to root, it is likely that they will have compromised root stability and are or will become structurally unstable. Thus, whilst they are mostly classed as retention category 'C', trees at present, if the site was to become occupied they would be unsuitable for long term retention.

5.1.4 Four trees/groups (T1, G6, T14, and T25) were identified as retention category 'R'. These trees require removal for arboricultural reasons regardless of any on site development, and have been recommended for removal to prevent them from becoming dangerous trees or in order to benefit adjacent trees; their removal is of a low priority.

5.1.5 Most of the Apple trees are in poor or fair condition and have been unmanaged for several decades. However, whilst unkempt in form, the mature Apple T15 is a dominant feature within the site and still has reasonable long term prospects and as such is retention category 'B'.

5.1.6 The other category 'B' trees are self sown Ash (T7) and Sycamore (T20). These trees are only semi-mature and thus their loss could be mitigated with replacement plantings. They both have good long term prospects and would make significant features if allowed to develop.

5.1.7 Occasional tree pruning works are recommended for reasons of public safety/to ensure the long-term health of the trees, as detailed at Appendix 1.

5.1.8 Where a full detailed inspection of trees was inhibited by restricted access, as detailed at Appendix 1, it is advised that these trees be re-inspected for any possible defects when full access is available.

- 5.1.9 Those trees which overhang the public footpaths or public highways, detailed at Appendix 1, shall require future maintenance in order to maintain clearance heights for vehicular or pedestrian traffic. These heights should be 5.6m above a road and 2.5m above a footpath.
- 5.1.10 A proposed development could improve species and age diversity this by incorporating a Tree Planting Scheme which introduces younger trees of a variety of suitable species.

5.2 Potential Arboricultural Implications & Design Advice

- 5.2.1 The details of the proposed development are not known at present. However, the following comments can be made about the site in terms of its tree cover in relation to a potential development.

5.2.2 There is little room for development within this site without the removal of some trees. It is likely that the site would require significant level changes and ground-works to accommodate a number of dwellings; as such much of the tree cover in the central area would need to be removed. Most of these trees are lower value; retention category 'C' and their loss could be mitigated for by replacement planting.

5.2.3 Due to the limited rooting space for the trees situated along the cliff edge, if the site was to become occupied they would be unsuitable for long term retention and would need to be removed. Smaller hedgerow species could safely be grown here and would mitigate this loss to some degree.

5.2.4 During development the part of the tree most commonly under threat, and most commonly ignored, is the rooting system. When trees are damaged, particularly the roots, their long-term health and stability can be affected. Most development activity can have an impact on the future condition and safety of a tree, and therefore careful planning and management of tree protection should ensure a continued sustainable tree cover with minimal stress to existing trees.

5.2.5 In order to ensure that the retained trees on site are properly protected a Construction Exclusion Zone (CEZ) must be created, based on the rooting area of the tree. For the purpose of development the rooting area is known as the Root Protection Area or RPA. The RPA of each tree or group is marked on the Tree Constraints Plan at Appendix 6 and represents the rooting zone that should not be disturbed. The RPA of each tree should be considered during the layout phase of development.

5.2.6 Damage caused by any construction activity such as demolition, soil stripping, and provision of services needs to be considered at the design stage. Care should be taken to avoid damage to tree roots when existing structures such as tarmac surfaces are removed within a RPA.

5.2.7 The laying of access roads, driveways, parking areas or any other hard surfaces

- planned in proximity to retained trees needs to be considered. There are many solutions available to construct hard surfaces over RPAs without causing damage to trees.
- 5.2.8 Boundary walls or other light structures can be constructed without damage to roots through the use of piled foundations rather than the more traditional strip foundations.
- 5.2.9 The location of drainage and utilities within the RPA can be achieved if need be, using special techniques and supervision.
- 5.2.10 The position of the site compound is a major consideration. It is recommended that this, which typically includes the site office, facilities, toilets, storage of materials and parking, is located away from trees and outside the RPA.
- 5.2.11 Consideration must be given to movement of both vehicle and pedestrian traffic. If possible traffic should be diverted away from the RPAs. If this is not possible a range of temporary surfaces are available to distribute the weight of traffic and allow the roots to receive moisture and air.
- 5.2.12 Generally, the alteration of ground levels within the RPA is not acceptable, however, should ground levels need to be lowered in areas adjacent to trees or within the minimum distance recommended, appropriate measures should be taken to minimise the detrimental effects on the trees and their root systems. With regards to raising levels, it is necessary to maintain adequate supplies of moisture and oxygen through the soil to the tree roots. Therefore, no material should be placed within the RPA without arboricultural advice.
- 5.2.13 The shade that will be cast by the retained trees must also be considered. Where buildings are to be positioned within the shade cast area of trees, these should be designed in order to maximise light levels. If required, JCA can provide a shade cast prediction plan.
- 5.2.14 Many development sites contain areas of nature conservation interest. Trees and hedgerows, in particular, provide an important habitat for birds, bats, invertebrates and fungi and appropriate attention needs to be paid to preserving habitats throughout the development process. JCA can provide ecological and bat surveys where required.
- 5.2.15 Where a landscape planting scheme is proposed, consideration must be made at the planning stage as to where this is to be implemented on site. Such locations should be protected in order to prevent soil compaction and/or contamination and should therefore form part of the Construction Exclusion Zone. JCA can provide Tree Planting Schemes where required.

6. Conclusions

- 6.1 The trees surveyed were generally found to be in fair condition, however many would be unsuitable for retention were the site to become occupied.
- 6.2 Some trees have been recommended for removal for arboricultural reasons. These are discussed in Section 5 and detailed at Appendix 1.
- 6.3 Some works were recommended for reasons of public safety and to ensure the long term health of the trees. These are summarised in Section 5 and detailed at Appendix 1.
- 6.4 All development work carried out in close proximity to trees should be done so in a manner sympathetic to their needs. Otherwise the condition of the trees may deteriorate in the months and years following the development, leading to a loss of amenity and potentially hazardous trees.
- 6.5 Care should be taken at the design stage to ensure that the retained trees are protected. The protection of retained trees can be achieved by the creation of a Construction Exclusion Zone based on the Root Protection Area of a tree. The Root Protection Area of each tree or group is marked on the Tree Constraints Plan at Appendix 6.
- 6.6 The proposed development should be accompanied by an Arborticultural Method Statement (AMS) detailing the specific protection measures necessary for each tree. This should specify fencing standard and positions (the creation of the Construction Exclusion Zone), acceptable construction techniques and necessary tree works.
- 6.7 Upon instruction JCA Ltd are able to provide a comprehensive Arborticultural Method Statement in order to ensure the continued health of trees throughout the proposed development. We are also able to provide trees planting schemes and organise tree works.

Appendices

Land at Common Road, Brierley

Arborticultural Report at: Common Road, Brierley, Barnsley, South Yorkshire, S72 9EA.
Ref: 9900/ATW

Page 12 of 19

Appendix 1: Tree Descriptions and Recommendations

© JCA Limited 2010

Land at Common Road, Brierley

Appendix 1

Tree Descriptions and Recommendations

Rpf:9900/AW

Tree Ref	Age	Species	Latin Name	Height (m)	Crown Height (m)	Diameter (cm)	Crown Spread	W	E	S	Observations	Recommendations	Physiological Condition	Structural Condition	Aspect Value	Life Expectancy (yrs)	Retention Category
T 1	Early-mature	Goat Willow	<i>Salix caprea</i>	4	0	35	6	3	5	6	Crown overhangs the roadpath. Multi-stemmed at ground level. Natural regeneration. Tight union and partially included bark. Limited long term value.	Remove.	FAIR	POOR	LOW	10-20	R
T 2	Seeds-mature	Holly	<i>Ilex aquifolium</i>	9	2	30	1	2	2	2	Multi-stemmed at ground level. Vertical. Rubble at base. No major visible defects.	No action required.	GOOD	GOOD	LOW	40+	C
T 3	Early-mature	Ash		9	3	50	8	6	4	6	Access prevented detailed inspection. Situated on top of quarry wall, over cave-like structure. Limited rooting capacity thus limited long term value.	No action required but consider removal.	GOOD	FAIR	MOD	10-20	C
T 4	Seeds-mature	Hawthorn	<i>Cranogonus monophyllus</i>	4	1	25	1	1	1	1	Access prevented detailed inspection. Situated on top of quarry rock face. Limited rooting capacity thus limited long term value. Dense Ivy throughout.	No action required but consider removal.	GOOD	FAIR	LOW	10-20	C
T 5	Early-mature	Ash		12	5	35	6	4	4	6	Previously twin-stemmed now single stemmed. Access prevented detailed inspection. Situated on top of quarry rock face. Carry at base of stem. Limited long term value.	No action required but consider removal.	GOOD	FAIR	MOD	10-20	C
G 6	Early-mature	Elder	<i>Sambucus nigra</i>	5	1	20					Dense scrub (decumbent), covering dead and dying Elder. No long term value.	Remove.	POOR	POOR	LOW	10	R
T 7	Seeds-mature	Ash		11	3	35	4	4.5	4.5	4	Twin-stemmed at 2m with partially included bark. Reasonable form and long term prospects. No major visible defects.	No action required.	GOOD	GOOD	MOD	40+	B
T 8	Seeds-mature	Hawthorn	<i>Cranogonus monophyllus</i>	6	2	21	1	2	2	1	Twin-stemmed at 0.5m. Natural regeneration. No major visible defects.	No action required.	GOOD	GOOD	LOW	20-40	C
T 9	Seeds-mature	Hawthorn	<i>Cranogonus monophyllus</i>	6	1	36	2	2	2	2	Multi-stemmed at ground level. Natural regeneration. No major visible defects.	No action required.	GOOD	GOOD	LOW	20-40	C
T 10	Seeds-mature	Hawthorn	<i>Cranogonus monophyllus</i>	5	1	22	1	1	2	2	Twin-stemmed at ground level. Natural regeneration. No major visible defects.	No action required.	GOOD	GOOD	LOW	20-40	C

JCA Limited 2010

Land at Common Road, Brierley

Appendix 1

Tree Descriptions and Recommendations

Rd:9900/AV

Tree Ref	Age	Latin Name	Height (m)	Crown Height (m)	Diameter (cm)	Crown Spread	W	N	S	Observations	Recommendations	Physiological Condition	Structural Condition	Amenity Value	Life Expectancy (yrs)	Retention Category
T 11	Semi-mature	Abu	6	3	14	1	1	1	2	Single stemmed, stem grows along ground level for 1m then sharply turns vertical. Limited long term value.	No action required.	GOOD	FAIR	LOW	10-20	C
T 12	Semi-mature	Hawthorn	4	2	25	1	1	1	2	Twin-stemmed at ground level. Natural regeneration.	No action required.	GOOD	FAIR	LOW	20-40	C
T 13	Semi-mature	Hawthorn	6	2	25	2	2	2	3.5	Twin-stemmed at 1m. Slight lean. No major visible defects.	No action required.	GOOD	FAIR	LOW	20-40	C
T 14	Early-mature	Apple	4	2	30	3	1	1	2	Most stems snapped or rotted. One small live section to west. No long term value.	Remove.	POOR	POOR	LOW	< 10	R
T 15	Mature	Apple	7	2	55	7	6	6	6.5	Twin-stemmed at base and forks again at 1.5m. Chatterley old tree, forms dominant feature of site. Much deadwood and unmanaged yet still with good potential.	Than 10% Crown clean and crown reduce 15%.	GOOD	GOOD	MOD	20-40	B
T 16	Early-mature	Apple	5	2	18	1	2	2	2	Twin-stemmed at 1m. Slightly suppressed.	No action required.	GOOD	FAIR	LOW	20-40	C
T 17	Early-mature	Elder	5	2	27	2	1	3	2	Multi-stemmed at ground level. Natural regeneration.	No action required.	GOOD	FAIR	LOW	10-20	C
T 18	Mature	Apple	7	2	42	4	5	5	3	Crown overhangs the footpath. Single stemmed. Multi-stemmed at 2m. Cavity and decay at union. Deadwood throughout.	Thin 15%. Reduce 25%.	FAIR	FAIR	MOD	10-20	C
T 19	Early-mature	Hawthorn	7	2	23	2	3	2	4.5	2 stems at base forming one crown. No major visible defects.	No action required.	GOOD	GOOD	LOW	20-40	C
T 20	Semi-mature	Sycamore	10	3	28	4	3.5	4	4	Single stemmed and vertical. Self soon yet reasonable form and prospects. No major visible defects.	No action required.	GOOD	GOOD	MOD	40+	B

JCA Limited 2010

Land at Common Road, Brierley

Appendix 1

Tree Descriptions and Recommendations

Rgs:9900/AV

Tree Ref	Age	Species	Latin Name	Height (m)	Crown Height (m)	Diameter (cm)	Crown Spread	W	N	S	Observations	Recommendations	Physiological Condition	Structural Condition	Aesthetic Value	Life Expectancy (yrs)	Retention Category
T 21	Mature	Apple	<i>Malus sp.</i>	5	1	30	3	2	2	2	Two-stemmed at 1m. One stem dead tree in decline. Dense by mature throughout prevented detailed inspection. Limited long term value.	No action required but consider removal.	FAIR	POOR	LOW	10-20	C
Q 22	Semi-mature	Hawthorn and Elder	<i>Cornus monspeliensis</i> and <i>Sambucus nigra</i>	To 6	1	Ave 15	See plan				Small patch of natural regeneration. Limited long term value. No major visible defects.	No action required.	GOOD	GOOD	LOW	20-40	C
T 23	Mature	Hazel	<i>Corylus avellana</i>	8	1	60	5	6	7	1	Multi-stemmed at ground level. Mature example of species. Unbalanced crown. Tight union.	No action required. Consider coppice.	GOOD	FAIR	LOW	10-20	C
T 24	Mature	Hazel	<i>Corylus avellana</i>	8	1	40	5	7	1	2	Multi-stemmed at ground level. Mature example of species. Unbalanced crown. Tight union. Some branches topped.	Coppice	GOOD	FAIR	LOW	10-20	C
T 25	Mature	Hazel	<i>Corylus avellana</i>	7	1	50	3	3	3	4	Multi-stemmed at ground level. Has previously fallen over, now new stems growing upright. Limited long term value.	Coppice/remove.	GOOD	POOR	LOW	<10	R
T 26	Early-mature	Cherry	<i>Prunus sp.</i>	7	4	21	1	1	1	1	Single stemmed with significant lean and unbalanced crown. Cavity near base. Limited long term value.	No action required but consider removal.	FAIR	FAIR	LOW	<10	C
T 27	Semi-mature	Sycamore	<i>Pseudoplatanus acer</i>	9	3	38	3	3	3	4	Two-stemmed at 0.5m. Tight union and partially included bark. Stem wound at 0.5m. Limited long term value.	No action required but consider removal.	GOOD	POOR	LOW	10-20	C
T 28	Semi-mature	Sycamore	<i>Pseudoplatanus acer</i>	6	2	23	2	2	2	0	Two-stemmed at ground level. Suppressed form. Limited long term value.	No action required.	GOOD	FAIR	LOW	20-40	C
T 29	Early-mature	Hawthorn	<i>Cornus monspeliensis</i>	6	2	35	1	3	3	4	Crown overhangs the footpath. Multi-stemmed at ground level. Tight union. Some snapped limbs. Branches prevented detailed inspection.	Crown lift	FAIR	FAIR	MOD	10-20	C
T 30	Semi-mature	Hawthorn	<i>Cornus monspeliensis</i>	6	2	20	2	2	2	2	Crown overhangs the footpath. Two-stemmed at ground level. No major visible defects.	Crown lift overhanging crown	GOOD	FAIR	LOW	20-40	C

JCA Limited 2010

Land at Common Road, Brierley

Tree Descriptions and Recommendations

Rf:9900/ATV

Tree Ref	Age	Species	Latin Name	Height (m)	Crown Height (m)	Diameter (cm)	Crown Spread	W	E	S	Observations	Recommendations	Physiological Condition	Structural Condition	Aesthetic Value	Life Expectancy (yrs)	Retention Category
T 31	Early-mature	Blackthorn and Hawthorn	<i>Crataegus monogyna</i> and <i>Prunus spinosa</i>	7 Ave	2 Ave	25	See plan	See plan	See plan	See plan	Former hedgerow - long space maintained and reversed into individual shrubs/trees. Some deadwood and the back throughout. yet some screening potential.	Consider re-plant gaps to form pollard/coppice and re-plant gaps to form hedgerow feature.	FAIR	FAIR	MOD	20-40	C
G 32	Young-Semi-mature	Blackthorn and Hawthorn	<i>Crataegus monogyna</i> and <i>Prunus spinosa</i>	5	2	20	See plan	See plan	See plan	See plan	Young shrubs/trees. No major visible defects.	No action required.	GOOD	GOOD	LOW	30-40	C
T 33	Semi-mature	Blackthorn	<i>Prunus spinosa</i>	6	2	15	0	1	0	2	Self sown scrub. Significant lead. No major visible defects.	No action required.	GOOD	FAIR	LOW	20-40	C
T 34	Semi-mature	Blackthorn	<i>Prunus spinosa</i>	6	2	16	2	1	2	2	Single stemmed, twisted form - in decline. Limited long term value.	No action required but consider removal.	FAIR	FAIR	LOW	10-20	C
T 35	Early-mature	Hawthorn	<i>Crataegus monogyna</i>	4	1	35	0	4	3	2	Multi-stemmed at ground level. Cavity and decay at base.	No action required.	GOOD	FAIR	LOW	10-20	C
T 36	Early-mature	Oak	<i>Quercus robur</i>	5	2	25	See plan	See plan	See plan	See plan	Stemmed on cliff edge. Unbalanced crown. No major visible defects.	No action required.	GOOD	FAIR	LOW	20-40	C
G 37	Early-mature	Hawthorn	<i>Crataegus monogyna</i>	4	2	28	See plan	See plan	See plan	See plan	Former hedgerow - long space maintained and reversed into individual shrubs/trees. Some deadwood and the back throughout. yet some screening potential. Access prevented detailed inspection.	No action required.	GOOD	FAIR	LOW	30-40	C
T 38	Early-mature	Oak	<i>Quercus robur</i>	12	3	40	5	8	5	5	Single stemmed yet with mature suckers. Stemmed on edge of rock face. Limited roof area. Limited long term value.	No action required.	GOOD	FAIR	MOD	20-40	C
T 39	Mature	Ash	<i>Fraxinus excelsior</i>	12	3	70	7	8	9	7	Multi-stemmed at ground level. Mass of twisted stems. Stemmed on top of rock face. One snapped stem. Access prevented detailed inspection. Limited rooting capacity thus limited long term value.	Remove snapped stem and hanging stem. Consider removal.	GOOD	FAIR	LOW	10-20	C
G 40	Semi-mature	Hawthorn	<i>Crataegus monogyna</i>	3	1	20	See plan	See plan	See plan	See plan	Former hedgerow - maintained and reversed into individual shrubs/trees. Some deadwood and the back throughout.	No action required.	GOOD	GOOD	LOW	10-20	C

JCA Limited 2010

Land at Common Road, Brierley

Appendix 1

Tree Descriptions and Recommendations

Ref: 9900/AV

Tree Ref	Age	Latin Name	Height (m)	Crown Height (m)	Diameter (cm)	Crown Spread	W	N	E	S	Observations	Recommendations	Physiological Condition	Structural Condition	Amenity Value	Life Expectancy (yrs)	Retention Category
T 41	Maize	Ash	11	23	70	7	8	7	8	7	Multi-stemmed at ground level. Stemmed on top of rock face with limited rooting area. Limited long term value.	No action required but consider removal.	GOOD	FAIR	LOW	20-40	C
T 42	Maize	Ash	12	5	70	6	5	6	7	7	Multi-stemmed at ground level. Tight union. Stemmed on top of rock face. Limited rooting capacity. Thin limited long term value. Occasional deadwood.	No action required but consider removal.	GOOD	FAIR	LOW	10-20	C
T 43	Maize	Ash	12	5	45	6	7	6	6	7	Single stemmed. Stemmed on top of rock face with limited rooting area. Limited long term value. Access prevented detailed inspection.	No action required but consider removal.	GOOD	FAIR	LOW	10-20	C
T 44	Early-mature	Oak	10	3	45	6	6	6	7	7	Single stemmed yet mature suckers. Overhanging cliff. Stemmed on top of rock face with limited rooting area. Limited long term value.	No action required but consider removal.	GOOD	FAIR	LOW	10-20	C
T 45	Semi-mature	Sycamore	8	3	21	5	5	5	5	5	Single stemmed and vertical. No major visible defects.	No action required.	GOOD	GOOD	MID	20-40	C
T 46	Early-mature	Ash	11	5	50	3	5	3	8	8	Twist stem. Stemmed on top of rock face with limited rooting area. Limited long term value.	No action required but consider removal.	GOOD	POOR	LOW	10-20	C
T 47	Early-mature	Ash	10	4	40	3	5	3	6	6	Single stemmed. Stemmed on top of rock face with limited rooting area. Deadwood. No major visible defects.	No action required but consider removal.	FAIR	FAIR	LOW	10-20	C
T 48	Early-mature	Ash	11	3	45	4	5	5	6	6	Multi-stemmed at ground level. Stemmed on top of rock face with limited rooting area. Limited long term value.	No action required but consider removal.	FAIR	FAIR	LOW	10-20	C
T 49	Early-mature	Oak	8	3	43	4	0	3	6	6	Multi-stemmed at 2m. Stemmed on top of rock face with limited rooting area.	No action required but consider removal.	FAIR	POOR	LOW	10-20	C
T 50	Early-mature	Ash	12	3	80	8	7	8	8	8	Multi-stemmed at ground level. Many of twisted stems. Stemmed on top of rock face with limited rooting area. Limited long term value. Access prevented detailed inspection.	No action required but consider removal.	FAIR	POOR	MID	10-20	C

JCA Limited 2010

Appendix 2: Explanation of Tree Descriptions

A2.1 Measurements

A2.1.1 **HEIGHT** of the tree is measured from the stem base in metres. Where the ground has a significant slope the higher ground is selected.

A2.1.2 **CROWN HEIGHT** is an indication of the average height at which the crown begins.

A2.1.3 **STEM DIAMETER** is measured at 1.5 metres above (higher) ground level. Where the tree is multi-stemmed at this point: the diameter is measured close to ground level, just above the root buttress.

A2.1.4 **CROWN SPREAD** is measured from the centre of the stem base to the tips of the branches in all four cardinal points.

A2.2 Evaluations

A2.2.1 **AGE CLASS** of the tree is described as young, semi-mature, early-mature, mature, or over-mature.

A2.2.2 **PHYSIOLOGICAL CONDITION** is classed as good, fair, poor, or dead. This is an indication of the health of the tree and takes into account vigour, presence of disease and dieback.

A2.2.3 **STRUCTURAL CONDITION** is classed as good, fair or poor. This is an indication of the structural integrity of the tree and takes into account significant wounds, decay and quality of branch junctions.

A2.2.4 **LIFE EXPECTANCY** is classed as: less than 10 years, 10-20 years, 20-40 years, or more than 40 years. This is an indication of the number of years before removal of the tree is likely to be required.

A2.3 Retention Categories

A2.3.1 A (marked green on the plan) = retention most desirable.

These trees are of high quality and value with a good life expectancy. They may be further sub-divided as follows:

- A1) Particularly good examples; perhaps rare or unusual species, or forming an essential part of arboricultural features e.g. avenues.
- A2) Groups of trees having a significant landscape impact or with excellent screening properties, or those softening the effect of existing structures.
- A3) Those having significant conservation or historical value e.g. veteran trees.

A2.3.2 B (marked in blue on the plan) = retention desirable.

These trees are of moderate quality and value with a significant life expectancy. They may be further sub-divided as follows:

- B1) Trees that might be included in the high category but because of their numbers or slightly impaired condition, are downgraded in favour of the better individuals.
- B2) Groups of trees forming distinct landscape features, thereby attracting a higher collective rating than they might as individuals.
- B3) Trees with clearly identifiable conservation or other cultural benefits.

A2.3.3 C (marked in grey on the plan) = trees which could be retained.

These trees are of low quality and value, and are in adequate condition to remain until new planting could be established. They may be further sub-divided as follows:

- C1) Trees not qualifying in higher categories.
- C2) Groups of trees which do not form a distinct landscape feature.
- C3) Trees with very limited conservation or other cultural benefits.

A2.3.4 R (marked in red on the plan) = trees for removal.

These trees are in such a condition that any existing value would be lost within 10 years. This may be due to any of the following:

- 1) Failure is likely due to serious, irredeemable, structural defects.
- 2) Removal of other category R trees will render them exposed and unstable.
- 3) They are in serious, overall decline or are dead.
- 4) They are of low quality and suppressing adjacent trees of better quality.
- 5) Diseases are present which may affect the health of adjacent trees.

These trees should be removed or treated in such a way as to make them safe where they have high ecological value, such as in a woodland setting.

Appendix 3: General Guidelines

- A3.1 All work must be to BS 3998:1989 - 'Recommendations for tree work'.
- A3.2 Staff carrying out the work must be qualified, experienced and ideally be Arboricultural Association approved contractors. They should be covered by adequate public liability insurance.
- A3.3 This report is based upon a visual inspection. The consultant shall not be responsible for events which happen after this time due to factors which were not apparent at the time. and the acceptance of this report constitutes an agreement with the guidelines and the terms listed in this report.
- A3.4 Any defects seen by a contractor or the employer that were not apparent to the consultant must be brought to the consultant's attention immediately.
- A3.5 No liability can be accepted by JCA Ltd in respect of the trees unless the recommendations of this report are carried out under the supervision of JCA and within JCA's timescale.
- A3.6 It is advisable to have trees inspected by an arboricultural consultant regularly. In this instance it is recommended that these inspections are made every year.

Appendix 4: Glossary of Terms & Abbreviations

Arboriculture	The cultivation of trees in order to produce individual specimens of the greatest ornament, for shelter or any primary purpose other than the production of timber.
Canker	Disease damaged area of a tree, usually caused by fungus or bacteria.
Co-dominant Stem	A stem which has grown in direct competition to the main stem and which has formed a substantial size influencing the appearance of the tree.
Crown Lift	The removal of the lowest branches, usually to a given height. It allows more residual light and greater clearance underneath for vehicles etc.
Crown reduce	The reduction of a tree's height or spread while preserving its natural shape.
Crown thin	The removal of some of the density of a tree's crown, usually 5-25% allowing more light through its canopy and reducing wind resistance.
Deadwood	Either dead branches, or a procedure involving the removal of dead, dying and diseased branches.
Dieback	Where branches are beginning to show signs of death usually at the tips in the crown.
Epicormic shoots	Small branches that grow in uncharacteristic clusters around the base or the stem of a tree, usually as a result of bad pruning or some other stress factor.
Formative pruning	The trimming of a tree to remove weaknesses and irregularities which may lead to problems. The formative pruning operation is aimed at reducing the potential for future weaknesses or problems within the tree's crown.
Included bark	Where the bark on two adjoining branches or stems is growing tight together, forming a joint with limited physical strength.
Pollarding	A method of tree management in which the main trunk of the tree is cut at about 4m, and the resulting branches are then cropped on a regular basis.
Remedial pruning	The removal of old snubs, deadwood, epicormic growth, rubbing or crossing branches and other unwanted items from the tree's crown. Sometimes referred to as crown cleaning.
RPA	Root Protection Area – The theoretical rooting area of a tree as defined in BS5837: 2005 <i>Trees in relation to construction</i> .
Topping	Topping is a form of pruning that removes terminal growth leaving a 'stub' cut end. Topping causes serious health problems to a tree.

Appendix 5: Author Qualifications

Principal Consultant and Managing Director

Jonathan Cocking F.R.E.S., Tech. Cert. (Arbor-A), PDipArb (RFS), F Arbor-C, Chd, MSB MFCor. Jonathan is a Registered Consultant and Fellow of the Arboricultural Association and sits on its Professional Committee. He has 31 years experience in the Arboricultural profession and served for eight years as Senior Arboriculturist with a large local authority before establishing JCA in 1997. He has since developed JCA's portfolio of services and its extensive client base. Jonathan is a Chartered Biologist, a Chartered Arboriculturist and an Expert Witness with much experience of litigation work.

Technical Coordinator

Iobay Thiruvannam BSC (Hons), PhD (Arboreal/Infraview). Iobay joined JCA in 1998 after graduating in Ecology at the University of Huddersfield and has since graduated in Arboriculture at the University of Lancashire. A former JCA team leader and Consulting Arboriculturalist, Iobay was promoted to Technical Coordinator and now oversees all office and on-site activities at JCA and is on hand to offer technical support and advice.

Consulting Staff

Andreas Bagshaw *PT (Athletic)*, Andrew joined JCA in 2005 having gained several years experience in free surgery and landscaping. He is trained in aerial rescue and is JCA's principal first aid person. Andrew has obtained a foundation degree in Arboriculture at the University of Lancaster and is JCA qualified and is a JCA team leader who manages an office of Consulting Arboriculturists.

Adam Wilson BSc (Hons), ND (Aromatherapy), MSc (Agriculture and Urban Forestry), is a Professional Associate of the Institute of Foresters and an Associate Member of the Institute of Ecology and Environmental Management. Prior to joining JCA Adam worked as a tree surgeon. During his BSc in Environmental Conservation he gained the CPRE award for best dissertation. Adam has recently obtained an MSc in Arboriculture and Urban Forestry.

Robert Godwin B.A. (Hons) (Landscape Planning), Alibon, is a Professional Member of the Institute of the Arboricultural Association and a Professional Associate of the Institute of Chartered Foresters. He has a degree in Landscape Planning & Management and has several years experience as a Consulting Arboriculturist. Robert is currently working towards an MSc in Arboriculture and Urban Forestry.

business. She has recently obtained her foundation degree at the University of Lancaster. Victoria Black *FD (Aeronautical)*, Victoria has been with JCA since 2003 building her knowledge of the Aeronautical business. Andrew Bursery joined JCA having spent 12 years doing tree surgery for various companies and a Local Authority. He has now joined JCA and is currently studying for his Advanced Diploma in Aeronautical Technology at Lancaster University.

Certificate.

Toby Parsons *Com Arb (RFS), Tech. Cert. (Arbor A)*. Toby joined JCA after spending 6 years working as a senior climber for various Arboricultural contractors in the East Midlands and the South-West. He has gained the Level 2 Certificate in Arboriculture (RFS), an Arboricultural Technicians Certificate and is QTRA qualified.

David Venables BSc (Forestry). David joined JCA in 2009 having achieved his degree at University of Wales, Bangor. David's previous experience prior to joining JCA was as a Management Support Officer for the Forestry Commission at Dechnyr. David's responsibilities included carrying out health and safety inspections to ensure all sites and staff meet relevant standards, assisting with the supervision of the workforce and the installation of a GIS system for the nursery.

Raphael Skerrett BSc (Forestry) FARBON. Raphael covers the London area for JCA. He ran his own Arboricultural businesses since 1972 and is experienced in tree surveys for development, safety and subsidence purposes, and is an Expert Witness.

Administrative Staff

Sue Guest Administrative Team Leader.
Sally Whitman Administrative Assistant.
Simeon Haight BSc (Hons) IT Officer.

Calbertus Cooching Accounts Manager.
Vasudeu Bussala Administrative Assistant.
Liz Bone Trautice Administrative Assistant.
Alec Fielden Cent. Arb. (RFS). CAD Technician.

Land at Common Road, Brierley

Arborticultural Report at: Common Road, Brierley, Barnsley, South Yorkshire, S72 9EA.
Ref: 9900/4W

Page 18 of 19

Appendix 6: Tree Constraints Plan

© JCA Limited 2010

Land at Common Road, Brierley

Arboreal Report at: Common Road, Brierley, Barnsley, South Yorkshire, S72 9EA.
Ref: 9900/ATW

Page 19 of 19

I hope that this report provides all the necessary information, but should any further advice be needed please do not hesitate to contact the author.

Signed

Adam Winson MSc, BSc (Hons), N.D. (Arboreal).

23rd December 2010

For and on behalf of JCA Ltd

Registered Office:

Unit 80

Bowers Mill

Branch Road

Barkisland

Hallifax

HX4 0AD

Tel. 01422 376335

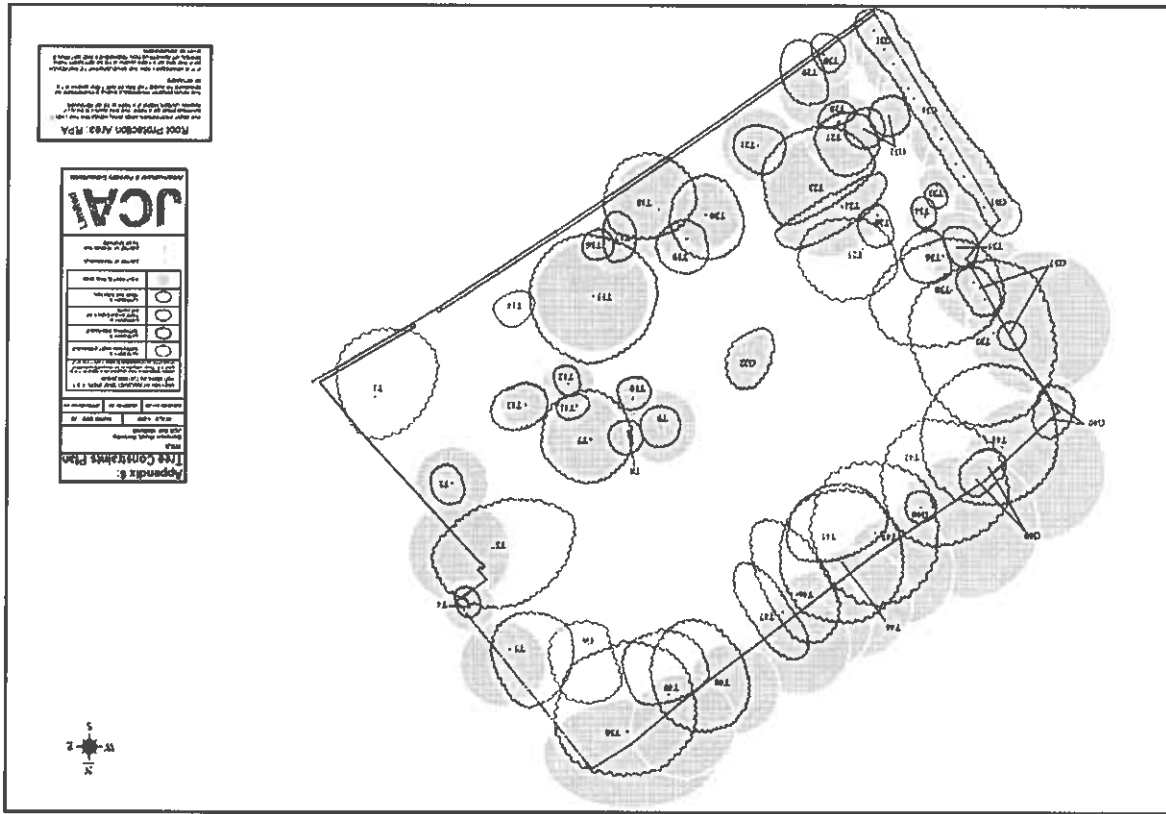
Fax. 01422 376232

Email: jon@jcaac.com

www.jcaac.com

Report printed on recycled paper

Land at Common Road, Brierley



Land at Common Road, Brierley

Appendix 10.11

Planning: LPA email Monday October 18th 2010

From: Cotton, Alexandra

To: 'Oligra'

Sent: Monday, October 18, 2010 3:18 PM

Subject: 2010 1097 Former Quarry, Common Road, Brierley

Dear David

Re: Erection of 6 no. three storey dwellings at the site of the Former Quarry, Common Road, Brierley

Application 2010 1097 was withdrawn on the 6th October 2010, as per your request.

I have attached, for your information, consultation responses to application 2010 1097. The ones from the Tree Officer and Conservation Officer may be of particular interest.

If your client still wishes to pursue the redevelopment of this site following our discussion on the 6th October 2010 regard should be had to the following when drawing up a new scheme:

- The need to retain as many trees on the site as is reasonably possible, particularly along the site frontage and along the boundaries of the site. This is to ensure that the site will continue to perform its Urban Greenspace function as an area of amenity value. I would anticipate that a development comprising only a very small number of dwellings could achieve that end.

Please note that as the development will inevitably have some adverse effects on the functioning of the greenspace, these would need to be offset by compensatory improvements, most likely in the form of a payment of money (financial contribution) to improve other areas of Urban Greenspace within the local area. Based on previous applications I would expect that we would require contributions of approx £2000 per dwelling.

With regards the specific point raised in your letter regarding the building line, without seeing a revised layout I am reluctant to agree with your suggestion that a 5m wide landscaped frontage would be acceptable. I do not think however on this site that it is appropriate for a development on this site to follow the existing building line, set back no's 3 – 6 Royd View.

- The need to ensure that the design and scale of the dwellings proposed reflects that of the more traditional dwellings within the Conservation Area and that the build incorporates high quality materials. I note we disagree on this point as you state in your letter that your client is reluctant to reduce the scale of the dwellings however our view remains the same.
- That the application is accompanied by a bat survey, tree survey and tree planting plan and relevant ecological/wildlife surveys (i.e. protected species including bats/breeding birds/flora and fauna).

I hope the above is useful. Once you have revised the scheme Tony Wiles and Edward Jowett and myself would be more than willing to provide further comments.

Please note that the email contains officer advice only and will not prejudice the outcome of any future planning application.

Regards

Alexandra Cotton
Planning Officer
Development Management
Barnsley Metropolitan Borough Council
Planning and Transportation Service

Land at Common Road, Brierley

PO Box 604
Barnsley

Appendix 10.12

Trees: Edward Jowett Internal Consultation

29th September 2010

PLANNING CONSULTATION REPLY

To: Alix Cotton	Date: 29.09.2010
From: Edward Jowett	Ext: 2557

APPLICATION: Former Quarry, Common Road, Brierley.

2 0 1 0 1 0 9 7

Summary of Proposals

Erection of 6 three storey dwellings.

Site Appraisal

The site was visited by Edward Jowett, Tree Officer and the trees were briefly inspected.

The entire site and all the trees within it are subject to a TPO. The area has become overgrown and in some areas vegetation cover is very dense. There appear however to be many trees on site which are worthy of and indeed should be retained.

Following pre-application advice regarding the site this application has been submitted and reflects none of the recommendations made in terms of the arboricultural issues. No tree survey has been produced in order to inform the design of the layout, and this shows. The proposed development as it stands has a complete disregard for any of the trees on site and as would result in many of the better specimens being lost, as such there is no option but to recommend that the application be refused.

Note: Assessments of tree condition and safety are based on a simple visual inspection from ground level. Comments should not be taken as a definitive assessment of tree health, as this should be carried out by a suitably qualified arboriculturalist, possibly including a high level inspection. The applicant should be reminded of the owner's legal responsibilities to ensure that trees are regularly inspected and maintained in a safe condition.

Recommendations

REFUSE: Due to lack of information on any of the trees on site and the complete disregard of tree related issues in the design even following pre-application advice informing them of what was required.

Land at Common Road, Brierley

Appendix 10.13

Conservation Area: Tony Wiles Internal Consultation

7th October 2010

BARNESLEY
Metropolitan Borough Council

NOTE
FOR FILE

Subject: Erection of 6 no. three storey dwellings, Former Quarry, Common Road, Brierley

File Ref: 2010/1097

Recommend: Objections relating to scale, massing, details, materials, layout, and undue impact on character of the conservation area.

Brierley Conservation Area.

The site in question is a disused and overgrown quarry at the eastern margin of the Brierley Conservation Area that arguably provided much of the original building stone in the village. Brierley village and its historic core exhibits a range of architectural styles and ages from stone farmhouse / farm buildings typical of the upland vernacular found elsewhere in the Borough through pre war semi and detached dwellings, to a modern estate development (Church Gate). However the prevalent traditional elements of the conservation area still lend significant character to the conservation area. These include Common Road namely the buildings associated with Elms Farm, as well as buildings at the eastern end of Brierley Hall, Grange Farm, Hall Farm, and Llac Farm, as well as buildings at the eastern end of the conservation area still lend significant character to the conservation area. These include timber framed windows / doors, sandstone walls, sandstone flagged roofs, and edges or boundaries defined by sandstone walls and topers. These types of buildings and this pattern of loosely associated agricultural holdings is common to many Conservation areas in Barnsley.

The Proposal

Unfortunately, the application as proposed does not reflect this vernacular in any clear way. In terms of scale and overall massing the proposal appears overly dominant (exacerbated by the proximity to the road), and simply too large. From floor to ridge the elevation fronting Common road might be comparable to the buildings immediately adjacent to the east. However (crucially) these are two storey (but elevated) and benefit from a visual buffer / platform of stone wall, gardens and fencing. Additionally, it is worth noting these dwellings are gableside the conservation area. In contrast the proposal presents a large three storey elevation with a number of visually intrusive elements including Juliet Balconies and open second floor terraces that contribute to the overbearing nature of the frontage. Generally, this is a development that I would say is more typical of an urban setting and sits uncomfortably with the small scale simple vernacular styles identified above. The further use of glass, brick and metal only reinforces this urban character. Over and above the proposal for the building, I feel the trees and any development on the site should include a tree survey and proposals for retention or replacement of trees that would maintain this green screen.

The principle of residential development on the site is not one I would necessarily object to. However a design that better reflects the scale, forms, details and materials of the more traditional buildings in the conservation area would (in my mind) be far more appropriate.

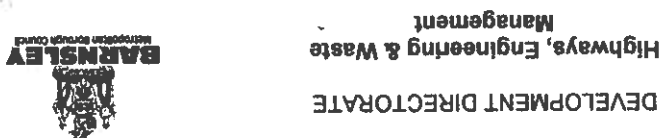
Signed: Tony Wiles.....**Date:** 07.10.10

**Design & Conservation
Planning and Transportation
Service**
PO Box 604, Barnsley, S70 9FE

Land at Common Road, Brierley

Appendix 10.14 Highways:

Sheridan Pashley Internal Communication 27th September 2010



DEVELOPMENT DIRECTORATE
Highways, Engineering & Waste
Management

To: Assistant Director: Planning & Transportation
My Ref: HD/C/SEP/2010/1097
Date: 27th September 2010
Enquiries to: Sheridan Pashley
Ext: 2175

Subject: Erection of 6 no. three storey dwellings.
~~Former quarry, Common Road, Brierley, Barnsley.~~

I refer to your consultation dated 7th September 2010, regarding the above application.

It is not wished to raise highway objection to the proposals subject to the following conditions:-

The access shall be a minimum of 4.5 metres wide for the first 9 metres, from its junction with

Common Road.

Sight lines, having the dimensions 2.4m x 90m, shall be safeguarded at the drive

entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.05m

above the nearside channel level of the adjacent highway, in the interest of road safety.

All on-site vehicular areas shall be hard surfaced and in drained in an approved manner

prior to the development being brought into use, to prevent mud/debris being deposited on

the public highway, to the detriment of road safety.

The parking/manoeuvring facilities, indicated on the submitted plan, shall be provided

prior to the development being brought into use, and shall be retained for that sole

purpose at all times, in the interest of road safety.

All surface water run-off shall be collected and disposed of within the site and shall not be

allowed to be discharged onto the public highway, in the interest of road safety.

Prior to any works commencing on-site, a condition survey (including structural integrity)

of the highways to be used by construction traffic shall be carried out in association with

the Local Planning Authority. The methodology of the survey shall be approved, in

writing, by the Local Planning Authority and shall assess the existing state of the

highway. On completion of the development a second condition survey shall be submitted

for the written approval of the Local Planning Authority, which shall identify any defects

attributable to the traffic ensuing from the development. Any necessary remedial works

shall be completed at the developers expense in accordance with a scheme to be agreed, in

writing, by the Local Planning Authority.

C:\Documents and Settings\Alderson\My Documents\Barnsley\Temporary\Barnsley\Barnsley\2010 1097.doc
09/09/11

Land at Common Road, Brierley

Vehicular and pedestrian gradients within the site shall not exceed 1 in 12 to ensure safe and adequate access.

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:-

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

In the interests of highway safety.

It would also be appreciated if you would include an advisory note to the effect that the developer must contact Mr S Gibbons – Highways & Engineering prior to any works commencing on-site, to gain all the necessary technical and legal approvals relating to the creation/alteration/reinstatement* of vehicular accesses to the highway.

For and on behalf of
Assistant Director: Highways, Engineering & Waste Management.

Land at Common Road, Brierley

Appendix 10.15

Yorkshire Water: Stephanie Walden

30th September 2010



Head of Planning and Transportation
Service
Barnsley Metropolitan Borough Council
PO Box 604
Barnsley
S70 9FE

Your Ref: 2010/1097
Our Ref: L006131

Tel: (01274) 691111
Fax: (01274) 692643

For telephone enquiries ring:
Z Fayaz on (01274) 692072

E-mail Zaffer.Fayaz@yorkshirewater.co.uk

30th September 2010

Dear Sir/Madam

Former Quarry, Common Road, Brierley, Barnsley - Erection of 6 three storey houses

Thank you for consulting Yorkshire Water regarding the above proposed development. We have the following comments:

Water Supply

A water supply can be provided under the terms of the Water Industry Act, 1991

Waste Water

If planning permission is to be granted the following conditions should be attached in order to protect the local aquatic environment and YW infrastructure:

The site shall be developed with separate systems of drainage for foul and surface water on and off site.

(In the interest of satisfactory and sustainable drainage)

No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority.

(To ensure that the development can be properly drained)

Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved

surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

(To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal)

Land at Common Road, Brierley

OBSERVATIONS:

The development of the site should take place with separate systems for foul and surface water drainage.

Foul water domestic waste should discharge to the 225mm diameter public foul/combined water sewer recorded in Common Road at a point approximately 5 metres from the site.

The local public sewer network does not have capacity to accept any additional discharge of surface water from the proposal site.

It is noted that the planning application states 'Soakaway' for surface water disposal.

Sustainable Systems (SUDS), for example the use of soakaways and/or permeable hardstanding may be a suitable solution for surface water disposal that is appropriate in this situation. The use of SUDS should be encouraged and the LPA's attention is drawn to PPS25. The developer and LPA are advised to seek comments on the suitability of SUDS from the appropriate authorities. The developer must contact the Highway Authority with regard to acceptability of highway drainage proposals.

The developer is also advised to contact the relevant drainage authorities with a view to establishing a suitable watercourse for the disposal of surface water.

Alternatively, surface water may discharge to the public sewer network (subject to some evidence that other means of surface water disposal have been considered). Discharges to the public sewer must be on a like for like basis and take into account climate change i.e. have a reduction of a minimum of 30%. The developer will have to demonstrate positive drainage to the public sewer to the satisfaction of WYSPine LPA by means of investigation and calculation, (i.e. same points and rates of discharge).

Off-site sewerage may be required. This may be provided by the developer and considered for adoption by means of a sewer adoption agreement under Section 104 of the Water Industry Act 1991. Alternatively, the developer may in certain circumstances be able to requisition off-site sewers under Section 98 of the Water Industry Act 1991.

The public sewer network is for domestic sewage purposes. This generally means foul water for domestic purposes and, where a suitable surface water or combined sewer is available, surface water from the roof of buildings together with surface water from paved areas of land appurtenant to those buildings. Land and highway drainage have no right of connection to the public sewer network. Highway drainage, however, may be accepted under certain circumstances; for instance, if SUDS are not a viable option and there is no highway drain available and if capacity is available within the public sewer network. In this event, the developer will be required to enter into a formal agreement with Yorkshire Water Services under Section 115 Water Industry Act 1991 to discharge non-domestic flows into the public sewer network.

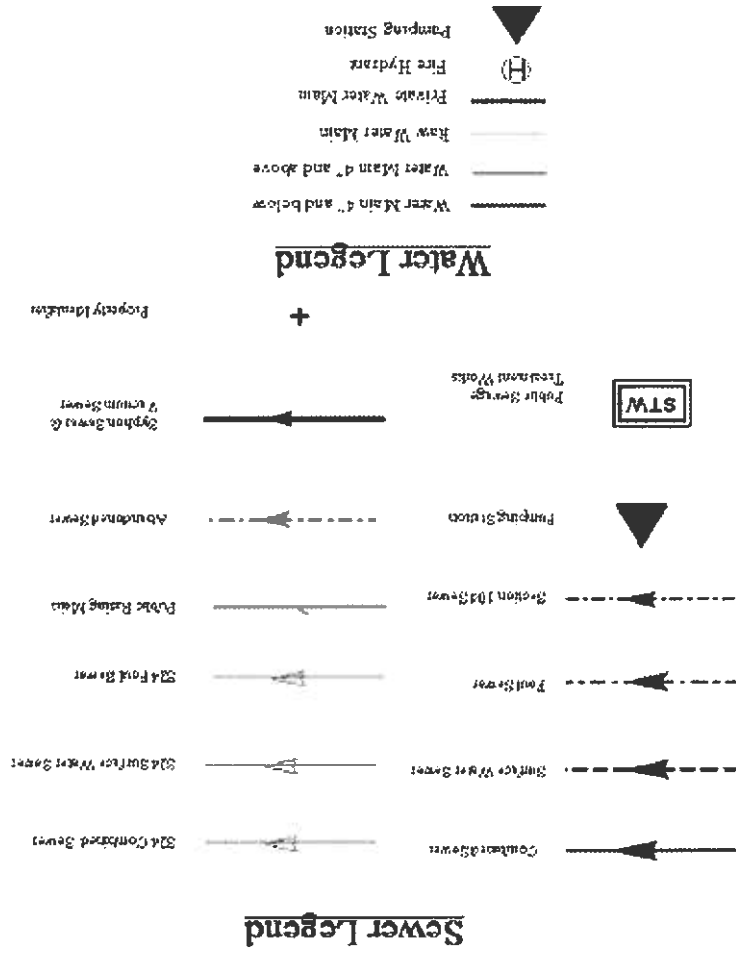
It is important that Yorkshire Water is informed of the local planning authority's decision on this application

Please send me a copy of the decision notice

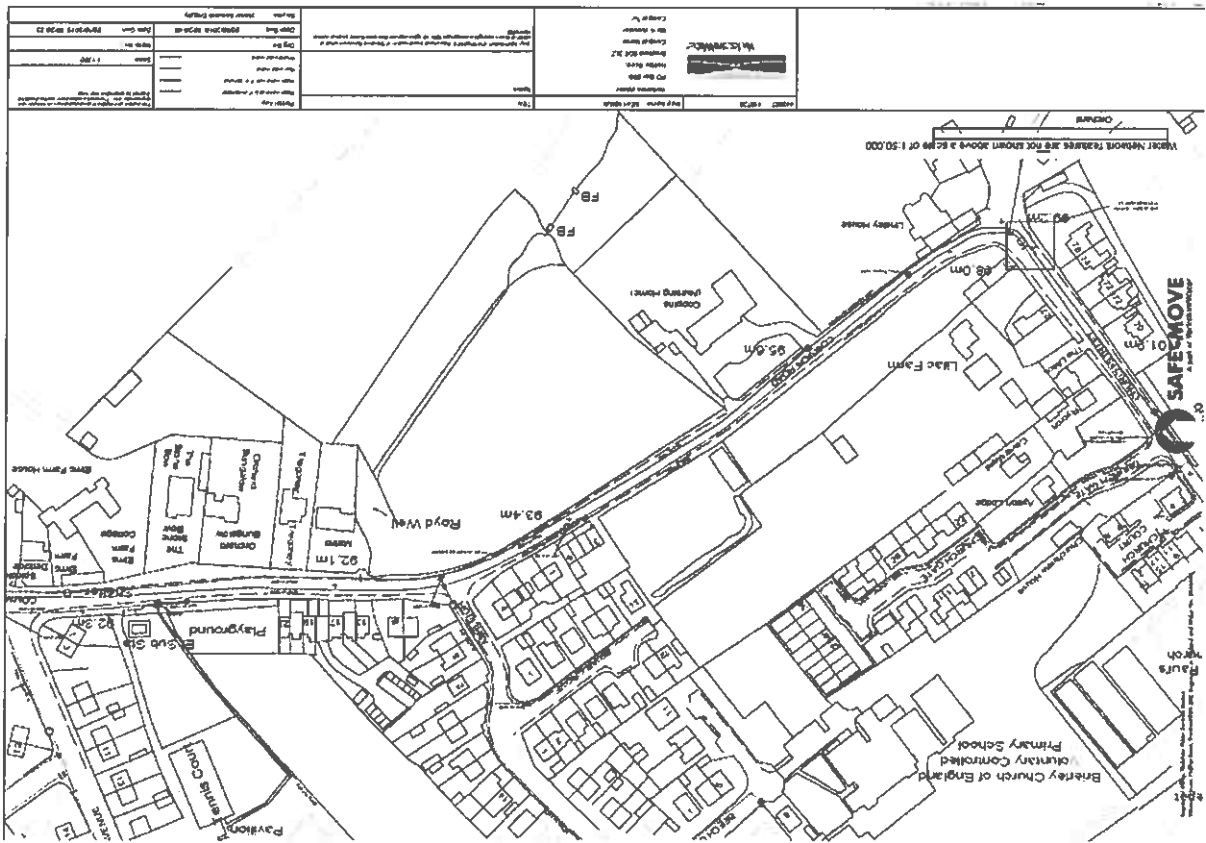
Yours faithfully

Stephanie Walden
Land Use Planning Manager

Sewer and Water Legends

[illegible]**FE-MOVE**

Land at Common Road, Brierley



[illegible]